



Safe | Reliable | Sustainable

February 28, 2023

Maine Department of Environmental Protection
Attn: Mark Stebbins
17 State House Station
Augusta, ME 04333-0017

Via Email: Mark.N.Stebbins@maine.gov

**RE: 2022 Progress Report
Stormwater Memorandum of Agreement**

Dear Mark:

Enclosed please find Maine Turnpike Authority's (MTA) Stormwater Memorandum of Agreement Progress Report for 2022. The enclosed report identifies MTA construction projects subject to the *Memorandum of Agreement for Stormwater Management Between the Maine Department of Transportation, Maine Turnpike Authority and Maine Department of Environmental Protection* (Stormwater MOA) that were initiated or ongoing in 2022, and will continue or initiate in 2023. Maine Turnpike Authority's progress report also identifies alternative stormwater measures that were implemented, projects where Maine Stormwater Management Law Chapter 500 General Standards were applicable and how those were met, and MTA staff responsible for compliance with the Stormwater MOA.

The MTA projects identified in the enclosed progress report include those with more than one acre of disturbed area that are also authorized under the Maine Construction General Permit (Maine CGP). Since Part VI.(E) of the Maine CGP provides that MTA construction projects conducted pursuant to the Stormwater MOA are authorized under the Maine CGP, MTA usually does not file a Maine CGP Notice of Intent (NOI). However, for larger construction projects (typically those over five acres in disturbed area) MTA generally files a NOI as a courtesy notice to Maine DEP. In 2023 construction has started on the Saco Interchange Improvements Project (Exits 35 & 36) and New Exit 102 Southbound On Ramp in West Gardiner, and MTA has filed a NOI for these projects. No additional NOI submittals are anticipated in 2023.

If you have any questions regarding MTA's 2022 progress report, or need additional information, please contact me at sdonohue@maineturnpike.com or 207-482-8275.

Sincerely,

Maine Turnpike Authority

Sean Donohue, LSS
Permitting Coordinator/ Environmental Liaison

cc: Dawn Hallowell, Maine DEP
Kerem Gungor, Maine DEP
Ryan Barnes, MTA



STORMWATER MEMORANDUM OF AGREEMENT 2022 ANNUAL PROGRESS REPORT

I. INTRODUCTION

This Annual Progress Report has been prepared to satisfy the requirements of the *Memorandum of Agreement for Stormwater Management Between the Maine Department of Transportation, Maine Turnpike Authority and Maine Department of Environmental Protection (MOA)*, dated June 2017 as adopted by the Maine Department of Environmental Protection (DEP), Maine Department of Transportation (MaineDOT) and Maine Turnpike Authority (MTA).

In accordance with the 2017 MOA, MTA has included a list of projects subject to the requirements of the MOA that started construction within the last calendar year (2022) and that are scheduled to start in the next calendar year (2023). Also included is a description of alternative stormwater management measures installed and their performance, if known; a description of instances where the General Standards were not fully applied because it was not practicable to do so and the extent to which the General Standards were not met; and a list of staff or designees who provided oversight on stormwater or erosion and sedimentation control.

II. 2022 CONSTRUCTION PROJECTS

In 2022, MTA initiated four new contracted projects involving one acre or more of soil disturbance that were subject to the MOA. New and ongoing construction activities in 2022 included bridge rehabilitation and reconstruction projects, toll plaza reconstruction, interchange reconstruction, ramp improvements and reconstruction, highway widening, paving and safety improvements, emergency vehicle ramp construction, and garage reconstruction. A list of these 2022 construction projects is attached as **Table 1**. In 2022, three ongoing MTA construction projects (Contracts 2019.13/14 & 2021.07 Exit 45 Reconstruction; Contract 2020.03 Portland Area Widening & Safety Improvements; Contract 2021.08 Portland Area Widening & Safety Improvements II) required post-construction treatment of stormwater in accordance with the MOA. None of the construction projects initiated in 2022 triggered post-construction treatment of stormwater under the MOA.

In addition, in 2022 one ongoing construction project (2018.20 York Toll Plaza Replacement/ 2021.05 York Toll Demo MM 7.3) authorized under MTA's Site Location of Development Law (Site Law) General Permit also comprised more than one acre of soil disturbance and required post-construction stormwater treatment. However, the MOA does not apply to projects requiring a permit pursuant to Site Law, so this project is not addressed further in this annual report and is not listed in Table 1.

In 2022 MTA also initiated or continued additional projects involving less than one acre of soil disturbance, and other routine highway operation and maintenance work. These smaller projects are not listed in Table 1, as they disturbed less than one acre of ground or constituted routine maintenance activities. These projects did not trigger MOA applicability for post-construction stormwater treatment, although all MTA projects involving soil disturbance adhere to Chapter 500 Basic Standards. Activities included garage construction, bridge repairs, paving, culvert repairs, median drainage restoration, waterline replacement, toll plaza repairs, fuel system replacement, parking lot improvements, ditch maintenance and slope repairs, and building demolition.

III. INSTANCES WHERE THE GENERAL STANDARDS WERE REQUIRED FOR 2022 PROJECTS

In 2022, none of the initiated construction projects triggered the General Standards because the new impervious area associated with each project was minimal.

IV. ALTERNATIVE STORMWATER MANAGEMENT MEASURES IMPLEMENTED IN 2022

In 2022 MTA did not initiate construction of any new projects utilizing alternative stormwater treatment measures.

V. 2023 CONSTRUCTION PROJECTS

In 2023, MTA plans to initiate five new contracted construction projects involving one acre or more of soil disturbance. These include:

- Contract 2022.07 – Saco Interchange Paving and Safety Improvements;
- Contract 2023.02 – New On Ramp, Exit 102, Interchange Ramp A;
- Contract 2023.03 – Route 122 Bridge Rehabilitation;
- Contract 2023.04 – High Street Emergency Vehicle Ramp Construction;
- Contract 2024.03 – Riverside Street Bridge Replacement.

As identified in **Table 2** under “Anticipated Construction Projects 2023” of these five new projects Contract 2022.07 Saco Interchange Improvements (Exits 35 & 36) and 2024.03 Riverside Street Bridge Replacement trigger the General Standards based on the new area of impervious surface cover associated with the project. The other three projects do not include enough new impervious surface cover to trigger the General Standards. Six other previously initiated and ongoing construction projects in 2023 are also summarized in **Table 2**.

In 2023 MTA also expects to initiate additional projects involving less than one acre of soil disturbance, and other routine highway operation and maintenance work. These smaller projects are not listed in Table 2 as they will disturb less than one acre of ground or constitute routine maintenance, and do not trigger MOA applicability or post-construction stormwater treatment. All projects involving soil disturbance in 2023 will adhere to Chapter 500 Basic Standards per standard MTA requirements. Anticipated activities include garage construction, culvert repairs, paving, median drainage restoration, ditch maintenance, and slope repairs.

VI. STORMWATER MOA OVERSIGHT

MTA conducts annual staff stormwater and erosion and sedimentation control (ESC) and best management practice maintenance training, which includes a discussion of the MOA. Stormwater MOA compliance and oversight is provided by the following MTA personnel:

MTA Personnel	MTA Job Title
Peter Merfeld, P.E.	<i>Chief Operations Officer</i>
Sean Donohue, LSS	<i>Permitting Coordinator/ Environmental Liaison</i>
John Branscom	<i>Environmental Services Coordinator</i>
MTA Engineering Personnel	
Steve Tartre, P.E.	<i>Director of Engineering and Building Maintenance</i>
Kristi Van Ooyen, P.E.	<i>Engineering Program Manager</i>
Ryan Barnes, P.E., CPESC	<i>Project Manager</i>

MTA Personnel	MTA Job Title
Jamie Mason, P.E.	<i>Construction Project Manager</i>
J. Ryan Leavitt, P.E.	<i>Senior Resident Engineer</i>
Jeff Nadeau, P.E.	<i>Resident Engineer</i>
Scott McConihe	<i>Inspector</i>
Gerry Ouellette	<i>Inspector</i>
Jody Dyke	<i>Inspector</i>
Steve Winship	<i>Inspector</i>
<i>MTA Highway Maintenance Personnel</i>	
John Cannell, P.E.	<i>Director of Highway & Equipment Maintenance</i>
Ralph Norwood, P.E.	<i>Deputy Director of Highway & Equipment Maintenance</i>
Brian Taddeo, P.E.	<i>Highway Maintenance Engineer</i>
Clifford O'Brien	<i>Highway Division Supervisor</i>
Jeff Stevens	<i>Highway Division Supervisor</i>
Steve Benson	<i>Foreman at Gardiner & Litchfield Highway Maintenance</i>
Nicole Chase	<i>Foreman at Auburn Highway Maintenance</i>
Matthew Millett	<i>Foreman at Gray Highway Maintenance</i>
Andrew Dyke	<i>Foreman at South Portland (Crosby) Highway Maintenance</i>
Jim Sotir	<i>Foreman at Kennebunk Highway Maintenance</i>
Richard Macdonald	<i>Foreman at York Highway Maintenance</i>

In addition to these MTA staff, several engineering consulting firms provide technical and professional services to MTA pertaining to stormwater and erosion control maintenance, inspection, design, planning, permitting and compliance.

TABLES

Table 1 – Review of 2022 MTA Construction Projects

Table 2 – Review of 2023 MTA Construction Projects

**TABLE 1
REVIEW OF 2022 MTA CONSTRUCTION PROJECTS SUBJECT TO THE STORMWATER MEMORANDUM OF AGREEMENT**

Contract Number	Project Type	Description of Work	Limits of Disturbance (LOD) (Acres)	Linear or Non-Linear	Soil Disturbance in a Chapter 502 Listed Watershed?	Amount of New Impervious Cover (IC) or Developed Area ¹	Within Existing Corridor	Applicable Standards ²	Post-Construction Stormwater BMPs
Ongoing Previously Initiated Stormwater MOA Construction Projects Active in 2022³									
2019.13/14 2021.07	Bridge Rehabilitation, Toll Plaza Reconstruction, Ramp Reconstruction, Transmission Line Relocation	Scarborough and South Portland: Exit 45 (MM 44.9)	35.98	Linear	35.98 acres split between Long Creek and Red Brook	3.48 acres of New Impervious Cover and 3.6 acres of New Developed Area	Yes	Basic, General	Three underdrained soil filters and four meadow buffers
2020.03	Highway Widening	Scarborough, Portland, South Portland: Portland Area Widening & Safety Improvements (MM 43.0 to MM 46.4)	56	Linear	56 acres split between Red Brook and Long Creek	10.53 acres of New Impervious Cover and no New Developed Area	Yes	Basic, General	Six underdrained soil filters
2021.08	Highway Widening	Portland: Portland Area Widening & Safety Improvements II (MM 46.4 to MM 49.3)	42.8	Linear	42.8 acres partially within Nasons Brook and Capisic Brook	See 2020.03 above. Same project, split into two contracts.	Yes	Basic, General	One meadow buffer
Stormwater MOA Construction Projects Initiated in 2022³									
2022.02	Paving, Safety Improvements, and Maintenance	Saco: Saco Interchange Paving (MM 36)	1.99	Linear	1.99 acres within Goosefare Brook	0.22 acres (9,583 square feet) of New Impervious Cover and no New Developed Area	Yes	Basic	None
2202.06	Bridge Repair and Rehabilitation	Litchfield: Supersructure Replacement Richmond Road (Route 197) Underpass (MM 93.3)	3.15	Linear	No	0.28 acres of New Impervious Cover and no New Developed Area	Yes	Basic	None
2022.08	Garage Reconstruction and Paving	Litchfield: 8-Bay Garage Replacement (MM 92.7)	1.75	Non Linear	No	3,730 square feet of New Impervious Cover and no New Developed Area	Yes	Basic	None
2022.11	Emergency Vehicle Ramp Construction	Wells: Emergency Vehicle Ramps Littlefield Road (MM 17.3)	2.46	Linear	No	4,951 square feet of New Impervious Cover and 0.82 acres New Developed Area	Yes	Basic	None
<p>NOTES: ¹ - Developed Area excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the area is not mowed more than twice per year. ² - Applicable Standards refer to Chapter 500 Stormwater Management as it applies through the Stormwater Memorandum of Agreement between Maine DEP, MaineDOT, and MTA. ³ - Two projects requiring post-construction stormwater treatment and authorization under MTA's Site Location of Development Law General Permit (2018.20 York Toll Plaza Reconstruction, and 2021.05 York Toll Plaza Demolition) are not reported in this table, because the MOA is not applicable to projects requiring Site Location of Development Law authorization.</p>									

**TABLE 2
REVIEW OF ANTICIPATED 2023 MTA CONSTRUCTION PROJECTS SUBJECT TO THE STORMWATER MEMORANDUM OF AGREEMENT**

Contract Number	Project Type	Description of Work	Limits of Disturbance (LOD)	Linear or Non-Linear	Soil Disturbance in a Chapter 502 Listed Watershed?	Amount of New Impervious Cover (IC) or Developed Area ¹	Within Existing Corridor	Applicable Standards ²	Post-Construction Stormwater BMPs
Ongoing Construction Projects Active in 2023³									
2019.13/14 2021.07	Bridge Rehabilitation, Toll Plaza Reconstruction, Ramp Reconstruction, Transmission Line Relocation	Scarborough and South Portland: Exit 45 (MM 44.9)	35.98	Linear	35.98 acres split between Long Creek and Red Brook	3.48 acres of New Impervious Cover and 3.6 acres of New Developed Area	Yes	Basic, General	Three underdrained soil filters and four meadow buffers
2020.03	Highway Widening	Scarborough, Portland, South Portland: Portland Area Widening & Safety Improvements (MM 43.0 to MM 46.4)	56	Linear	56 acres split between Red Brook and Long Creek	10.23 acres of New Impervious Cover and no New Developed Area	Yes	Basic, General	Six underdrained soil filters and one meadow buffer
2021.08	Highway Widening	Portland: Portland Area Widening & Safety Improvements II (MM 46.4 to MM 49.3)	42.8	Linear	42.8 acres partially within Nasons Brook and Capisic Brook	See 2020.03 above. Same project, split into two contracts.	Yes	Basic, General	One meadow buffer
2022.02	Paving, Safety Improvements, and Maintenance	Saco: Saco Interchange Paving (MM 36)	1.99	Linear	1.99 acres within Goosefare Brook	0.22 acres (9,583 square feet) of New Impervious Cover and no New Developed Area	Yes	Basic	None
2202.06	Bridge Repair and Rehabilitation	Litchfield: Superstructure Replacement Richmond Road (Route 197) Underpass (MM 93.3)	3.15	Linear	No	0.28 acres of New Impervious Cover and no New Developed Area	Yes	Basic	None
2022.08	Garage Reconstruction and Paving	Litchfield: 8-Bay Garage Replacement (MM 92.7)	1.75	Non Linear	No	3,730 square feet of New Impervious Cover and no New Developed Area	Yes	Basic	None
Anticipated Construction Projects 2023³									
2022.07	Interchange Improvements	Saco: Interchange Improvements (Exits 35 and 36)	43	Linear and Non Linear	43 acres partially within Goosefare Brook	10.23 acres of New Impervious Cover and 1.01 acres of New Developed Area	Partially	Basic, General	Four underdrained soil filters
2023.02	Bridge Removal and New Southbound On Ramp	West Gardiner: New On Ramp, Exit 102, Interchange Ramp A (MM 102.0)	11.61	Linear	No	Net Decrease in New Impervious. Approximately 0.65 acres of New Developed Area	Partially	Basic	None
2023.03	Superstructure Replacement Route 122 Underpass	Auburn: Bridge Rehabilitation (MM 74.00)	1.5	Linear	No	11,514 square feet of New Impervious Cover and No New Developed Area	Yes	Basic	None
2023.04	High Street Emergency Vehicle Ramps	West Gardiner: Emergency Vehicle Ramp Construction (MM 103.6)	To be determined, in development	Linear	No	To be determined, in development	Partially	Basic	None
2024.03	Riverside Street Bridge Replacement	Portland: Riverside Street Bridge Replacement (MM 51.2)	To be determined, in development	Linear	Dole Brook	To be determined, in development	Yes	Basic, General	Yes, in development
<p>NOTES: ¹ - Developed Area excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the area is not mowed more than twice per year. ² - Applicable Standards refer to Chapter 500 Stormwater Management as it applies through the Stormwater Memorandum of Agreement between Maine DEP, MaineDOT, and MTA. ³ - Two projects requiring post-construction stormwater treatment and authorization under MTA's Site Location of Development Law General Permit (2018.20 York Toll Plaza Reconstruction, and 2021.05 York Toll Plaza Demolition) are not reported in this table, because the MOA is not applicable to projects requiring Site Location of Development Law authorization.</p>									