1. **Call to order**

2. **Roll call**

3. **Minutes** (Attachment A)

4. **Treasurer’s report**

5. **Executive Director’s report**

6. **Accept Revised Initial Assessments.** To approve the revised Initial Assessment for Best Company, LLC prepared by the Executive Director and to issue that Initial Assessment to the Participating Landowner and to assess the same upon them pursuant to Sections 5.H. and 6.B of the “Interlocal Agreement Among the Municipalities of Portland, South Portland, Scarborough and Westbrook to Establish the Long Creek Watershed Management District” and to Article II, Section 2.H. and Section 3.B.of the Bylaws of the Long Creek Watershed Management District. (Attachment B)

7. **Appointments for the Technical Committee.** To appoint members to the Technical Committee that shall have a minimum of four members and a maximum of eight, at least one of whom will be a board member. The Technical Committee will provide input to the Executive Director on the implementation of the Operation and Maintenance Plan and the prioritization of implementation of the Management Plan. Committee members will serve for a term of two years. Letters of interest were received from the following (Attachment C):
   - Jeff Dennis, Biologist Division of Watershed Management, MaineDEP
   - Fred Dillon, South Portland Stormwater Program Coordinator
   - Zach Henderson, Project Scientist, WOODARD & CURRAN, INC.
   - Ryan Hodgman, Environmental Coordinator Southern Region, MaineDOT
   - Robyn Saunders, Project Manager, GZA GeoEnvironmental, Inc.

   It is recommended that all be appointed to the Technical Committee. It is also recommended that the LCWMD Board selects a board member to be appointed to the Technical Committee at this time.

8. **Hire Services.** To hire services (a – c) for the Long Creek Watershed Management District and to authorize the Long Creek Watershed Management District Chair/President to execute documents necessary thereto. Entities that responded to the RFP for auditing, legal and monitoring are listed in Attachment D.

   Recommendations for hiring will be provided at the meeting.
   a. **Auditing Services**
   b. **Legal Services**
   c. **Monitoring Services**

9. **Late Policy.** To provide the Executive Director direction on acceptance of designated landowners who choose to enter into the General Permit after the timeframe that is allowed for in the PLA. Under its authority to adopt Rules and Regulations under Section 5.D. of the Interlocal Agreement and Art. II, Sec. 2.D. of the Bylaws of Long Creek Watershed Management District, the LCWMD Board of Directors can adopt Rules and Regulations. The Attached (E) Draft Rules and Regulations are provided for adoption by the LCWMD Board.

10. **Philbrook Avenue Associates plan modification request.** To approve proposed modification to the Long Creek Watershed Management Plan for the Philbrook Avenue Associates parcel (M 67, L 2B), which is part of Catchments E-24 & E-34 (Attachment F), subject to Maine DEP approval of the modification. Plan modification will be posted at www.restorelongcreek.org on Tuesday, June 22nd and presented at the meeting.

11. **Fiscal Year 2011 Budget.** To review and approve draft budget for July 1, 2010 to June 30, 2011 Fiscal Year (Attachment G).

12. **Board Insurance.** To review and approve purchase of board insurance. Information to be provided at the meeting.
13. Public Comments.

Long Creek Watershed Management District Governing Board
Minutes - May 21, 2010 Meeting

1. Board Chair Jalbert called the meeting to order at 10:06 a.m.

2. **Roll call** - Board members Palmer and Gorris were absent.

3. **Minutes** – Mr. Hughes made the motion to accept the minutes as presented. Ms. Costigan seconded the motion. The motion was approved unanimously.

4. **Treasurer’s report**
   - see attached report that covers the following:
     - Bank selection
     - Recommendation for Fixed Asset Threshold
       i) Question was asked about whether assets that are on private property will be taxed by the municipality; ED was requested to explore this.
     - Financial Policies/Procedures Document – addressed as item 11 on agenda
     - Update on Transfer of Finances
     - Estimate of Expenditures and Revenues for Next Fiscal Year
   - Mr. Goldberg moved that the report be accepted as presented. Mr. Hughes seconded the motion. The motion was approved unanimously.

5. **Executive Director’s report**
   - As of this meeting, there are 49 Executed PLAs totaling 35% of the impervious acreage; 65 checks have been received for a total of 49% of the impervious acreage; 74 PLAs are in progress for a total of 59% of the impervious acreage; and verbal confirmation of participation from an additional 21 entities totaling 83% of the impervious acreage.

6. **Election of Officers.** Under Art. IV, Sec. 1., “The officers of the Corporation shall be a President/Chair, Vice-President/Vice-Chair, Treasurer, Secretary and Registered Agent.”
   - Mr. Katsiaficas explained that per the by-laws the Registered Agent is listed along with the officers and he has been serving in this capacity.
   - Mr. Hughes moved that the current slate of officers (Gerard Jalbert - President/Chair, Mary Costigan - Vice-President/Vice-Chair, Curtis Bohlen - Treasurer, Dan Bacon – Secretary, Jim Katsiaficas – Registered Agent). Mr. Thomes seconded the motion. The motion was approved unanimously.

7. **Bylaw Amendment.** To amend the Bylaws of the Long Creek Watershed Management District to require that, except as specified by law or the bylaws, the Board of Directors shall act and may amend the bylaws by a two-thirds majority vote of the Directors present in person and voting at any duly called and held meeting of the Board of Directors at which a quorum is present, rather than by simple majority vote of Directors present in person as the Bylaws now provide (Majority vote is required to so amend the Bylaws). See Attachment A.
   - Mr. Bacon moved approval of Bylaw Amendment as presented. Mr. Thomes seconded the motion. The motion was approved unanimously.

8. **Accept and Issue Initial Assessments.** To approve the Initial Assessments prepared by the Executive Director and to issue those Initial Assessments to the Participating Landowners and to assess the same upon them pursuant to Sections 5.H. and 6.B of the “Interlocal Agreement Among the Municipalities of Portland, South Portland, Scarborough and Westbrook to Establish the Long Creek Watershed Management District” and to Article II, Section 2.H. and Section 3.B. of the Bylaws of the Long Creek Watershed Management District. Go to [http://www.restorelongcreek.org/govboard/meetings/05-21-2010/index.htm](http://www.restorelongcreek.org/govboard/meetings/05-21-2010/index.htm) to peruse entire set of Initial Assessments. Printed set will be presented at meeting for review and approval.
Tamara explained that a couple of properties’ (Coca Cola of Northern New England, Anthem and Transport Leasing) assessments have changed from the original posting on the website. The revised and up to date assessments are on the website and were presented at the meeting.

Mr. Hughes moved that the Initial Assessments be accepted and approved as presented. Mr. Russell seconded the motion. The motion was approved unanimously.

9. **Accept CFUP Fees.** To authorize the Long Creek Watershed Management District to enter into an agreement with the Maine Department of Environmental Protection to accept Compensation Fee Utilization Plan (CFUP) fees paid by Long Creek Watershed landowners under Site Location of Development Law and/or Stormwater Management Law permits, and to authorize the Long Creek Watershed Management District Chair/President to execute documents necessary thereto. *[This authorizes LCWMD to directly receive CFUP fees prospectively; the CFUP fees South Portland has paid to CCSWCD will be transferred by CCSWCD along with all other Long Creek-related accounts and indebtedness at the June, 2010 LCWMD meeting.]*

   Mr. Hughes moved that the LCWMD accept CFUP funds from MDEP. Mr. O’Hara seconded the motion. The motion was approved unanimously.

10. **Accept and Assume CCSWCD Landowner Easements.** To accept the assignment of and to assume the obligations under Landowner Easements for stimulus-funded projects at 220 Maine Mall Road, South Portland and at Darling Avenue, South Portland from Cumberland County Soil & Water Conservation District to Long Creek Watershed Management District when Landowners enter into Participating Landowner Agreements with Long Creek Watershed Management District, and to authorize the Long Creek Watershed Management District Chair/President to execute Assignment and Assumption of Easement documents necessary thereto (See Attachment B – an example of “Assignment and Assumption of Easement” form).

   Mr. Hughes moved item as presented. Mr. Thomes seconded the motion. The motion was approved unanimously.

11. **Financial Control Document.** To provide financial controls that meet GAAP standards. See Attachment C.

   Under Section IV, Subsection A, “Controls over Cash” add, “Controls on Investments – Funds can be put in CDs and Money Market Accounts to best utilize funds and ensure safety as a top priority.”

   Mr. O’Hara moved item as amended. Mr. Hughes seconded the motion. The motion was approved unanimously.

12. **Recommendation for Board Committees.** It is recommended that the Board convene two committees at this time – Finance and Technical. Committee terms will extend two years. The Finance Committee will be chaired by the Treasurer; will meet quarterly and will have a minimum of four members and maximum of six. The Technical Committee will have a minimum of four members and maximum of eight. The Technical Committee will provide input to the Executive Director on the implementation of the Operation and Maintenance Plan and the prioritization of implementation of the Management Plan.

   Add under Technical committee “at least one of whom will be a board member.”

   Mr. Raymond moved item as amended. Mr. Hughes seconded the motion. The motion was approved unanimously.

13. **Recommendation for Committee appointment process.** It is recommended that the Committee members fill out a basic application form expressing interest in serving on Board Committees. Applicants will be presented for appointment at LCWMD Board meetings.

   No motion. Board approved of recommended process.
14. **Monitoring Plan.** Recommendation to accept the monitoring plan and approve submission to DEP for approval to fulfill a requirement of the General Permit. See Attachment D.
   - Executive Director to align all dates in the document (first page, headers, etc.).
   - Mr. Russell moved item as amended. Ms. Costigan seconded the motion. The motion was approved unanimously.

15. **Monitoring services.** To authorize the Executive Director to hire monitoring services to begin implementation of the water quality monitoring program. Anticipated costs outlined in Monitoring Plan (Attachment D).
   - Ms. Costigan made a motion to authorize the Executive Director to obtain quotes for monitoring services to begin implementation of the water quality monitoring program on a short term basis and develop and release a request for proposals for monitoring services to be presented for action at the next board meeting. Mr. Russell seconded the motion. The motion was approved unanimously.

16. **Monitoring equipment.** To authorize the Executive Director to purchase Data Sondes for water quality monitoring. Anticipated costs outlined in Monitoring Plan (Attachment D).
   - Mr. Hughes moved item as presented. Mr. Goldberg seconded the motion. The motion was approved unanimously.

16 A. **Individual Permit Holders Fee Structure.** To authorize a fee structure for the stream restoration fee and monitoring fee for landowners who will seek an individual permit. Proposed fees are in Attachment D-1.
   - Mr. Goldberg moved the item as presented. Mr. Russell seconded the motion. The motion was approved unanimously.

16 B. **Individual Permit Holders Stream Restoration Fees.** To authorize the LCWMD to enter into an agreement with the Maine Department of Environmental Protection to accept Stream Restoration Fees paid by designated Long Creek landowners under individual stormwater permits and to authorize the Long Creek Watershed Management District Chair/President to execute documents necessary thereto.

16 C. **Individual Permit Holders Monitoring Services.** To authorize the monitoring services agreement for landowners who will seek to pay into the monitoring program of the LCWMD and to authorize the LCWMD Chair/President to execute such agreements on behalf of LCWMD. The monitoring agreement will be in a form substantially similar to Attachment D-2.
   - Mr. O’Hara moved items 16B and 16C as presented. Mr. Raymond seconded the motion. The motion was approved unanimously.

Motion made by Mr. Russell to accept the following four items as additions to the agenda. Mr. O’Hara seconded the motion. The motion was approved unanimously.

17. **Late policy.** To provide the Executive Director direction on acceptance of designated landowners who choose to enter into the General Permit after the timeframe that is allowed for in the PLA.
   - Board discussed the collective interest to have more participation. Late fee to be an agenda item for the June meeting.
   - Mr. O’Hara moved that LCWMD accept late participation with no prorating for late sign up. Mr. Goldberg seconded the motion. The motion was approved unanimously.

18. **Philbrook Avenue Associates plan modification request.** To provide authorization to the Executive Director to send attached letter to Philbrook Avenue Associates representative, Lou Masiello, in acknowledgement that the board will consider a proposed plan modification to be presented at the June meeting of the Board.
Change item 2 in letter to read, “The conceptual design shall be submitted to the District by Philbrook for review by the District’s Engineer and Philbrook Avenue Associates LLC shall pay the District’s peer review cost for the same.”

Change item 3 in the letter to read, “The relocated and reconfigured detention basin shall provide materially the same or better functionality and benefit as the detention basin currently identified in the Plan at reasonable cost to the District.”

Mr. O’Hara moved the item as amended. Mr. Raymond seconded the motion. The motion was approved unanimously.

19. **DEP Compliance Policy.** Information to be provided by Don Witherill, Director of Division of Watershed Management, regarding DEP’s proposed policy on compliance with the Long Creek General Permit.
   - Notification period is 180 days. All landowners have 180 days from the point they were notified (this clock begins when notification is received by landowner) to either submit an individual permit or submit a Notice of Intent to comply with the General Permit. Anyone who doesn’t do either of these by the end of the Notification period will receive notice from DEP that they are overdue and subject to enforcement action. DEP will provide a limited period of time for a landowner to come into compliance before pursuing enforcement.
   - DEP’s view on late sign ups – looking to get voluntary compliance. Believe that it is best to allow sign up within notification period. If someone were to enter into an Individual Permit and then not comply within the two year time frame and then they wanted to join the General Permit, they should have to pay from day one. However, if there is a newly designated property, then it would be appropriate to prorate it.

20. **Bank contract.** To authorize the Chair/President to sign a contract with TD Bank.
    - Mr. Bohlen moved the item as presented. Mr. Bacon seconded the motion. The motion was approved unanimously.

21. **Procurement Policy.** To authorize the Finance Committee to work with the Executive Director to draft a procurement policy to bring to the board for approval.
    - Board approved Treasurer to work with the Executive Director to draft a procurement policy to bring to the board for approval.

22. **Board Insurance.** To authorize the Executive Director to seek quotes for insurance, both for the entity and for the Directors, in accordance with recommendations laid out in Attachment E.
    - Mr. Bohlen moved item as presented. Mr. Goldberg seconded the motion. The motion was approved unanimously.

23. **Legal Services.** To hire legal counsel for the Long Creek Watershed Management District and to authorize the Long Creek Watershed Management District Chair/President to execute documents necessary thereto.
    - Mr. Jalbert made the motion to authorized an RFP for legal counsel for the LCWMD and to continue legal services until a replacement has been hired. Mr. Bohlen seconded the motion. The motion was approved unanimously.

24. **Accounting Services.** To hire an accountant for the Long Creek Watershed Management District and to authorize the Long Creek Watershed Management District Chair/President to execute documents necessary thereto. See Attachment F.
    - Mr. Jalbert moved the item as presented. Mr. O’Hara seconded the motion. The motion was approved unanimously.
25. **Audit Services.** To direct the Executive Director to issue a Request for Proposals for auditing services.
   - Mr. Golberg moved the item as presented. Mr. Russell seconded the motion. The motion was approved unanimously.

26. **Public Comments.**

27. **Meeting adjourned at 1:02 p.m.**
Bank Selection
We received 4 proposals from area banks in response to our RFP requesting information on banking services. Proposals were received from:

- TD Bank;
- Bangor Savings Bank;
- Gorham Savings Bank; and
- Mechanics Private Bank.

Tamara Lee Pinard, Betty McInnes and I met to review the four proposals.

Banks differed in fee structure, interest rates paid to depositors on bank balances and the types of electronic and cash management services they offered. In the end, however, all four banks offered banking services that would meet LCWMD minimum needs, and so the choice among the four banks came down largely to cost.

TD Bank offers a banking package for municipal and quasi-municipal organizations for which they charge no fees. Our estimates for monthly banking service fees for the other banks were all quite similar, working out to about $135 dollars a month under a "high services" model, and about $115 a month under a "moderate services" model.

While TD Bank charges no fees, they also pay the lowest interest rate on account balances of the four banks (currently 0.20%). I suggest that we maintain a relatively low account balance at TD Bank, and invest additional funds in CDs held at other institutions. This approach has the added advantage of ensuring that all our deposits are insured by FDIC.

Review of the four banks' proposal also made it clear that the volume of receipts we anticipate receiving does not make it cost-effective to use lock box services for recieving checks and depositing them to our account.

Recommendation for Fixed Asset Threshold
The LCWMD will be acquiring significant physical assets as part of our efforts to improve water quality in Long Creek. The Board needs to establish a policy for when to track such assets in our books, and when to simply treat purchase of such assets as an expense.
I recommend that LCWMD track as fixed assets:

1. All assets (such as stormwater control structures) with a value of more than $5,000;
2. Water quality monitoring equipment costing more than $2,500 per unit, or when several pieces of similar equipment are purchased for an aggregate cost greater than $5,000.

LCWMD will be purchasing thousands of dollars worth of water quality monitoring equipment such as YSI water quality data sondes (which continuously measure dissolved oxygen, temperature, and conductivity). Individually, these devices cost slightly less than $5,000, but we will often need several similar pieces of equipment to allow comprehensive monitoring. As a result, the cumulative investment in monitoring equipment will be significant. We will have to replace monitoring equipment as it wears out. It seems prudent to track this equipment as fixed assets.

**Financial Policies/Procedures Document**

The proposed financial policies and procedures document was distributed to Board members in the information packet for this meeting. This represents proposed financial control policies as recommended by the accounting firm with whom CCSWCD has been working, as reviewed and amended.

I welcome discussion of the document and recommend it be approved as presented.

**Update on Transfer of Finances**

The board will need to approve the transfer of Long Creek–related assets and liabilities from the CCSWCD books to the LCWMD books. The transfer would be made on July 1, 2010, to correspond with the first day of the LCWMD’s fiscal year. The actual transfer will be based on audited accounts. Preliminary review of CCSWCD books suggests that the transfer will include (all figures as of April 31, unaudited):

1. Administrative costs accrued by CCSWCD on behalf of LCWMD
   - $15,493.98 as of April 31, but this figure will increase, perhaps by as much as $20,000 to reflect administrative costs in May and June.

2. "Start up" costs not covered by previous grants.
   - $79,279.49. This figure reflects, in part, costs of preparing and discussing 20 drafts of the Participating Landowner Agreement.

3. Built assets, debt, etc. derived from the ARRA projects through the SRF.
   - (ca. $2.2 million total in project costs. 27% loan forgiveness, so total loan to be repaid ~ $1.6 million.)
Estimate of Expenditures and Revenues for Next Fiscal Year

The LCWMD Fiscal Year begins July 1. We will present a formal budget for the upcoming fiscal year at our next Board meeting. The following table shows a preliminary estimate of anticipated revenues and expenses for the current fiscal year and for LCMD's first full fiscal year, beginning in July.

The values presented here are based on:

(1) An estimate of $1.425 Million in revenue annually. 15% of those fees for the first year come in before the end of the current fiscal year. The remainder is due in July and January. This figure is still an estimate – I have not yet been able to review actual receipts.

(2) A review of CCSWCD books relating to Long Creek, including administrative costs accrued this spring, and unreimbursed start up costs.

(3) An estimate of administrative costs for May and June of this year.

Please note that the ARRA / SRF projects constructed last year and this year are not yet fully incorporated here, as I do not yet understand fully how the SRF loan will be integrated into our books.

<table>
<thead>
<tr>
<th></th>
<th>Current Fiscal Year</th>
<th>Next Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-2010</td>
<td>2010-2011</td>
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<tr>
<td><strong>Income</strong></td>
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<tr>
<td>Participant Fees</td>
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<td>$1,232,500</td>
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<tr>
<td>Non-Participant Fees</td>
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<td>$1,000</td>
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<tr>
<td>Interest</td>
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<td>$6,650</td>
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<td><strong>TOTAL INCOME</strong></td>
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<td><strong>Expenses</strong></td>
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<td>$120,000</td>
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<td>Remaining Start-up</td>
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<td>costs (reimbursement)</td>
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<td><strong>TOTAL EXPENSES</strong></td>
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<td><strong>Net Change</strong></td>
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<td>$251,100</td>
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</table>

* Values are not based on actual projects or tasks, and so will change, possibly significantly.
**Site Description:**

- **Total Impervious Surface:** 2.9675 ac
  - **Total Impervious Parking:** 2.5883 ac
  - **Total Impervious Road:** 0.0000 ac
  - **Total Impervious Roof:** 0.3792 ac
  - **Total Impervious Other:** 0.0000 ac

**Earned Construction and Maintenance Credits:**

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<tr>
<th>Subcatchment</th>
<th>Imp. Acres</th>
<th>Discharge Type</th>
<th>Infrastructure</th>
<th>Treatment Type</th>
<th>Credit &amp; Description*</th>
<th>Reduction in Impervious Acres</th>
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<tr>
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<td>0.0000</td>
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<tr>
<td>Subcatchment 1</td>
<td>2.9675</td>
<td>Direct Discharge</td>
<td>Infrastructure 1</td>
<td>Detention + TSS Removal</td>
<td>20% - The observed pond or structure appears to be designed for TSS removal &amp; detention and appears to be maintained and operating properly</td>
<td>0.5935</td>
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**Total Program Credit and Fee:**

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<th>Program Areas</th>
<th>Total Assessment w/out Credit</th>
<th>Calculated Credit**</th>
<th>Total Credit</th>
<th>Total Assessment</th>
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**Initial Assessment Payment Schedule:**

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<tr>
<td>July 15, 2010</td>
<td>42.5%</td>
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<tr>
<td>January 15, 2011</td>
<td>42.5%</td>
<td>$3,480.88</td>
</tr>
</tbody>
</table>

**Percentage may include credit for non-direct discharge areas (when applicable).**
### SITE EVALUATION WORKSHEET FOR CREDIT AND FEE ASSESSMENT (2009)

**Date of Evaluation:** 11/04/2009  
**Property Owner:** Best Company, LLC  
**Evaluator:** Bill  
**Map & Lot:** M 2, L 49  
**Address:** 396 County RD Westbrook

#### Site Description:

| Total Impervious Surface | 2.9675 ac  
|--------------------------|-----------  
| Total Impervious Parking | 2.5883 ac  
| Total Impervious Road    | 0.0000 ac  
| Total Impervious Roof    | 0.3782 ac  
| Total Impervious Other   | 0.0000 ac  

#### Earned Construction and Maintenance Credits:

<table>
<thead>
<tr>
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<th>Discharge Type</th>
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<td>Parvious Area</td>
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<td>0.5935</td>
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#### Total Program Credit and Fee:

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<th>Calculated Credit**</th>
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<td></td>
<td><strong>$2,670.75</strong></td>
<td><strong>$6,231.75</strong></td>
</tr>
</tbody>
</table>

**Percentage may include credit for non-direct discharge areas (when applicable).**
June 15, 2010

Tamara Lee Pinard
Stormwater Program Manager
Cumberland County Soil and Water Conservation District
35 Main Street, Suite 3
Windham, ME 04062

Dear Tamara,

I am hereby requesting the opportunity to serve as a member of the LCWMD’s Technical Committee. I believe I have a variety of experience and knowledge that will be valuable as the committee helps guide the implementation of and the future directions of the effort to improve Long Creek. I have been involved with studies of the stream for over 10 years, am familiar with the nature of its impairments and with the most likely causes of those impairments. I am also familiar with the BMPs and other management strategies that will be applied to address the stream’s impairments, both their strengths and their limitations. I have a good understanding of the DEP’s view on what will constitute success as well as what will be necessary to evaluate progress towards meeting our goals.

Thank you for consideration of my request.

Sincerely,

Jeff Dennis
Biologist
Division of Watershed Management
May 27, 2010

Tamara Lee Pinard  
Cumberland County Soil & Water Conservation District  
35 Main Street, Suite 3  
Windham, ME 04062

Dear Ms. Pinard

On behalf of the City of South Portland, I would like to be considered for appointment to the Long Creek Watershed Management District’s Technical Committee. Given my close involvement in the development of the Long Creek Watershed Management Plan, current position as the City's Stormwater Program Coordinator and ongoing participation in the Interlocal Stormwater Working Group (ISWG), I believe my contributions to the Technical Committee would be beneficial and constructive.

Thanks for your consideration and please let me know if any additional information is needed to support my request.

Fred Dillon

cc: Pat Cloutier – Director Water Resource Protection Department; Dave Thomes – Collection Systems Manager
June 18, 2010

Tamara Lee Pinard
Cumberland County Soil and Water Conservation District
35 Maine Street, Suite 3
Windham, ME 04062

Re: Long Creek Watershed District – Technical Committee Application

Dear Tamara:

I am submitting this letter to express my interest in participating on the Technical Committee of the Long Creek Watershed Management District.

I was a member of the technical team contracted to develop the Long Creek Watershed Management Plan and have recently assisted in the design and implementation of structural stormwater management systems on Darling Avenue in Catchment C-11.

I am a water resources scientist with twelve years of experience in stormwater management, planning, watershed assessment, and stormwater treatment system design. My recent projects include watershed-scale structural stormwater management retrofit inventories, structural and non-structural non-point source pollutant reduction planning, TMDL analysis, and integrated site and civil design projects incorporating low impact development concepts.

I feel that I can bring a practical science and engineering approach to your collaborative efforts towards the restoration of the Long Creek watershed and appreciate the opportunity to work with your organization. Please contact me for additional information or a resume.

Sincerely,

Zach Henderson
Project Scientist
WOODARD & CURRAN INC.
June 18, 2010

Ms Tamara Lee Pinard  
Executive Director  
Long Creek Watershed Management District  
35 Main Street, Suite 3  
Windham, Maine 04062

Re: Letter of Interest  
Appointment to Technical Committee  
Long Creek Watershed Management District’s Governing Board

Dear Tamara:

I am writing in response to your email dated June 15, 2010 in which you are soliciting letters of interest from individuals who are interested in seeking appointment to the Technical Committee that will provide technical review and recommendations to the Long Creek Watershed Management District’s Governing Board.

Therefore, I offer the following personal biographical information in consideration of my potential appointment to the Technical Committee:

As you and most of the Governing Board members are aware, I have been involved in the Long Creek Restoration Project since it began in 2007. I have attended most stakeholders meetings and committee meetings that were convened throughout the process, including the convening committee, steering committee, technical advisory committee, models & outreach committee and more (e.g., reviews of draft WMP, PLA working group meetings, O&M subcommittee meetings, etc.). In addition to being part of the award winning Long Creek Restoration Project Team and having a working knowledge of the Long Creek restoration process from its inception, I would also bring more than 12 years of professional experience as a stormwater management consultant to the committee. My experience and expertise as an environmental engineer and consultant includes comprehensive knowledge and expertise regarding the regulatory structure of the Clean Water Act including Residual Designation Authority (RDA), as well as the National and Maine Pollutant Discharge Elimination System programs. I would be pleased to provide further information regarding my credentials and resume as needed in consideration of this letter of interest.

I look forward to hearing from you and/or the Governing Board regarding a possible appointment to the Long Creek Governing Board’s Technical Committee.

Many thanks,

Robyn Saunders  
Project Manager

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<table>
<thead>
<tr>
<th>Proposal</th>
<th>Receipt</th>
<th>Entity</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
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<tbody>
<tr>
<td>Auditing</td>
<td>6-16 @ 10:29 am</td>
<td>Macdonald Page &amp; Co LLC</td>
<td>30 Long Creek Drive</td>
<td>South Portland</td>
<td>ME</td>
<td>04106</td>
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<tr>
<td>Auditing</td>
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<td>Runyon Kersteen Ouellette</td>
<td>20 Long Creek Drive</td>
<td>South Portland</td>
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<tr>
<td>Auditing</td>
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<td>Berry Talbot Royer</td>
<td>6 Fundy Road, Suite 100</td>
<td>Falmouth</td>
<td>ME</td>
<td>04105</td>
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<tr>
<td>Legal</td>
<td>6-15 @ 12:38 pm</td>
<td>Petruccelli, Martin &amp; Haddow, LLP</td>
<td>PO Boc 17555</td>
<td>Portland</td>
<td>ME</td>
<td>04112</td>
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<tr>
<td>Legal</td>
<td>6-16 @ 4:30 pm</td>
<td>Perkins Thompson</td>
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<td>Portland</td>
<td>ME</td>
<td>04112</td>
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<td>Monitoring</td>
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<td>Boyle Associates</td>
<td>25 Dundee Road</td>
<td>Gorham</td>
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<td>Monitoring</td>
<td>6-17 @ 2:06 pm</td>
<td>FB Environmental</td>
<td>97A Exchange St., Suite 305</td>
<td>Portland</td>
<td>ME</td>
<td>04101</td>
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</table>
DRAFT

Under its authority to adopt Rules and Regulations under Section 5.D. of the Interlocal Agreement and Art. II, Sec. 2.D. of the Bylaws of Long Creek Watershed Management District, the LCWMD Board of Directors hereby adopt the following Rules and Regulations:

Long Creek Watershed Management District Rules and Regulations

A. All capitalized terms used in these Rules and Regulations shall have the same meaning as they have in the “Agreement Between Participating Landowner and Long Creek Watershed Management District” or “Participating Landowner Agreement” (“PLA”) the Long Creek Watershed Management District (“LCWMD” or the “District”) has entered into with each Participating Landowner.

B. The LCWMD Board of Directors (“Board”) will allow Landowners and Operators of Parcels located in the Long Creek Watershed to enter into a PLA with LCWMD after the subscription date of May 28, 2010 provided for in Section 15 of that PLA (21 days prior to the Maine Department of Environmental Protection (“DEP”) general date for filing of a Notice of Intent under the General Permit of June 18, 2010) at its reasonable discretion, subject to the following terms and conditions:

1. A Person who wishes to become a Participating Landowner under a PLA within 180 days after receiving notice of the General Permit from DEP may do so without additional financial penalty, even though the PLA is executed by the person after May 28, 2010.

2. A Person who wishes to become a Participating Landowner more than 180 days after receiving notice from the Maine Department of Environmental Protection (DEP) may do so in the following manner:

   a. Such a Person may enter into PLA with LCWMD as Operator and/or as Record Owner, but shall pay to LCWMD the full amount of the Initial Assessment and of any Annual Assessment(s), without proration, that would have been assessed against the Parcel Operator and/or Record Owner’s Parcel(s) had the Person entered into the PLA within 180 days after receiving notice from DEP and also shall pay 0.5% interest per month amount of such Initial Assessment and/or Annual Assessment(s) calculated from the due date of each such Assessment.

   b. The above notwithstanding, however, if a Person acquires, expands ownership of or improves property within the Long Creek Watershed after December 6, 2009 and subsequent to that acquisition, expansion of ownership or improvement, DEP determines for the first time that there is a Designated Discharge from that property, that Person may enter into a PLA with LCWMD as Operator and/or Record Owner, and shall pay to LCWMD an amount equal to the Initial Assessment or Annual Assessment(s) assessed upon the Parcel for the LCWMD Fiscal Year in which DEP determines there is a Designated Discharge from that
Parcel, prorated on the basis of the portion of the LCWMD Fiscal Year during which the Person operates and/or owns such a Parcel.
CATCHMENT E-24

Catchment Characteristics

DEP ID E-24
Size 66 acres
Impervious Cover Breakdown
Rooftop 24% (14 acres)
Parking 75% (45 acres)
Roadway 1% (0.6 acres)

Existing Stormwater Management System - Yes
Stormwater Infrastructure Ownership - Private with minor municipal component

Opportunity Overview

Tier 1: Expand and enhance the two dry detention basins at the outlet of each stormwater drainage system to provide improved water quality treatment.
Tier 2: Locate additional water quality filters in setbacks portion along Phillipback Ave to manage municipal contribution in this catchment. A small demonstration raingarden could be located near north entrance to Macy’s in current concrete median if soils are deemed to be appropriate.
Tier 3: Enhance drainage plan maps and provide additional retrofits as needed to maximize value of SPO_034.

<table>
<thead>
<tr>
<th>Tier</th>
<th>Retrofit ID#</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SPO_034, GGP Wet Pond</td>
<td>$745,000</td>
</tr>
<tr>
<td>2</td>
<td>SPO_030, SPO_089</td>
<td>$55,500</td>
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<tr>
<td>3</td>
<td>TBD</td>
<td>$0</td>
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Considerations

Discrepancies and missing data on storm drain infrastructure maps should be rectified prior to design. SPO_034 may require expansion in order to accommodate 0.5" of rainfall runoff. Soil Filter SPO_030 may require drainage easement acquisition. GGP (General Growth Properties) Wet Pond retrofit based on previous design under GGP Stormwater Master Plan.
Catchment Characteristics

**DEP ID**: E-34  
**Size**: 11 acres

**Impervious Cover Breakdown**  
- Rooftop: 24% (2.4 acres)  
- Parking: 67% (6.7 acres)  
- Roadway: 9% (0.9 acres)

**Existing Stormwater Management System**: Yes  
**Stormwater Infrastructure Ownership**: Private

**Opportunity Overview** –

**Tier 1**: Expand and enhance the Hannaford Shopping Plaza’s existing stormwater detention basin to provide improved water quality treatment.

**Tier 2**: Locate water quality filters in greenspace portions of the parking lot and loading dock area for additional levels of water quality treatment.

**Tier 3**: If necessary, install above or below grade filters to bring the catchment up to current stormwater standards.

<table>
<thead>
<tr>
<th>Tier</th>
<th>Retrofit ID#</th>
<th>Estimated Cost</th>
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<tr>
<td>1</td>
<td>SPO_038</td>
<td>$85,000</td>
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<td>2</td>
<td>SPO_039, SPO_037, SPO_039</td>
<td>$88,000</td>
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<td>3</td>
<td>Additional IC WQ enhancements</td>
<td>$186,000</td>
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**Considerations**

The current wet pond diversion structure may require reconfiguration or reconstruction for the new stormwater management system. Soil Filter SPO_036 would likely require some tree removal and drainage easement acquisition.
## LCWMD Fiscal Year 2011

### Income

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Participant fees</td>
<td>$1,416,255</td>
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<tr>
<td>Construction &amp; Maintenance (40%)</td>
<td>$557,362</td>
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<tr>
<td>Pollution Prevention &amp; Good Housekeeping (30%)</td>
<td>$406,565</td>
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<tr>
<td>Monitoring (6%)</td>
<td>$90,465</td>
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<tr>
<td>Administration (24%)</td>
<td>$361,862</td>
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<td>Non Participant Fees</td>
<td>$36,341</td>
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<td>Stream Restoration (sub account of Construction &amp; Maintenance)</td>
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<tr>
<td>Monitoring</td>
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<td><strong>TOTAL INCOME</strong></td>
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### Expenses

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<tr>
<td>Construction &amp; Maintenance</td>
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<tr>
<td>Phase II Mall Plaza - Summer 2010</td>
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<tr>
<td>Colonel Westbrook (Stream) - Design (Fall/Winter) - Construction (Spring 2011)</td>
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<td>Construction maintenance</td>
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<td>Construction carry forward</td>
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<td>Pollution Prevention &amp; Good Housekeeping</td>
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<tr>
<td>O&amp;M Plans development &amp; curbed hot spots identification (Summer 2010)</td>
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<td>vacuum sweep &amp; maintain all BMPs (Summer/Fall 2010)</td>
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<td>Education/Outreach programs re: O&amp;M plans (Winter 2010-2011)</td>
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<td>PP&amp;GH Administration</td>
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<td>PP &amp; GH carry forward</td>
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<td>Monitoring</td>
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<td>Monitoring, start-up</td>
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<td>Monitoring, Annual</td>
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<td>Monitoring Carry Forward</td>
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<td>Administration</td>
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<td>Start -up costs owed to CCSWCD</td>
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<td>Administration 2010-2011 (Audit, legal, billing, board insurance, board support)</td>
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<td>Carry Forward</td>
<td>$6,650</td>
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*This budget is based on 91.04 % (of 548.22 designated acreage) impervious acreage participation (PLAs executed (89) or in progress (17) as of 6-21-10)*

**DOT Initial Assessment of $185,507 (C&M = $74,202; PPGH =$55,652; Administration = 44,521; Monitoring = $11,130) . Their improvements to Maine Mall Road are likely more than their Initial Assessment. If they aim to apply for “in lieu of payment” there will be less cash on hand to accomplish the C&M included in this budget.**

**SRF loan first payment will not be due until one year after substantial completion that will likely be Sep/Oct 2010, which will push the first payment to FY2012.**