



MEETING AGENDA AND NOTES

This Meeting:	Capisic Pond Evaluation and Management Options - Regulatory Discussion
Date/Time:	9AM-11AM, December 1, 2011



Meeting Objectives

- Understand project scope and objectives
- Discuss previous Pond and Park recommendations
- Discuss current Pond and Park status
- Identify possible permitting constraints and agency collaboration opportunities

Agenda

Introductions

- Scope and Project Review
- Previous Pond and Park Studies
 - Pond History
 - Pond and Park Access Plans
 - Shoreway Access, Greenbelt, Greenway, Watershed Management Plans
 - Pond and Park Natural Resource Studies
 - Natural and Cultural Resources of Capisic Pond
 - Wetland and Pond Monitoring Data - MaineDEP
 - Urban Streams Report – MaineDEP
 - Pond and Park Engineering Evaluations
 - Dam hydrologic modifications for flood control
 - Westside Interceptor design and restoration plan
 - Rockland Avenue outfall design
 - Pond Sediment Evaluations
- Current status and ongoing recommendations/issues
 - Pond sedimentation and open water habitat enhancement
 - Managing access and interpretation
 - Naturalizing areas (uplands, wetland, etc.)
 - Rockland Avenue outfall mitigation/erosion control
 - Watershed management
- Roundtable discussion of possible constraints and collaboration opportunities
- Next Steps



Meeting Notes

- Meeting “Goal” - Zach Henderson
 - Build upon the inter-agency cooperation during development of Westside Interceptor/Capasic Park restoration effort in 2011 and specifically identify permitting challenges/considerations and sustainable management opportunities for an important man-made freshwater resource in Portland.
- Meeting Attendees (see Attachment 1)
- Project Overview (see Attachment 2) - Zach Henderson
- Roundtable discussion on permitting challenges and collaboration opportunities
 - Jeff Dennis – Prior to removal of pond sediments for open water habitat enhancement, project engineers should consider the availability of nutrients and metals in the material exposed as new pond “bottom”. Depending on nutrient availability in exposed sediments (or legacy pollutants), it is possible that deepening of pond and the subsequent increase in pond residence time will generate increased nutrient cycling and create nuisance algal blooms that do not occur at this time.
 - Andrew Graham – It is critical to engage community in order to define “restoration”. There are currently many different visions of what restoration mean and there is a need to further refine this vision. Additionally, signage for interpretation and access enhancement should be well planned in order to avoid over-signage and over-development of park
 - Judy Camuso – Capasic Pond is considered moderate-value (as opposed to high value) Inland Waterfowl and Wading Bird Habitat (IWWBH) based on periodic scientific evaluations of the resource. Capasic Pond IWWBH was reassessed in 2008. Habitat value is a function of freshwater wetlands and open areas. Judy will provide project team with 2008 scientific evaluation of Capasic Pond for incorporation into Phase I study report. As open water is a function of IWWBH, it is appropriate to consider open water expansion (i.e. sediment removal) as a habitat enhancement activity, but IF&W will not specifically advocate for this activity and would allow the resource to naturally return to stream channel habitat type in the case of a manmade impoundments. IF&W would be more likely to engage in active management if directed/requested by community organization and/or municipality to maintain the IWWBH under an appropriate management plan. In addition to IWWBH, the resource area is a significant migratory songbird habitat area. This is generally unregulated by Inland Fisheries and Wildlife (IF&W) but any construction activity in the Park will need to consider timing of migratory songbirds habitat use.
 - Robert Green – Regardless of the fact that the Pond is a man-made impoundment, the Natural Resource Protection Act is still relevant as a regulatory requirement. Permits will be required for any disturbance in this resource area.
 - Jeff Dennis – Identified concern over phragmites within the Park. Judy Camuso indicated that IF&W has worked with partner organizations to conduct invasive plant management projects in Scarborough Marsh. The management consists of mowing and herbicide application. Invasive species management should be considered part of habitat enhancement plan in Pond and Park. Mike Bobinsky expressed an interest in obtaining the invasives management plan conducted in Scarborough Marsh.



- Jeff Dennis – It is critical to understand the Pond bathymetry in order to evaluate pre- and post-activity residence time in Pond. Residence time will have great influence on potential algal blooms within the Pond and the aesthetic value of sediment removal. Residence time will also be critical to understand the value of open water expansion in Capisic Pond as a stormwater quality management tool for the Fore River estuary.
- Robert Green – NRPA does allow permit by rule for habitat enhancement and water quality improvement activities but the Department of Environmental Protection (DEP) would still look for applicant to limit and minimize disturbance.
- Jay Clement – Fees generated from In Lieu Compensation Program may be a possibility for funding support for Capisic Pond IWWBH enhancement project. (http://www.maine.gov/dep/blwq/docstand/nrpa/ILF_and_NRCP/MNRCP/index.htm#action). The grant program is administered by The Nature Conservancy. In 2011, the RFP for projects was issued in June. As of September 2011 there was \$956,622 available for projects in the Southern Maine region which is presumably suitable for use in the Gulf of Maine – Coastal Lowland biophysical region (a call to The Nature Conservancy to confirm was not returned by the time of delivery of these notes). Habitat enhancement activities should provide “functional lift” for the resource, which includes hydrologic, water quality and biological functions. Jay noted the applicant should clearly indicate the purpose of the project (i.e. habitat enhancement, stormwater management, etc) to the regulatory agencies and reminded us that removal of bed sediments is not the jurisdiction of Army Corps of Engineers but that wetland impacts are.
- Eric Hamlin – Beneficial reuse of sediments can be accomplished in park area depending on chemical composition and reuse plan must be linked to necessary activities such as elevating trails, slope stabilization, new area reshaping, etc. Material can be batched with off-site materials to meet appropriate specification. Any dredged materials are considered “special waste” by the DEP.
- Brad Roland – Provided updates on City of Portland Combined Sewer Overflow abatement program in the Capisic Brook/Pond watershed. The review of 2010 versus 2011 overflow volumes indicates significant improvement from remaining CSOs in watershed. City has several projects left to complete abatement plan for the watershed and which should be complete in next two-three years. Andy Graham noted that this information would be important to interpret/disseminate to park visitors and “friends” group representatives.
- Zach Henderson – Next steps include distribution of sediment sampling results, scheduling of public “revisioning” workshop for Pond and Park future.



Attachment 1 – Meeting Attendees

CAPISIC POND & PARK

December 1, 2011



Name	Affiliation	Email or Phone
Jeff Dennis	DEP	Contact Information available upon request
Bob Greed	DEP	
Jay Clement	USACE	
Eric Namlin	MDEP	
Brad Roland	City Portland	
Jeff Schen	Friends of Capisic Pond Park	
Doug Roncarati	Portland	
Judy Camuso	MDIFW	
DAVID SENUS	Woodard & Curran	
Mike Robinsky	City of Portland	
Andy GRAHAM	Friends of Capisic Pond	



Attachment 2 – Project Overview

Exploring the Needs for Capisic Pond & Park

PREPARING FOR A SUSTAINABLE MANAGEMENT PLAN

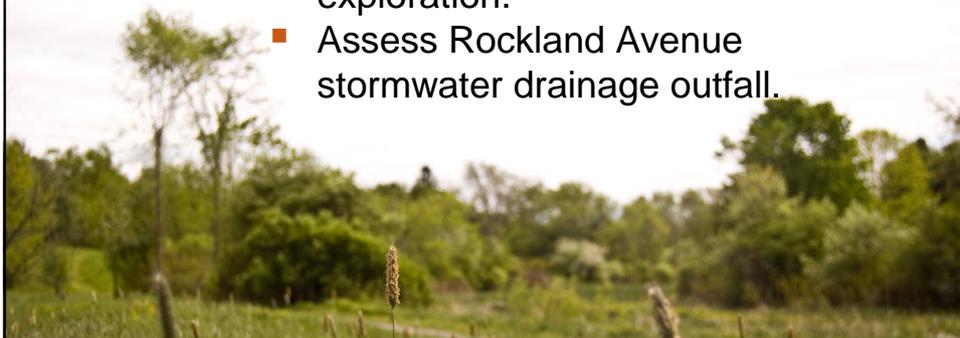


-  Capisic Brook Watershed Boundary
-  Capisic Brook



Our Phase I Goals

- Review existing plans, studies, and prior visioning work.
- Summarize current condition and opportunities for further exploration.
- Assess Rockland Avenue stormwater drainage outfall.



Our Phase I Goals

- Characterize pond sediments.
- Explore permitting constraints and opportunities.
- Workshop with residents and stakeholders about the future of the pond and park.



COMMITMENT & INTEGRITY DRIVE RESULTS

Capisic Pond History

- Portland's largest freshwater body created by a manmade impoundment
- Sawmill and gristmill at original Capisic Brook Falls established late 1600s
- Capisic Pond referenced in 1886 report by Maine Board of Health
- Areas adjacent to Pond considered for park purposes in 1930-50's
- Pond dredging and channel straightening in late 1940s
- Current dam constructed in mid-1950's as part of Westside Interceptor
- Dam overflow weir modifications made in 1996 and 2001 to reduce upstream flooding

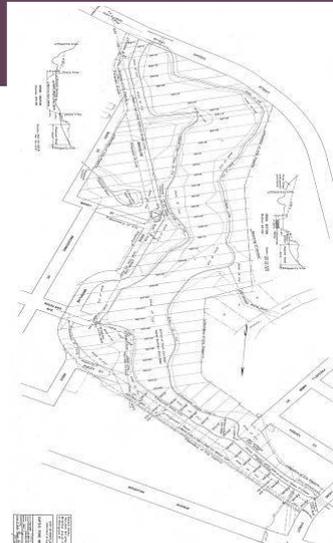


Capisic Pond 1954

COMMITMENT & INTEGRITY DRIVE RESULTS

Previous Studies and Plans

- Portland Shoreway Access Plan - 1987
- Inventory and Management of Natural and Cultural Resources of Capisic Pond – 1989
- Capisic Brook Greenbelt /Stormwater Abatement Study – 1996
- Capisic Pond Sediment Sampling and Analysis (conducted by FOCB)– 1996
- Capisic Brook Watershed Flood Control Study Reevaluation – 1999
- Capisic Brook Greenway Master Plan – 2001
- Maine DEP Water Quality Monitoring and Urban Streams Report
- Restoration Plan, Westside Interceptor Sewer Project – 2009
- Capisic Brook Watershed Management Plan (Final Draft) - 2011



Capisic Pond Improvement Plan - 1949

COMMITMENT & INTEGRITY DRIVE RESULTS

Previous Recommendations

- 
Continue separation of the Combined Sewer system
- 
Implement structural improvements
 - Capisic Pond Dam weir widening
 - 4' x 8' box culvert at Capisic Street
- 
Increase Park area native plant diversity, reduce invasive species, supplement the pond's vegetative buffer, and supplement the existing wildlife habitat
- 
Implement non-structural pollution prevention strategies to provide long-term improvements to stream and Pond health
 - Enhanced outreach and education to the public, watershed water quality monitoring, and policy and planning initiatives

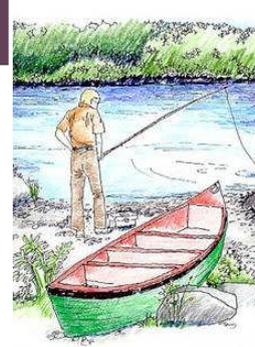


Capisic Park Habitat Restoration - 2010

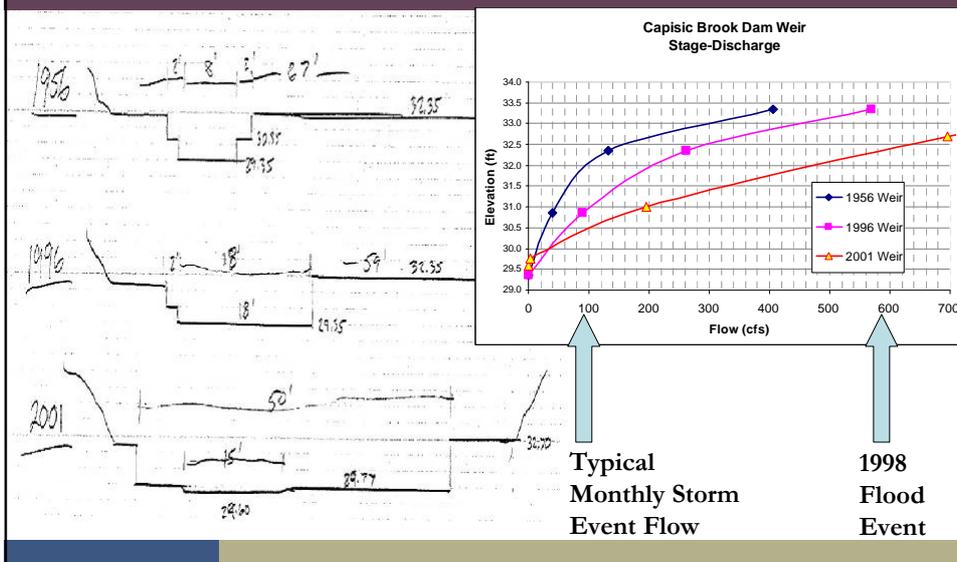
-  Partially Complete
-  Largely Complete

Previous Recommendations

- 
Enhance the present uses of the park and to create new opportunities for public access
 - 
Develop Education Stations within the Park area to help inform the public of restoration efforts and their role in Pond health
- 
Utilize a municipal road sweeping program to reduce road sand in stormwater runoff and therefore reduce sediment supply to Capisic Pond
- 
Enhance connectivity between Capisic Pond and great Portland trail network
 - 
Modify and dredge Capisic Pond to create an environment suitable for fish and other wildlife after upstream modifications have been carried out



Changes to Pond Hydrology



Ongoing Recommendations

- **Combined Sewer Overflow Abatement**
- **Stormwater Management**
- **Open Water Habitat Maintenance**
- **Rockland Avenue Outfall**
- **Safe and Stable Public Access**
- **Education Stations**



Your Input!!

- Explore permitting constraints and opportunities for collaboration.



