

Highland Lake Leadership Team Minutes 6/19/2018

Location: Windham Town Hall Conference Room 1 at 1:00pm

Attendance: Robyn Saunders (CCSWCD), Heather True (CCSWCD), Rosie Hartzler, Donna Chapman, Gretchen Andersen, John MacKinnon, Nancy Lightbody, Tom Peterson, Tony Plante, Kimberly Darling, Dennis Brown, Kim White, Jeff Dennis (DEP)

1. Reviewed and approved minutes from last HLLT meeting (May 10)

Minutes were approved unanimously

2. Update on fishway and alewives

It was reported that there seemed to be more dead adult alewives this year than normal, and it was speculated that the low water causing greater difficulty for the adults to make it to the lake may have added more stress than in normal years and lead to the greater mortality.

An update was provided on the discussions with DMR to improve the fishway. There appear to be some low cost ways to improve the fishway for downstream passage and work continues with DMR and US Fish and Wildlife. The City of Westbrook has responsibility for the dam, but the fishway belongs to DMR. The cost of a floating boom has been explored and was determined to be in the \$1,500 cost range. Since our HLLT meeting it was learned that the DMR has a boom that can be used at the dam, and that 4 of the 5 rods will be removed from the grate. Both steps will greatly diminish the plugging of the fishway.

3. Discussions on potential ordinance recommendations

The Towns would prefer to see any ordinance amendment changes and recommendations to be packaged together rather than piecemealed. The HLLT will offer conceptual ordinances to have Town staff draft ordinance language and then bring back to the HLLT to assure the original intent was met, then sent to the respected Town Councils.

It was pointed out that Windham has a new committee focused on Private Roads. There was a suggestion to appoint someone from HLLT to that committee. Next Highland Lake Ordinance Committee meeting will be discussing private roads.

Suggestions on fertilizer ordinance have been delegated to the HLLT Education and Outreach Committee because of the trouble enforcing any kind of fertilizer/pesticide ban.

Four recommendations were brought forward for consideration and vote:

- a. Consider shoreline photography as a town wide Code Enforcement tool
- b. Require 3rd Party review of all non-residential development within lake watersheds
- c. Update BMP inspections within lake watersheds

d. Require minimum manure management requirements for large farm animals within the watershed

Discussion

Photograph all the lake shorelines for baseline for shoreline development:

Portland water District uses this technology on Sebago Lake. Windham intermittently utilize images for code enforcement action. This would accomplish a baseline, subsequent surveys would determine if there were violations. This information would stay with the Code Offices for their use only, and be used for review of permits and as an enforcement tool. This has been successful in making staff time more efficient where this has been used. The Lake Environmental Association (LEA) does this already and has been for years.

There was a suggestion that a written policy be drafted and in place to accompany this.

The motion to approve was made by Rosie, Nancy second, and it was voted to approve the recommendation 9-0.

Discuss the consideration of the two Towns to require 3rd Party Review of all major developments within great pond watersheds.

This is intended to close any loop holes as well as enhance third party reviews in both towns. The HLLT recommends that the Towns of Falmouth and Windham adopt mandatory third party review of phosphorus mitigation plans for all subdivisions within the Great Pond watershed of their respective communities. To ensure that third party reviews are effective, HLLLT further recommends that the towns determine the qualifications reviewers must possess to conduct the reviews and to develop a specific scope of work for conducting the reviews. Discussed expanding this review to all projects within the watersheds.

The group considered an amendment to change of language: mandatory third party reviews for all storm water plans including phosphorus mitigation plans within the watersheds in both towns, and to develop a specific scope of work for those reviews.

John made a motion to accept the amendment, Donna seconded the motion and it was unanimously approved. A motion was then made to approve the amended recommendation by John, Donna again seconded and the main motion was approve unanimously.

Consider establishing waste manure policies for both Towns

The State threshold for manure management is 50,000 lbs, or 50 horses. Jeff pointed out how significant even a few horses can be to phosphorus migration to the lake. There was a healthy debate about personal rights vs. impact to the watershed. When no amendments were offered, the question was moved, seconded and voted upon, with a final vote of 5 for, and 4 against with one member abstaining.

BMP inspection discussion for both subdivision BMPs and 319 grant BMPs to determine status and whether refurbishment is recommended

The idea is, if this is not being enforced at the state level, perhaps we should be looking into enforcement at the local level. This is a resource issue whether it is at the state or local level. After some discussion, this item has been postponed. This issue is going back to the Ordinance Committee and Gretchen will attend that meeting. Dennis made motion to postpone, Dona seconded, all in favor unanimous.

4. Committee updates:

- a. **Ordinance (John MacKinnon)** already discussed
- b. **Education and outreach (Nancy Lightbody)** postponed this update
- c. **Watershed survey (Kim White/Rosie Hartzler)**

Management plan was partially funded by DEP with \$22K awarded out of the \$38K requested. — CCSWCD will be meeting with DEP this week to discuss ways to potentially cut back to make the proposal work with the amount awarded. CCSWCD will revise the plan to send to DEP for review and approval. Revised plans assumes the Towns are still willing to commit \$3K in cash match split between FY19 and FY 20

CCSWCD working with both Town Managers to discuss FY2019 support. District to report back next meeting on updated plan.

Watershed survey field work is complete, preliminary work is being done now which will identify high priority sites.

- d. **Science and Water Quality (Rosie Hartzler)** discussion also postponed.

5. Other

6. Set next two meeting dates

Highland Lake Association meeting is July 19th, next HLLT will be in August. Dennis will send out a doodle poll for the August meeting.