

# South Portland Conservation Commission

## 2013 Annual Report South Portland, Maine

### 1. Introduction

The Conservation Commission serves as a research, advisory and advocacy group on environmental and conservation issues impacting the City of South Portland.<sup>1</sup> This broad mandate brings with it a number of powers and duties, as set forth in the City Ordinance<sup>2</sup>:

- a) *Conduct research in conjunction with the Planning Board on local land areas;*
- b) *Coordinate activities of conservation bodies organized for similar purposes;*
- c) *Keep an index of all open areas within the City, and where appropriate make recommendations on ways to protect, develop and use certain open areas in the City (including, but not limited to, acquisition of conservation easements);*
- d) *As necessary and appropriate, communicate information to the public on conservation issues (printed or electronic);*
- e) *Assist the City in promotion of its open space and park plans;*
- f) *Work on conservation and environmental activities referred to it by City Council; and*
- g) *Work with the Planning Board, Water Resources, and Planning Departments to establish freshwater wetland management priorities for the City and oversight of the Freshwater Wetland Compensation Fund.*

The Conservation Commission currently does not operate with an annual budget under the City budget process. The Commission may request funds for approved activities from a \$2,000 common account set aside for all chartered City commissions.

### 2. Commission Membership

The Conservation Commission is made up of seven residents of the City of South Portland. Each member is appointed for a three-year term. Five members are appointed by their respective District City Councilors, and two are appointed on an at-large basis.

Commission membership during 2013 included the following individuals:

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<sup>1</sup> Code of Ordinances, Section 2-76

<sup>2</sup> Code of Ordinances, Section 2-79

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David Critchfield	(District 1, Chairman)
<b>VACANT</b>	(District 2)
Mitchell Sturgeon	(District 3)
Monika Youells	(District 4)
Nathan Marles	(District 5)
Bill Sutton	(At large, Vice Chairman)
Julie Prevost-Lucci	(At Large, Secretary)
Alison Shea	(District 4 Associate Member and Secretary)
Patti Smith	(City Council representative, District 2)

Upon recommendation of the Commission, City Council also may appoint up to seven associate members. As with the Commission itself, five associate members may be appointed from each of the five Districts, with two associate members appointed at large. During 2013, the Commission had two associate members. The District 4 Associate Member position is the only Associate Member position currently filled. Associate Member positions remain open in the other four Districts, as well as At Large seats.

Bill Sutton and Julie Prevost-Lucci resigned from the Commission during 2013. Bill had the honor of being the Commission's longest serving member. Bill retired from SMCC in 2013 following a long and productive teaching career. He and his wife will be moving to Western Maine. Julie served the Commission very well during her tenure, but found it necessary to resign at the end of last year due to competing priorities in her professional life. Both gave generously of their time and energy to the community. We will miss them, and wish them both well in their future endeavors.

As of the date of this report to City Council, the Commission membership is comprised of the following:

David Critchfield	(District 1, Chairman)
Will Fritzmeier	(District 2)
Mitchell Sturgeon	(District 3)
Monika Youells	(District 4)
Alison Shea	(District 4, Associate Member and Secretary)
Nathan Marles	(District 5, Vice Chairman)
Robert Klotz	(At Large, Blake)
Sara Zografos	(At Large, Beecher)
Patti Smith	(City Council representative, District 2)

The Commission typically meets at 6:30PM on the first and third Mondays of the month. The schedule is published on the City of South Portland website. All meetings are open to the public.

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### 3. Elections

Pursuant to the City Ordinance, Commissioners vote annually to fill three administrative positions: Chair, Vice Chair, and Secretary.

Commissioners voted in January, selecting the following individuals to fill these positions for 2014:

- Chair                      David Critchfield
- Vice Chair                Nathan Marles
- Secretary                 Alison Shea

### 4. Oversight and Meetings with Outside Organizations

The Commission met with the following organizations during 2013:

- a) ***Cape Elizabeth Conservation Commission*** – The South Portland and Cape Elizabeth Conservation Commissions collaborated on submission of a grant application to the Maine Natural Resource Conservation Program to continue work on the Trout Brook watershed improvement programs. Although the joint grant application was not selected during the 2013 application cycle, it was a positive experience for both Commissions in pursuit of a common goal – improving the Trout Brook watershed.
- b) ***Maine Association of Conservation Commissions*** – The South Portland Conservation Commission joined a re-vitalized MEACC in 2013. Alison Shea is representing South Portland in MEACC’s initial program planning.

### 5. Commission Activities

The Commission worked on the following conservation initiatives and programs on behalf of South Portland and its many communities:

- a) ***Trout Brook 604(b) Watershed Management Planning Process*** – The Commission participates on the Water Resources Department Steering Committee for the Sections 604(b) and 319 planning grant programs funded by the U.S. EPA and managed by Maine DEP. Since the Commission first proposed the Trout Brook watershed restoration project to DEP and South Portland City Council, Commissioners have remained committed to providing resources and financial support to any project that satisfies the ordinance criteria established under South Portland’s Freshwater Compensation Fund. The Commission actively has a member attending the Trout Brook Meetings who reports back to the Commission. It remains a primary goal to find and deploy resources to do the things necessary to remove Trout Brook (and eventually Barberry Creek) from the DEP Urban Impaired Streams list (see Section 6 below).

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- b) **Maine Coastal Clean-Up Week** – Commissioners again sponsored and participated in Maine “Coastweek” clean-up efforts along the Spring Point Light beaches near SMCC.<sup>3</sup>
- c) **Earth Day** – Commissioners again participated in clean-up efforts during Earth Day 2013.

### 6. Freshwater Wetland Compensation Fund

As of December 31, 2013, the Freshwater Wetland Compensation Fund balance was **\$185,674.10**. There were no expenditures from the Fund during calendar year 2013. The Commission anticipates reviewing several proposals during 2014, with at least one vote to be taken on requests for Fund support.

### 7. 2014 Planning

The Conservation Commission’s overall mission is set forth in the City Ordinance (and re-stated in Section 1 of this Annual Report).

In 2010, in an effort to address sections (c) and (g) of the City Ordinance mission, the Commissioners followed a goal-setting process in an effort to develop a cost-efficient strategy to manage and deploy funds paid into Freshwater Compensation Fund by local developers. By 2011, Commissioners reached consensus on the following primary goal for Freshwater Compensation Fund assets:

***Through focused watershed improvements, community involvement and monitoring, ensure that all South Portland tributaries are taken off Maine DEP’s “Urban Impaired Streams” listing.***

At the time, there were (and still are) three South Portland streams included on DEP’s list of Urban Impaired Streams: **Long Creek, Trout Brook, and Barberry Creek**. Each of the three watersheds faces unique restoration hurdles and regulatory histories.<sup>4</sup>

Since Long Creek was the beneficiary of a \$10 million restoration program overseen by a coalition of regulatory agencies, the Conservation Commission opted to focus its efforts on assessment and restoration efforts in the Trout Brook (including Kimball Brook) and Barberry Creek watersheds.

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<sup>3</sup> <http://www.maine.gov/dacf/mcp/planning/coastweek/faq.htm>

<sup>4</sup> [http://webcache.googleusercontent.com/search?q=cache:wEo6qI9\\_38YJ:www.maine.gov/dep/gis/datamaps/lawb\\_urban\\_impaired\\_streams\\_watersheds/lawb\\_urban\\_impaired\\_streams\\_watersheds.kml+&cd=1&hl=en&ct=clnk&gl=us&client=firefox-a](http://webcache.googleusercontent.com/search?q=cache:wEo6qI9_38YJ:www.maine.gov/dep/gis/datamaps/lawb_urban_impaired_streams_watersheds/lawb_urban_impaired_streams_watersheds.kml+&cd=1&hl=en&ct=clnk&gl=us&client=firefox-a)

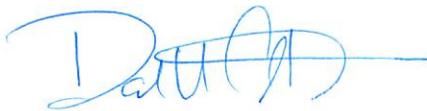
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During 2014, one of the Commission's priorities will be to come up with a strategy to address other elements of its mission as set forth in the City Ordinance, including but not limited to:

- a) **Barberry Creek** –To restore Barberry Creek, deemed as “urban impaired” by the DEP, the Commission will undertake efforts similar to those undertaken on Trout Brook with the help of the Freshwater Compensation Fund.
- b) **Mildred Street/Bagley Avenue storm water management/drainage structures** – The commission will work to further investigate opportunities to repair the drainage and trash/debris issues associated with the Mildred Street/Bagley Avenue stormwater structures.
- c) **Tar sands research and public communications programs** – The commission will support the Community and City Council by conducting research on potentially significant environmental and conservation-related issues affecting South Portland citizens and quality-of-life, including the potential transport and export of Alberta Tar Sands through South Portland's oil terminal infrastructure.
- d) **Youth Conservation Corps** – In 2014 the commission will actively be looking at the opportunity of sponsoring the Youth Conservation Corps and their efforts to repair sections of Trout Brook. This sponsorship would be an extension of a program being funded by the Cumberland County Soil & Water Conservation.
- e) **Information on “best practices” concerning residential herbicide/pesticide, fertilizer use, and composting practices/options** – The commission will work to develop an educational document that highlights “best practices” related to herbicide/pesticide use, fertilizer use, and composting practices/options.

As always, the Commission stands ready to assist and advise City Council and individual Councilors on specific conservation-related matters impacting South Portland.

Respectfully submitted,



David H. Critchfield  
Chairman

2/23/14



Nathan Marles  
Vice Chair

Feb 22, 2014

Copy to all Commissioners  
Copy to City Council members