

**Long Creek General Permit Public Meeting
South Portland Community Center
July 15, 2009; 1:00 p.m. – 4:00 p.m.**

Meeting Summary

TOPIC: WELCOME/INTRODUCTIONS & BACKGROUND-[DON WITHERILL, DEP {DON W.}]

- Overview of meeting agenda, including Q & A.
- Patrick Marass is a government intern with the DEP this summer and he is available to help with interpretation of the Long Creek watershed parcel map.
- DEP staff will stay as long as it takes to answer all questions.
- Any comments need to be on the record and in writing either by letter or email and sent to DEP.
- If folks want more information or details, it is available on the web at various locations including www.restorelongcreek.org .

TOPIC: BACKGROUND – WHY WERE HERE: - [DON W.]

- Long Creek – Maine Mall area - 3.5 sq mile watershed.
- The watershed is mostly in So Portland, some in Westbrook, Scarborough and Portland.
- Studied for 10+ years – does not meet minimum state water quality standards in relation to aquatic life, metals and dissolved oxygen.
- This is a direct result of development in the watershed and a great deal of impervious surface.
- Impervious surface causes high flashy flows and stream degradation – stormwater runoff entering the stream which is essentially untreated. Also, habitat alterations can result from proximity to development.
- So Portland contacted Dept. to inquire about Clarks Pond years ago in the 1980s.
- Environmental Advocacy group – Conservation Law Foundation (CLF) petitioned EPA to designate this watershed and cause DEP to get more involved in cleaning the stream up.

Question: Why here and not somewhere else? Where else is this being done? Why here first?

Response: There are other urban impaired streams in the state; however this is the first effort of its kind in the state and only one of two in the country. This effort is being watched closely country wide as many are looking to this effort to use as a model. [Don W.]

Question: What is it that makes this all the responsibility of the landowner – and not automobiles (which are a significant part of the pollution problem)? My land is not contributing to the problem; it's the cars. Can't we go after them at the time of car registration? Mall area is a heavily-taxed region and more fees will be more of a burden and potentially force more businesses out of business and lower overall property values.

Response: DEP's assessment is that the land use activity is the cause – roads are a focus. Owners of the roads have been participating in this effort from the beginning. It is difficult to pinpoint all onto automobiles and it's difficult from a practical standpoint to go after automobile drivers to pay towards fixing the creek. Part of the stakeholder process was to try to address private and public roads in order to try to get at the impacts of roads. [Don W.]

Comment: Businesses are failing, mall area is a heavily-taxed region already, – vacancies are up – cars need to be looked at as a way to pay for some of the degradation.

Question: Stimulus funds – why can't our senators bring stimulus \$\$ into the state? We should be going after more stimulus money. I'm also concerned about the negative impacts of these fees on businesses.

Response: We have received stimulus funds (a) Maine Mall Road is a MDOT project (~\$2 million), (b) District received low interest loan, \$2.1 million, \$0.5 million in principal forgiveness [Don W.]

Comment: Should not stop there; help us to contact whoever (e.g., senators) can help us get more money.

Response to Comment: Long Creek Management Plan Committees are still up and running – Models and Outreach committee – Landowners who are here have participated in looking for funding opportunities. Retail timing is horrible. The CCSWCD has also been awarded grants for the Long Creek database development and for landowner outreach and parcel assessment. [Don W.]

Question: Would we still be here today if the Stimulus Bill had not passed?

Response: Yes DEP has EPA requirements to uphold, and looking for how to do this in the best way possible. [Don W.]

Question: So Portland – Clarks Pond inquiry – You stated that the City had set standards and setbacks and they did not help the pond. The stream corridor has been looked at and sites identified to do in-stream work. Has there been an analysis to see if things like setbacks worked? Shouldn't you look at whether you can change those setbacks to offset the cost of these new fees?

Response: The green space available should be preserved. Much of the development took place in the Maine Mall area before DEP had more modern BMPs. There haven't really been any detailed studies of potential benefits of setbacks. [Don W.]

Response 2: A draft credit system has already been established to provide landowners credit for components of their properties that provide some stormwater treatment. Property assessments will be done in the next couple of months and we will examine the potential benefits of setbacks. [Tamara Lee Pinard, CCSWCD]

TOPIC: BACKGROUND (CONTINUED): - [DON W.]

- CLF participated early on – and they considered LC to be in violation of the Clean Water Act.
- CLF wanted EPA to enforce residual designation authority (RDA). EPA, through Aug 14, is still accepting comments, on the preliminary RDA designation it issued.
- DEP is a delegated permitting authority carrying out the work on behalf of the EPA. Federally handed down mandate.

Question: Who is contact person at EPA? Response: Jennie Bridge – her email address (bridge.jennie@epamail.epa.gov) is on the handouts.

TOPIC: BACKGROUND (CONTINUED): - [DON W.]

- In anticipation of EPA issuing designation (under residual designation authority {RDA}), MDEP wanted the Long Creek Watershed Management Plan (LCWMP) to be the vehicle by which restoration happens with identified improvements/opportunities.
- The LCWMP provides a collective approach towards solving impairments in the stream by inventorying and prioritizing problems and potential solutions/remedies. This collective approach ideally would lead towards participation in the general permit.
- Technical consultants looked at the sites with the biggest bang for the buck that will positively impact water quality.
- All landowners designated as needing a stormwater discharge permit will need to decide if they will participate under general permit or apply for an individual permit. Each lot would need to implement monitoring and BMPs that meet minimum criteria. Landowners will need to do cost benefit analysis to see what is most cost effective approach to obtaining permit coverage.
- MDEP believes that for most landowners participating in the LCWMP through the general permit will be economically the most cost effective approach.

Question: Is there a scaled down option of stormwater BMPs such as pervious pavement? Have parking areas been identified to achieve pervious pavement expectations?

Response: Porous pavement and concrete pavers are available to achieve pervious surface but can be expensive; other alternatives are available that will cost less. [Don W.]

TOPIC: BACKGROUND (CONTINUED): - [DON W.]

- Sites in the plan are identified within **three tiers** of improvements. The plan only recommends the highest price options as a last resort (i.e., if stream doesn't meet water quality standards after Tier 1 and Tier 2 BMPs have been installed and allowed to perform). We may be able to do retrofits that are much lower cost. Tier 1 & 2 are the things (BMPs, etc.) that the steering committee agreed should be pursued first. The LCWMP recommends the low-cost fixes first and then sees how much that fixes the problems. Tier 2 projects will be more expensive but in the green spaces, to utilize existing greenways. Tier 3 will be much more expensive. Options and variations are available.

Comment: Cities required developers to put down pavement as they built buildings. Those ordinances should be revisited.

Question: This is a 5 year permit. Does the Tier 3 get implemented after 5 years? The LCWMP calls for all Tier 1 and 2 to happen, correct? It assumes that everybody participates in the general permit. What if some people opt out of the general permit, will other participants be pro-rated?

Response: The general permit is written with a **10 year goal** but is issued as a **5 year permit**. Doing all the work in five years is cost prohibitive. 10 years is a more reasonable timeline for trying to bring the stream back into compliance. [Don W.]

- Over a 10 year period – Tier 1 and 2 and in stream work and riparian will need to be done – and will be required activities in the permit. This is based on full participation of all landowners.

Question: If there isn't full participation will there be more time to complete Tier 1 and 2?

Response: The time schedule will be re-evaluated after each permit term expires [Don W.]. More time will be allotted if necessary.

Question: If this is a 10 year project, why not issue a 10 year permit (up to 2020)?

Response: Under the Clean Water Act, discharge permits can be issued for a maximum of 5 years. [Don W.]

Question: Let's say we go through the restoration process. Is permitting forever? Will it always have to be permitted for Long Creek?

Response: The permits being issued are for 5 years. DEP is hoping that the stream will be in compliance within 10 years. BMP's will need to be maintained in perpetuity. That would require permits that at least address long-term maintenance of BMPs. The Models and Outreach Committee [the committee that worked on developing funding models as part of the plan development] decided to have an "Opt Out" after five years if landowners want to switch to an individual permit. The DEP is proposing to give credit for prior contributions under the general permit. [Don W.]

Question: What is fee structure for one acre of impervious surface?

Response: \$3000 for first year minus any awarded credits. Yearly per acre fee could potentially be reduced for the second year as we will have a better idea of who is participating and fees will be proportional. Credit will be given for any work done. [Tamara]

Comment: You should look at the Clean Marina program as an example. If you prove yourself a good steward, you can get credit / get out of program.

TOPIC: GENERAL AND INDIVIDUAL PERMIT SUMMARIES [DON W]

- Maintenance is a requirement – both for individual and general permit participation.
- Monitoring will be a component of both permits, whether general or individual, to make sure that improvements to Long Creek are documented.

Comment/Question: General discussion/concerns over who would be assessed the fees and over the definitions of "Operator" vs. "Owner". Who is operator? Is it owner? Also, who made the "common operator" (common scheme of development) provision?

Response: The "operator" is the owner unless another person (e.g., tenant) is in control over the stormwater. DEP came up with the common scheme definition. [Don W.]

Question: How will DEP view a 4 year lease when it is a 5 year permit? What is considered a "long term" lease?

Response: General Permit is binding to the operator; would likely fall to the landowner in 5th year. This particular issue has not been worked out yet [Don W.]

Comment: Most tenants have triple net leases, which means the tenant would be responsible for the expenses involved with permit compliance.

Comment: All landowners will need to include verbiage about “who controls stormwater.” The language of the permit having the operator directly responsible for stormwater isn’t the norm, as far as lease language. This will affect tenants with long term leases. This should be considered.

Comment/Question: Situations putting more than one property under a common scheme will cause problems. The landlord doesn’t control the properties. And the tenants end up being confused too. It concerns me that properties have been grouped together to add them to be more than 1 acre of impervious. Will there be site visits to look at this?

Response: Yes, there will be onsite visits occurring, but these will be to determine available credits should a property owner decide to participate in the general permit. Also, a reminder that written comments about the permit need to be sent to DEP [Tamara]

Comment: Generally, the collective approach seems to make sense. However, part 4D is troublesome – requiring general permittee to ensure implementation of Tier 1 and 2. Landowners will be bound by the agreement, though they don’t have much of a voice. This LCWMP work will be governed by the CCSWCD and the LCMD board, leaving landowners without much voice. “Permittee should abide by the contract to implement...” - this verbiage should be incorporated into general permit. Commenter anticipates that people won’t get into general permit with the current language. Need language changes (to give more representation to landowners).

Comment: Under part 4 D, section 2 – ensure maintenance and inspections. The permittee may not even have access to where that BMP is located to do the maintenance. This language is a showstopper. Permittee has to be signatory to permit – concern is that they don’t have control over implementation of the Plan as a whole; they can only control their commitment to Plan implementation (i.e., paying their fee and adhering to the obligations outlined in the participating landowner agreement). The same applies to inspection and maintenance.

Response: EPA insisted upon the language. Landowner enters into agreement with LCWMD – they could have that info written into the permit agreement. The guts of the “agreement” are paying the fee to the CCSWCD (LCMD agent). EPA will need to be consulted for any language changes. If there’s nonperformance, the general permit gets revoked. Things would probably revert to individual permits. The permittee must abide or pay into this plan if opting under general permit and LC plan. The District is acting as agent for the permittee and will/cannot be held responsible for non implementation by DEP. [Don W.]

Comment/Question: Indemnity has always been an issue. What happens if this doesn’t work? Are the general permit holders protected if things don’t work out? They’re liable.

Response: Don will share comments with legal people at EPA. He understands landowners’ concerns. [Don W.]

TOPIC: INDIVIDUAL PERMIT OPTION [DON W]

- Chapter 523 – existing rule for permitted waste discharges - needs to go through a process that is separate from the general permit process.

- Rulemaking will occur this fall – finalized late winter / early spring 2010 – not clear if Chap 523 changes will be combined with Chap 500 changes. Chap 523 references Chap 500. It would be preferable to do this at the same time.
- It matters because the requirements are needed to determine cost for each landowner – general standards for Chap 500 are needed to come into compliance. There may be some revisions, but are not expected to be more stringent.

Question: Does it make sense to contact engineering firms to determine costs for landowners, though these firms probably don't have the answers yet.

Response: While not final, the requirements of the general and individual permit options are not expected to change significantly from what has been posted. Consultants could certainly do a preliminary assessment. Individual permits would have Chap 500 requirements *plus* stream restoration components. This covers similar territory as the watershed management plan, based upon urban impaired stream language in chapter 500. Stream restoration work is expected to be less expensive than the urban impaired stream standard. . [Don W.]

- DEP also added paragraph 3 into the Chapter 523 rule; this allows for landowners to get credit should they participate in the Plan for an initial 5-year permit cycle, but then decide to get an individual permit.

Question: What about holders of existing NPDES permits?

Response: Combined permits – Industrial stormwater - that permit does not look at all the impervious area that is part of this general permit. DEP will terminate existing multi-sector permits and combine under one Long Creek/multi-sector general permit for both. [Don W.]

Question: What about future development or redevelopment? Will there be one-stop shopping for permits?

Response: Language in chap 500 says that if there is a watershed management plan (WMP), the department can waive requirements for new development. The waiver could be requested for just redevelopment or both redevelopment & new development. The district could come to DEP and ask for the waiver. No rule changes are needed. RE: site location law permit – that law can't be waived, though the LC permit could make sure that site law stormwater requirements would be met. This would only apply to general permit applicants. If an applicant didn't participate in the general permit, then chap 500 requirements would need to be met. For redevelopment, a waiver would be appropriate since a participant is already paying for stormwater discharge from the existing impervious area. [Don W.]

Question: If someone knows they already want to opt out, can they apply for individual permit right now to meet chap 500 requirements?

Response: Designation will not be final until September. No permit is required until then. [Don W.]

Question: If landowners meet Chapter 500 provisions will they get 100% credit?

Response: Credit for meeting Chapter 500 standards would apply toward the construction portion of the fee, which is 40% of the total fee.

Question: If they make application before the permit is finalized and they meet chap 500, are they grandfathered.

Response: Not grandfathered, but credit will be given for BMPs meeting Chapter 500. However, Chap 500 is currently only required for new development, not for stormwater discharges from existing development. [Don W.]

Question: Has stream restoration already been factored into the costs?

Response: \$ 1.5 – 2 million of stream restoration has been factored into the costs. [Tamara]

Response: It's probably cheaper to do general permit because stream restoration projects may cost less than chap 500 standards over the scale of the watershed. Chapter 500 is more stringent than participating in the Long Creek general permit not the other way around. [Don W.]

Question: If an individual permit is issued prior to a rule change, will the permit need to be changed?

Response: No. Once an individual permit is issued, a rule change would not change requirements until a subsequent 5-year permit is issued. . [Don W]

TOPIC: PROCESS USED TO DETERMINE DESIGNATED PROPERTIES – [JEFF DENNIS, DEP]

- Needed to figure out (our best estimate) all properties that are over 1 acre impervious.
- Parking (including compacted gravel), buildings, roads, are included as impervious.
- This is a discharge permit. The stormwater needs to leave site in concentrated flow to be regulated.
- If flow sheeted off into the woods in the back of your lot as un-concentrated flow, that wouldn't be counted.
- Catch basin type stormwater would definitely be concentrated flow.
- One example: Water was sheeting in an area, except the snow plow had created a berm system, which concentrated flow. That type of problem might be able to be fixed pretty easily (by removing the berm), but otherwise would be regulated.
- Other issues: water could be leaving parcel as sheet flow, but it ends up in a ditch a short distance away – it would be considered a discharge.
- Tried to make a call on parcels – the more recently-developed parcels (since 2005) have not been assessed to determine if there is a concentrated flow.
- Only area that is contributing discharge will be used to determine fee. Example: 2 acre impervious parcel – 1.5 acres discharges to waterbody then only using 1.5 acres to determine fee not the 2 acre total.
- What was reported in the notice to each property owner or operator was total amount of impervious area.
- Individual properties assessments, however, will be based on the actual area having a “discharge” which may be less than the total impervious area.
- Most of the parcels have had determinations of total impervious area made. That is easily known. The follow-up analysis is trickier – to determine on the ground where some of the parking lots may leave the site as unconcentrated flow.
- GIS was used to determine impervious surface amounts using aerial photography (2001 Citipix aerials). In 2005, impervious area was updated using CADD drawings. Now using 2006 aerial

photos, plus working with municipalities to determine development that occurred over the last four years.

Question: When will properties be assessed?

Response: Over next couple of months by CCSWCD engineer and Jeff Dennis, if needed.

Question: How much of a site will be assessed for the fee?

Response: The full site will be evaluated. We will need to determine how many linear feet of vegetation are filtering sheet flow from a given amount of impervious area. These numbers and determinations will affect how much you will pay. The nature of the land is a factor. We will need to be specific about what a discharge is and how much filtration is available. [Jeff D]

Question: What about outflows from properly designed BMP pipes?

Response: Those are considered discharges though there may be credit given for properly functioning BMPs. [Jeff D.]

Question: Let's say a determination is made... If impervious land creating a concentrated discharge is less than 1 acre, then that land would not need a permit.

Response:

- A bunch of parcels were figured to not need a permit because of field determinations. Those properties were not given notice. [Jeff D.]
- For those who did receive notice, contact Jeff Dennis if you disagree with the determinations. [Don W.]

Question: Let's say I have 1 acre. If I have less than 1 acre of concentrated flow on impervious surface, I don't need a permit right? (Correct.) If I have 1.75 acres of impervious, would I only pay a permit fee for 0.75 acres since there is no permit requirement for the first acre of impervious?

Response: No, you would pay for 1.75 acres. There is no credit given for the first acre of impervious once the permit threshold is reached.

Question: Does distance away from stream come in as a factor to decrease fees?

Response: Distance doesn't get factored into permit determinations. Sometimes stormwater may be more efficiently delivered to the stream from a property farther away. [Jeff D.]

How did 1 acre get chosen?

- **Response:** EPA made that determination based on data that shows the cumulative amount of impervious area that would be subject to permitting at a 1 acre or larger threshold is approximately 90%. A stormwater utility approach may have included anyone with any amount of impervious area. A storm water utility would capture everyone and that could happen in the future. [Don W.]

Comment: Landowners are seeing this as a "Fine"

Comment: Conflict of mandates. Towns say you need to do certain things (stormwater systems, gutters, piping, etc.). These things are more of a negative thing (monetarily).

Response to comment: 4 acres of impervious example... if you had run all the stormwater through an adequate buffer, you wouldn't be in this program. [Jeff D.]

Question: Are prior owners bearing any responsibility?

Response: Not if they don't have anything to do with the current land ownership or operation of the parcel. [Don W.]

Question: What happens if landowner pipes roof runoff into system according to town ordinances but now finding out that it is detrimental to the stream?

- South Portland passed new ordinances to help promote new "low impact development (LID) practices. [Pat Cloutier]
- Parcel layers were used from municipalities. All layers were put together and each impervious area for each parcel was cut out. Some error is possible, either with aerial photo or parcel layers. Aerials can vary - each parcel is not perfect. Errors are likely small and not that significant. [Jeff D.]
- If landowners disagree with impervious cover estimates then they can contact Jeff Dennis at MDEP or provide documentation that says otherwise. [Jeff D.] They can also contact Jeff Dennis regarding the common scheme requirement.

Question: Credits for DEP mistakes? Credits – can they be given for paying a consultant to argue the calculations? Response: No

Question: Any standards developed yet for buffers or quality of the land - will it be established before the assessments are conducted? Will any guidance or protocol or standard be available for landowners to figure out if they want to contest the determinations?

Definitions of concentrated flow, etc.

- Yes – we will provide additional guidance before the permit is issued. This may be complex given different types of stormwater situations within a given parcel of land. [Jeff D.]
- The CCSWCD Engineer will be working with DEP to flesh this out before assessments are done. CCSWCD Engineer will then be contacting landowners (likely next week) to set up site visits. [Tamara]

Follow up Question: Will this all be written out?

- Yes. [Jeff D]

Comment: Evaluations will be improved if site plans are used.

Response to comment: CCSWCD Engineer and the engineering firm we are working with have already started to pull site plans for use in completing site evaluations.

Question: How many permits expected to be issued? How much impervious surface in the watershed?

- 130 parcels – approximately 110 operators receiving preliminary notice
- Looking for most to participate under the General Permit to implement the Long Creek Watershed Management Plan. [Don W]
- Approximately 451 acres of impervious acres – not including roads. DOT, MTA and municipalities are not exempt under this permit - they all have to comply as well. State and municipal roads add approximately 100 acres. There is a total of approximately 640 total acres

impervious surface in the watershed as a whole and approximately 550 acres are designated.
[Tamara]

Question: As Chris Baldwin (CCSWCD) visits the site, he will be able to estimate the amount of credit that will be given?

- Yes. He will provide a report that documents how his assessment was completed and the proposed credit for your parcel. The fee structure is \$3000 per acre of imperviousness (baseline fee for first year) – then after the first year everyone’s fee will be based on who is participating and what credits are being provided. Fees will also factor in the Stimulus money. [Tamara]
- Assumes a certain level of participation, but if a landowner decides to apply for an individual permit, that landowner’s amount of impervious area will be deducted from the total area that the participating group has to pay for.
- Fee can’t go up if someone goes out of business. We will do what we can with what we have.
- If landowner goes individual – either way you will still be responsible for bringing LC back to standards.

Question: In-stream restoration -- is it going to happen regardless of participation?

Response: Some of the stream restoration projects are already happening with stimulus money. Timeline of implementation is dependent on structural retrofits. Some of projects will be delayed until after major stormwater work is completed upstream so the repaired area doesn’t become damaged (blow out) due to high stormwater flows. [Tamara]

Question: If somebody goes out of business. Do fees go up because of less participation?

Response: Not during the 5 year permit cycle. Fees could go up when the permit is renewed.
[Tamara & Don W.]

Question: 10 yrs down the road – what if the stream doesn’t meet criteria? Are you still exposed to liability for the stream? What about if you’re downstream of violations? Do you get out of liability? What if some sections meet criteria? If you placed macro-invertebrate rock-bags below your outfall, could you prove with your data that the water below your property meets criteria?

- If one branch meets standards before another, it’s possible that additional treatment requirements will be limited to the area draining to the remaining impaired stretches in future, although maintenance will still be needed on all portions of the watershed.
- Water quality standards cannot be met on a per parcel basis.

Comment: If a stream segment downstream of your site meets WQ standards then it opens the question of whether the parcel is contributing to the impairment.

Question: Will landowners have assurances that monitoring will be done on a timely basis to provide information on whether the stream is meeting water quality standards?

Response: Monitoring is part of the LC Management Plan and will be the responsibility of the contractor (CCSWCD) to ensure that it happens on a timely basis. [Don W.]

TOPIC: LONG CREEK WATERSHED MANAGEMENT DISTRICT AND PROPOSED LANDOWNER AGREEMENT [Tamara Lee Pinard, CCSWCD]

- Long Creek Management District will provide the structure for implementation of the plan.
- An interlocal agreement is being set up between the four watershed municipalities, which will put in place a 14 – 15 member governing board that will be responsible for overseeing the implementation of the Plan.
- The composition of the board is as follows:
 - **So Portland** – 7 members (2 municipal, 4 private, 1 nonprofit)
 - **Scarborough** – 2 members (1 municipal, 1 public or private)
 - **Westbrook** – 3 members (1 municipal, 2 private)
 - **Portland** – 2 members (1 municipal, 1 private or non profit)
- Private landowners will have six to eight seats on the board.
- August 3rd the Inter-local Agreement to form the Long Creek Watershed Management District is going to municipal councils for a vote in three of the four towns. All four municipalities will vote on the agreement in August.
- Once the interlocal agreement is in place, then governing board can be created.
- Participating landowner agreement is being drafted. This is the agreement that landowners will sign with the new LC Management District if they opt to participate in the general permit implementation of the management plan. The 3rd draft of the participating landowner agreement will be out on Monday July 20th. Please request a copy from Tamara.
- A credit system has been created to address the concern we heard from landowners during the development of the Plan in regards to the amount of money that had already been spent by landowners to comply with the regulations that existed when they developed their properties. Two levels of credits exist for the capital expense portion of the fee. The first will be assessed in the coming month and relates to what stormwater treatment systems are in place on your property now (things like flood control, Vortech, etc.). Then there are credits available to encourage landowners to do the inexpensive fixes that are available to them on their properties (increase shading, storage, and treatment). Then credits are available for any maintenance that landowners tackle on their own that the cooperative program will not need to do. This includes pollution prevention, street/lot sweeping (which will need to be tailored to intensity of the pavement use).
- Assessments will be completed then a report sent to landowners.
- Three components of fee structure – 1) maintenance = 30% for pollution prevention activities such as parking lot and street sweeping, 2) structural retrofits and stream restoration = 40% of fee and 3) water quality monitoring, data synthesis, administration, billing and support, legal support and grant writing.
- Up to approximately \$1000 of the initial \$3000/impervious acre fee will be available for credit for maintenance if you want to do your own maintenance at the level that is prescribed under the plan. This might make sense for some of the larger landowners who have contracts already in place for maintenance or smaller landowners who already have a cooperative approach to maintenance. Maintenance is included in the fee to assist anyone interested in joining together for efficiency sake.
- A web-based database will be available for landowners to input data on maintenance to provide tracking for the purposes of reporting and credit assessment.

Question: Snow plowing guidance coming?

Response: This will not be in place for this coming winter, but it is included as part of the Plan and is anticipated for the winter of 2010-2011.

Question: Is there a list of acreage somewhere?

Response: The list that is currently on the www.restorelongcreek.org website is not the most recent list. We will get the most recent list posted on the www.restorelongcreek.org website soon.

Question: Who decided on who funds this?

Response: There was a recognition by many who participated in the development of the plan that these new regulations were coming. A committee comprised of public and private landowners worked to try to find a fair and equitable way for the costs to be shared. Grants were always discussed and it is hoped that since this is a national model of a collaborative project with public and private partnerships, this should stand a good chance of getting some grant funding. [Tamara]

Is there a map of the impervious areas and parcels available?

There is a spreadsheet in the back of the meeting room, and also this information can be posted on the www.restorelongcreek.org website.

TOPIC: NEXT STEPS/PERMIT TIMELINE [DON WITHERILL]

- Timeline – (can be found in the handouts)
- July 1 - issue invite for comments
- July 15 - public meeting
- August 14 – public comments due to DEP
- Sept - DEP notifies designated landowners
- Oct – Rule making process to begin on standards
- Mar 2010 – General permit or individual permit application will need to be filed by landowners with DEP

We are working to get everyone's email address so that we can disseminate information quickly.