



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS  
GOVERNOR

MELANIE LOYZIM  
COMMISSIONER

March 16, 2022

Mr. Ryan McGee  
Interim Town Manager  
300 Lisbon Street  
Lisbon, Maine 04250  
*e-mail:* [dbarnes@lisbonme.gov](mailto:dbarnes@lisbonme.gov)

**RE: Municipal Separate Storm Sewer System (MS4) General Permit #MER041000  
Proposed Draft - MER401030**

Dear Mr. McGee:

Enclosed is a **proposed draft** Department Order granting coverage for the Town of Lisbon under the Municipal Separate Storm Sewer System (MS4) General Permit, #MER041000, issued by the Department on October 15, 2020 and revised on November 23, 2021. The Department proposes to issue this Department Order as a final document after opportunity for your review and comment. By transmittal of this letter, you are provided with an opportunity to comment on the proposed draft document. If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

Beginning today, Wednesday, March 16, 2022, the Department is making the draft Department Order available for a 30-day public comment period. All comments on the proposed draft Department Order must be received in the Department of Environmental Protection office on or before the close of business on **Monday, April 18, 2021, 2022**. Failure to submit comments in a timely fashion will result in the final permit document being issued as drafted.

Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection  
Bureau of Water Quality  
Division of Water Quality Management  
17 State House Station  
Augusta, ME 04333-0017  
[gregg.wood@maine.gov](mailto:gregg.wood@maine.gov)

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

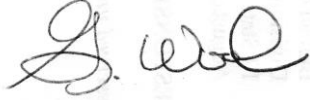
BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

If you have any questions regarding the matter, please feel free to call me at 287-7693.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Wood". The signature is fluid and cursive, with the first letter "G" being particularly large and stylized.

Gregg Wood  
Division of Water Quality Management  
Bureau of Water Quality

Enc.

cc: Stacia Hoover, DEP/CMRO  
Damien Houlihan, USEPA  
Newton Tedder, USEPA

Lori Mitchell, DEP/CMRO  
Nathan Chien, USEPA

Holliday Keen, DEP/CMRO  
Richard Carvalho, USEPA



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION  
AUGUSTA, ME 04333

**DEPARTMENT ORDER  
IN THE MATTER OF**

TOWN OF LISBON	)	MUNICIPAL SEPARATE STORM
LISBON, ANDROSCOGGIN COUNTY, MAINE	)	SEWER SYSTEM
MER041030	)	MER041000
	)	<b>GENERAL PERMIT COVERAGE</b>
<b>March 16, 2021 Proposed Draft</b>	<b>APPROVAL</b> )	<b>RENEWAL</b>

The Department of Environmental Protection (Department/DEP) has considered the Notice of Intent submitted by the TOWN OF LISBON (Town/permittee), with supportive data, agency review comments and other related materials on file for coverage under the Municipal Separate Storm Sewer System (MS4) General Permit, #MER041000, issued by the Department on October 15, 2020 and revised on November 23, 2021, and FINDS THE FOLLOWING FACTS.

The permittee submitted a Notice of Intent (NOI) with an initial Stormwater Management Plan (SWMP) to the Department on March 25, 2021 that were made available for a 30-day public comment period on the Department's website at <https://www.maine.gov/dep/comment/comment.html?id=4463193>. No public comments were received on the NOI or the initial SWMP. The Department has reviewed the initial SWMP document and made the determination that the document is consistent with and fully articulates what is required to meet the MS4 GP standard. Pursuant to Part IV(B) of MS4 GP issued by the Department on October 15, 2020 and revised on November 23, 2021, the permittee must update the initial SWMP within 60 days of the effective date of this DEP permittee specific order or within 60 days of the final resolution to an appeal of this DEP permittee specific order. The final plan must be submitted to the Department and will be posted on the Department's website.

The permittee must fully implement all actions, schedules and milestones established in the March 25, 2021 initial SWMP and any revisions to the initial SWMP reflected in the final plan.

The permittee has agreed to comply with all terms and conditions of the MS4 General Permit, #MER041000, dated October 15, 2020 and revised on November 23, 2021. Operated in accordance with the Municipal Separate Storm Sewer System (MS4) General Permit, #MER041000, the discharges identified by the permittee will not have a significant adverse effect on water quality or cause or contribute to the violation of the water quality standards of the receiving water.

## Impaired Waters

To meet the standards of the MS4 GP for impaired waters, the permittee must implement the following terms and conditions:

The Town of Lisbon's MS4 includes point source discharges to the unnamed stream (also referred to as Alder Brook near Route 196), which is classified as an Urban Impaired Stream in Maine DEP Rule Chapter 500, and has an Impervious Cover TMDL dated September 27, 2012. Progress has been made on identifying and addressing impairments through assessment, best management practices, and/or public education.

1) **Beginning July 1, 2022 and each year thereafter**, the permittee must commence educating citizens on urban impaired streams through social media. Information must be posted to help raise awareness about Lisbon's urban impaired stream, Alder Brook, and provide information about actions that residents can take to help reduce the potential for stormwater pollution that can affect the stream. Information will be posted by the permittee two times per year throughout the permit cycle. Social media posts related to impaired streams, specifically Alder Brook, will be made on:

- The Town of Lisbon Facebook page; and/or
- The Positive Change Lisbon Facebook page.

Content will include basic information about Alder Brook and its watershed, a description of the water quality impairment, and any plans to improve the stream such as a watershed-based plan. There will also be information on what Town residents can do, on an individual level, to help improve the water quality of Alder Brook.

At the end of each permit year, the social media metrics must be compiled and assessed to determine how well the target audience was reached. Metrics must include the number of views and amount of engagement (e.g. reactions, comments, shares, etc.) for each post. The results of the metrics must be included in the permittee's annual report required by Special Condition G, *Annual Compliance Report* of MS4 GP #MER041000 referenced above.

2) **On or before July 1, 2024**, the permittee must complete a culvert survey of Alder Brook. The survey will be conducted by a qualified consultant. Results of the comprehensive survey report must be compiled and reported to MDEP in the permittee's annual report due on September 15, 2024 as required by Special Condition G, *Annual Compliance Report*, of MS4 GP #MER041000 referenced above.

3) **On or before July 1, 2025**, the Town must select a minimum of one structural BMP for Alder Brook. The BMP will be based on the stream walk conducted by MDEP in 2021, and the results of culvert survey in item #2 above. **On or before July 1, 2027**, the Town must fully implement one or more of the following stormwater infrastructure BMPs:

- a. Clean out gravel and sediment and conduct maintenance on the culvert under Bauer Street; or
- b. Remove the unnecessary culvert identified by MDEP staff just below Route 196; or
- c. Another MDEP approved structural BMP within the Alder Brook watershed identified during the culver survey.

THEREFORE, the Department GRANTS the TOWN OF LISBON, coverage under the Municipal Separate Storm Sewer System (MS4) General Permit, #MER041000, issued by the Department on October 15, 2020 and revised on November 23, 2021, subject to the terms and conditions therein.

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
Melanie Loyzim, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The Notice of Intent was received by the Department on \_\_\_\_\_ March 25 2021 \_\_\_\_\_.

The Notice of Intent was accepted by the Department on \_\_\_\_\_ April 2, 2021 \_\_\_\_\_.

Date filed with Board of Environmental Protection: \_\_\_\_\_

This Order prepared by GREGG WOOD, BUREAU OF WATER QUALITY