



Long Creek Watershed Management District Board of Directors
Minutes from February 28, 2018 Meeting
Location: ON Semiconductor, 333 Western Avenue, South Portland, Maine

1. **Call to Order:** Mr. Dillon called the meeting to order at 9:08 a.m.
2. **Roll Call:**
 - a. Attendance: Curtis Bohlen, Arthur Colvin, Fred Dillon, Eric Dudley, Brian Goldberg, Will Haskell, Susan Henderson, Peter Newkirk, Doug Roncarati, Michael Vail
 - b. Absent: Angela Blanchette, Craig Gorris, Ed Palmer, Sara Zografos
 - c. Staff/Guests: Peter Carney (LCWMD Executive Director), Aubrey Strause (Cumberland County Soil & Water Conservation District), Jim Katsiaficas, Esq. (Perkins-Thompson), John Field, Ph.D. (Field Geology Services, LLC), Chris Baldwin, P.E. (St. Germain Collins), Kate McDonald (GZA GeoEnvironmental, Inc.)
3. **Review of Board Meeting Minutes:**
 - a. The Board reviewed minutes from the January 24, 2018 meeting. **Mr. Vail made a motion to accept the minutes from the January 24, 2018 meeting. The motion was seconded by Mr. Roncarati. The motion carried unanimously.**
4. **Treasurer's Report:**
 - a. Mr. Bohlen reviewed the January Financial Report.
 - b. Mr. Bohlen noted that fixed assets are being tracked individually by project, rather than collectively as they had been in the past.
 - c. Mr. Bohlen noted that he met with Mr. Carney to discuss when discrepancies between budget and actual expenditures should be brought to the attention of the Board.
 - d. Mr. Bohlen suggested that only those issues substantively relevant to policy should be brought to the Board. Other issues such as the management of individual contracts would not typically be relevant to a discussion by the full Board. The Board is interested in something that would change how we are implementing things.
 - e. Mr. Carney noted that the receivables report is long, but that is because assessments were due on February 15. The list should clear out quickly as assessments are received.
5. **Main Stem Restoration – 95% Design Presentation:**
 - a. Mr. Carney introduced members of the design team present at the meeting today including John Field of Field Geology Services, LLC the project geomorphologist and project manager, Chris Baldwin of St. Germain Collins the project engineer, and Kate McDonald of GZA GeoEnvironmental, Inc. the design team's planting plan and invasive plant management specialist.
 - b. Mr. Carney noted that Field Geology Services, LLC previously provided a 30% design submission to LCWMD to which LCWMD provided comments which were incorporated into or addressed by the team's 95% design.
 - c. The design team is here today to present the 95% design plans to the Board.
 - d. Mr. Dillon inquired as to the timing of the construction bid.

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- e. Mr. Carney noted that the 100% design needs to be completed to pursue easements with impacted landowners. Acquisition of the easements may ultimately drive the construction bid schedule.
 - f. Mr. Field presented the background of the Main Stem Restoration Project.
 - g. Mr. Field noted the primary objectives of the project is the improvement of habitat for fish and macroinvertebrates which have been impacted by loss of floodplain and lack of woody debris in the stream.
 - h. Mr. Field noted that the design also includes a planting plan to revegetate disturbed areas, a plan for the management of invasive plant species, and addresses two stream embankment failures.
 - i. Mr. Baldwin provided an overview of the engineering aspects of the design.
 - j. Mr. Baldwin reviewed areas that have been identified for fill removal to restore the stream's floodplain.
 - k. Mr. Baldwin reviewed areas identified for construction and construction access and staging.
 - l. Mr. Goldberg inquired as to whether there is an opportunity to incorporate trails into the project.
 - m. There was a brief discussion on the possibility of incorporating a trail into the design as it was noted that many people walk along Darling Avenue who might prefer walking on a trail rather than along the road.
 - n. It was noted that landowners would need to agree to such public access which is beyond the scope of LCWMD's agreements with participating landowners.
 - o. Mr. Colvin asked whether the cabling that will be used to secure in-stream structures could become a hazard
 - p. Mr. Baldwin advised that the cabling should hold up well and has not been a problem when used on other projects.
 - q. Ms. McDonald presented the planting plan and invasive plant species management plan.
 - r. Mr. Bohlen asked whether debris being carried downstream could cause damage to trees that will be planted in the floodplain?
 - s. Ms. McDonald noted that the invasives removal plan focuses on the four areas where removal of fill is being proposed. There are a few areas where there are substantial invasives where fill removal is not being proposed, invasives removal is not planned for these areas.
 - t. Mr. Newkirk noted that glysohate is the only thing that will work for phragmites, forget the other stuff.
 - u. Ms. McDonald noted that as a result of lessons learned on other projects, the planting plan proposes using larger plants from the start to get them to be successful.
 - v. Mr. Newkirk suggested that the construction specifications require the contractor to water plants during the first year after their installation.
 - w. Ms. McDonald noted that the whole construction budget could be used just on invasives removal in the restoration area. The planting plan design and invasives management plan are limited to managing invasives only in those areas that will be disturbed for fill removal. The plans are design to manage invasives until new plantings are large enough to shade or crowd out the invasives. The invasives management plan includes a recommendation for ongoing annual management of invasives which could be performed by LCWMD's existing landscape contractor.
 - x. Mr. Newkirk said that still does not like the idea of placing trees in gravel mounds.
 - y. Mr. Bohlen noted that the intent of the gravel mounds is "hedge your bets," in the event hydrology is off. Elevating trees may help the trees survive.

- z. Mr. Colvin noted that with respect to the bid specifications he agrees that it is a good idea to leave means and methods up to the contractor, rather than prescribe them.
- aa. Mr. Newkirk suggested that some of the specifications in the front end are inapplicable to the project and could be removed to simplify and shorten the specifications package.
- bb. Mr. Newkirk inquired as to whether the embankment repair near Atlantic Place is necessary noting that it seems like a lot of work for limited water quality value.
- cc. Ms. Strause suggested that the embankment repair near Atlantic Place could be made an optional element of the project and the Board could decide to move forward, or not, based on the cost and value.
- dd. Mr. Baldwin reviewed the construction cost estimate which was projected to be \$760,000 at the 30% design level and is now projected to be \$775,000 at the 95% design level.
- ee. Mr. Baldwin advised that the fill disposal estimate is based on the cost to dispose of clean urban fill, but this is an assumption. If the fill contains contaminants requiring some other form of disposal, that would cost more.
- ff. Mr. Field noted that permitting for the project is required at the federal, state, and local levels and that permit applications should be submitted by end of April.
- gg. Mr. Colvin asked whether there was any cost that would come in that would preclude the project.
- hh. Mr. Katsiaficas discussed the easement process and noted the inability to acquire an easement could also impact carrying out the project.
- ii. Mr. Baldwin responded that the project could be modified to deal with specific circumstances that arise, but he did not foresee an expense or individual circumstance that would impair the value of the project to the extent that the entire project would be prevented from moving forward.
- jj. Mr. Goldberg requested an accounting of all components of the project cost together, including ancillary costs, so that the full cost of the project is clear.
- kk. Mr. Dillon suggested that the project could attract interest from the media and we should consider publicizing the project.
- ll. Ms. Henderson agreed that there needs to be increased public education about the project.
- mm. Mr. Field noted that elements of the design contract that still need to be performed are a wetland delineation and possibly characterization of fill material that is intended to be removed for contaminants.

Mr. Roncarati left the meeting at approximately 11:45a.m.

- a. Mr. Carney noted that that Mr. Field has requested an additional \$3,500 for the design contract to carry out a wetland delineation which would be performed by GZA GeoEnvironmental, Inc. under the subcontract between Field Geology Services, LLC and GZA GeoEnvironmental, Inc.
- b. Mr. Carney noted that the “wetland delineation” is much broader than wetlands and is more accurately a “waters of the United States” delineation which is required as part of the permitting application to the United States Army Corps of Engineers.
- c. Mr. Carney asked Mr. Field and Ms. McDonald to confirm that the scope of the delineation would be “waters of the United States” which includes wetlands, to which Mr. Field and Ms. McDonald replied in the affirmative.
- d. Mr. Carney requested of Mr. Field and Ms. McDonald that the draft scope of work for the delineation prepared by GZA GeoEnvironmental, Inc. be revised to reflect that the delineation

is a delineation of “waters of the United States” sufficient to fulfill the requirements of the permitting application to the United States Army Corps of Engineers.

- e. **Mr. Bohlen moved to authorize the Executive Director to enter into a \$3,500 change order with Field Geology Services, LLC from contingency funds identified in the contract to perform the “waters of the United States” delineation. Mr. Colvin seconded the motion. The motion carried unanimously.**
- f. The Board next considered a proposal to conduct soil sampling for fill that is intended to be removed. Mr. Carney noted that Mr. Baldwin put together a proposed sampling and analysis plan, the cost of which is \$11,500, for discussion.
- g. Mr. Carney noted that characterizing the soil now may be helpful to ensure that unanticipated costs do not arise later pertaining to disposal if the fill is found to contain contaminants.
- h. A lengthy discussion ensued concerning whether the sampling and analysis is necessary and/or common practice, and, if pursued, when the best window would be to conduct the sampling and analysis.
- i. Mr. Vail offered a motion to authorize the proposed \$11,500 change order to conduct the soil characterization for discussion purposes.
- j. In the discussion of Mr. Vail’s motion, a consensus arose among members of the Board to table a decision on performing the soil sampling and analysis for consideration at future meeting.
- k. Mr. Vail withdrew his motion to authorize the proposed \$11,500 change order to conduct the soil characterization.
- l. Mr. Carney inquired as to whether the Board needs to approve the 100% design plans for the project before putting out the construction bid; the consensus was that, no, the Board does not need to approve the final 100% design plans before putting out the construction bid.

6. Follow up on FY2019 Budget Issues: Time did not permit an update on the FY2019 budget status.

7. Public Comment(s): None.

8. Next Meeting: The next meeting will be held on March 28, 2018 at 9:00a.m. at ON Semiconductor, 333 Western Avenue in South Portland, Maine.

9. Adjourn: The meeting adjourned at 12:04p.m.