



**CENTRAL MAINE
POWER**

May 6, 2013

Ms. Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101-3503

*324 Island Ave
City Point Rd
087-5-001105*

RECEIVED

MAY 09 2013

Dept. of Building Inspections
City of Portland Maine

RE: Central Maine Power Company Peaks Island Facility
Replacement of Existing Groundwater & Roof Drainage Pipe

Dear Ms. Schmuckal: *Marge*

As we discussed in April, Central Maine Power Company (CMP) intends to replace an existing drainage pipe at its Peaks Island facility. By email dated April 4, 2013, you confirmed for me that no formal City of Portland approval or permit is required for this work.

You noted that the City wanted something for its files demonstrating that it will abide by Best Management Practices, and that disturbed areas would be reseeded.

I have attached to this letter, a copy of CMP's Natural Resources Protection Act (NRPA) Permit by Rule notification form and its attachments. Also included is a copy of the standards under Section 7 of the NRPA Permit by Rule (Outfall Pipes), which describes the standards under which this work must be done. CMP has also added notes to the project Site Plan (attached to the application) stating that it will use BMPs and that disturbed areas will be stabilized.

Please email me (gerry.mirabile@cmpco.com) or call me (626-9557) with questions or concerns.

Thank you.

Sincerely,

Gerry J. Mirabile
Lead Analyst – Compliance

Attachments

83 Edison Drive, Augusta, ME 04336
Telephone 207.623.3521

S:\Compliance\Shared\Environmental\Projects\Facilities\Other Locations\Peaks Island City of Portland Letter.doc



**IBERDROLA
USA**



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USA**



[From Natural Resources Protection Act (NRPA) Permit by Rule Regulations Chapter 305]

7. Outfall pipes

A. Applicability

- (1) This section applies to the installation and maintenance of a permanent outfall pipe, an outlet from a ditch or drain tile for storm water, ground water or other discharges licensed by the DEP in or on land adjacent to a coastal wetland, freshwater wetland, great pond, river, stream or brook.

NOTES:

- (1) A wastewater discharge license from the DEP is required for any discharge from an the outlet other than stormwater from residential development; small commercial or industrial facilities; or uncontaminated groundwater.
- (2) A permit will be required from the US Army Corps of Engineers for the following types of projects:
 - (a) Any activity involving open trench excavation in a waterbody or wetland;
 - (b) Any activity in coastal waterways;
 - (c) Any activity within a river, stream or brook between October 2 and July 14; or
 - (d) Any activity involving work in waterways designated as Essential Fish Habitat for Atlantic salmon including all aquatic habitats in the watersheds of the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration: St. Croix, Boyden, Dennys, Hobart Stream, Aroostook, East Machias, Machias, Pleasant, Narraguagus, Tunk Stream, Patten Stream, Orland, Penobscot, Passagassawaukeag, Union, Ducktrap, Sheepscot, Kennebec, Androscoggin, Presumpscot, and Saco River.

A copy of the PBR notification and original photographs, not photocopies, should be submitted to the Corps of Engineers for these activities (US Army Corps of Engineers, 675 Western Avenue, Suite #3, Manchester, ME 04351. Tel. (207) 623-8367).

-
- (2) This section does not apply to an activity that is not or will not be in compliance with the terms and conditions of permits issued under the Site Location of Development Law, 38 M.R.S.A. Sections 481 to 490, the Storm Water Management Law, 38 M.R.S.A. Section 420-D, or the Natural Resources Protection Act, 38 M.R.S.A. Sections 480-A to 480-Z.
 - (3) This section does not apply to an activity that will not conform to the local shoreland zoning ordinance.

NOTE: Contact the local Code Enforcement Officer for information on local shoreland zoning requirements.

B. Submissions

- (1) For an activity occurring in tidal waters, notice of approval of the timing of the activity from the Department of Marine Resources must be submitted to the DEP with the notification form.
- (2) The applicant is required to submit photographs of the area which will be affected by the activity proposed.
- (3) Photographs showing the completed project and the affected area must be submitted within 20 days of the activity's completion. The photographs must be sent with a copy of the notification form or labeled with the applicant's name and the town in which the activity took place.

C. Standards

- (1) The following measures must be taken to prevent erosion of soil or fill material from the disturbed areas into the resource:
 - (a) Staked hay bales or silt fence must be properly installed between the area of soil disturbance and the edge of the resource before the activity begins;
 - (b) Hay bales or silt fence barriers must be maintained until the disturbed area is permanently stabilized;
 - (c) Within 7 calendar days following the completion of any soil disturbance, and prior to any storm event, mulch must be spread on any exposed soils;
 - (d) All disturbed soils must be permanently stabilized; and
 - (e) Within 30 days of final stabilization of the site, any silt fence must be removed.

NOTE: For guidance on erosion and sedimentation control consult the Maine Erosion and Sediment Control BMPs, dated March 2003. This handbook and other references are available from the DEP.

- (2) Stormwater outfalls, whether a pipe or trench, must utilize velocity reducing structures and/or rock aprons to prevent erosion. A vegetative filter strip of at least 25 feet long must be established and maintained between the outfall structure and the resource unless a different standard is required pursuant to the Site Location of Development Law, 38 M.R.S.A. Sections 481 to 490, or the Storm Water Management Law, 38 M.R.S.A. Section 420-D. The DEP may approve a reduction in width of the vegetated buffer if:
 - (a) The applicant demonstrates in writing that the full buffer width is not practicable;
 - (b) Any recommendations from the DEP are incorporated into the activity; and
 - (c) Approval of the reduction is from the DEP in writing.
- (3) Foundation drains and licensed discharges may extend to, and outfall in, the resource. If necessary, a rock apron must be constructed to prevent erosion.

- (4) Disturbance of wetland vegetation must be avoided if possible. If wetland vegetation must be disturbed during the activity, it must be reestablished immediately upon completion of the activity and must be maintained.
- (5) Non-native wetland plants may not be planted in disturbed areas.
- (6) The trench width in any protected natural resource must be no wider than necessary to install the device.
- (7) The trench in and adjacent to the protected natural resource must be refilled with the material that was excavated. The original grading and elevation of the wetland must be restored. Residual fill material must be removed from the wetland or water body and properly stabilized. Pipe bedding material such as crushed stone or sand may be used provided clay dams or synthetic boots are used where appropriate to prevent wetland draining through the bedding material.
- (8) Blasting in inundated areas is prohibited.
- (9) The outfall structure may not interfere with any potential boat usage of the project site.
- (10) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.
- (11) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms in order to protect wetland vegetation.
- (12) Work below the high water line of a great pond, river, stream or brook must be done at low water except as required for emergency flood control work. Measures, such as a silt boom or staked fencing, must be employed to reduce and isolate turbidity.
- (13) Maintenance clearing of deposited debris and sediments from the outfall area is allowed provided the cleared materials are removed from the resource. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 *et seq.*
- (14) Uncured concrete may not be placed directly into the water. Concrete must be pre-cast and cured at least three weeks before placing in the water, or where necessary, must be placed in forms and cured at least one week before the forms are removed. No washing of tools, forms, etc. may occur in or adjacent to the waterbody or wetland.
- (15) If work is performed in a river, stream or brook that is less than three feet deep at the time of the activity and at the location of the activity, the applicant must provide for temporary diversion of flow to the opposite side of the channel while work is in progress.
 - (a) Diversion may be accomplished by placing sandbags, timbers, sheet steel, concrete blocks, 6+ mil polyethylene or geotextiles from the bank to midstream on the upstream side of the activity. No more than two-thirds (2/3) or 25 feet of stream width, whichever is less, may be diverted at one time.

(b) Any material used to divert water flow must be completely removed upon completion of the activity, and the stream substrate must be restored to its original condition.

(c) A pump may be operated, where necessary, for a temporary diversion. The pump outlet must be located and operated such that erosion or the discharge of sediment to the water is prevented.

(16) If the activity occurs within tidal waters, the activity must occur during the time period approved by the Department of Marine Resources.

D. Definitions. The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

(1) **Diversion.** A rerouting of a river, stream or brook to a location outside of its established channel.

(2) **Dredge.** To move or remove, by digging, scooping, or suctioning any sand, silt, mud, gravel, rock, or other material from the bottom of a water body or wetland surface.

(3) **Fill.** a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or adjacent to a water body or wetland.

(4) **Land adjacent to a protected natural resource.** Any land area within 75 feet, measured horizontally, of the normal high water line of a great pond, river, stream or brook or the upland edge of a coastal wetland or freshwater wetland.

(5) **Non-native wetland plants.** Wetland grasses, forbs, shrubs, or trees not native to the State of Maine, for example, common reed (*Phragmites communis*) and purple loosestrife (*Lythrum salicaria*).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**
(For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (owner):	Central Maine Power Company	Name of Agent:	NA
Applicant Mailing Address:	83 Edison Drive	Agent Phone # (include area code):	NA
Town/City:	Augusta	PROJECT Information Name of Town/City:	Peaks Island, Portland, ME
State and Zip code:	ME 04336	Name of Wetland or Waterbody:	Casco Bay
Daytime Phone # (include area code):	207-626-9557	Map #:	087
		Lot #:	S002
Detailed Directions to Site: Ferry to Peaks Island, proceed north on Island Avenue to City Point Road.			
		UTM Northing: (if known)	UTM Easting: (if known)
Description of Project:	Replacement of existing drainage pipe carrying ground water and roof drainage water from CMP Peaks Island facility to discharge point just above mean high water level.		
Part of a larger project? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).			

PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

- | | | |
|---|---|---|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec.(10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities in existing dev. areas located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input checked="" type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

I have attached the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$70 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach Proof of Legal Name.** If applicant is not an individual or municipality, provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.**
- Attach all other required submissions as outlined in the PBR Sections checked above.**

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:	<i>Gerry J. Mirabile</i> Gerry J. Mirabile	Date:	May 6, 2013
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

- | | | | |
|--|---|---|---|
| AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901 | PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300 | BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570 | PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477 |
|--|---|---|---|

OFFICE USE ONLY	CK.#	Date	Staff	Staff	
PBR #	FP		Acc. Date	Def. Date	After Photos

Central Maine Power Company
 CMP
 83 Edison Drive
 Augusta, ME 04336

VENDOR ADDRESS:
 TREASURER STATE OF MAINE
 MAINE DEPT OF ENVIRONMENTAL PROTECTION
 VOLUNTARY RESPONSE ACTION PLAN PROGRAM
 17 STATE HOUSE STATION
 AUGUSTA ME 04333-0017

Document	Reference No	Date	PO No	Gross	Deductions	Net Amt
*3000879342	04261387000	04/26/2013	NO Purch Order	70.00	0.00	70.00
PEAKS ISLAND FACILITY- NRPA PERMIT						
Sum total				70.00	0.00	70.00

Payment document	Check number	Date	Currency	Payment amount
2500385837	0000271200	05/02/2013	USD	*****70.00*

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS DOCUMENT IS PRINTED IN TWO COLORS. DO NOT ACCEPT UNLESS BLUE AND GREEN ARE PRESENT.

Central Maine Power Company
 CMP
 83 Edison Drive
 Augusta, ME 04336

TD Banknorth
 Lewiston

Check No: 0000271200

DATE 05/02/2013

55-720
 212

*** SEVENTY USD ***

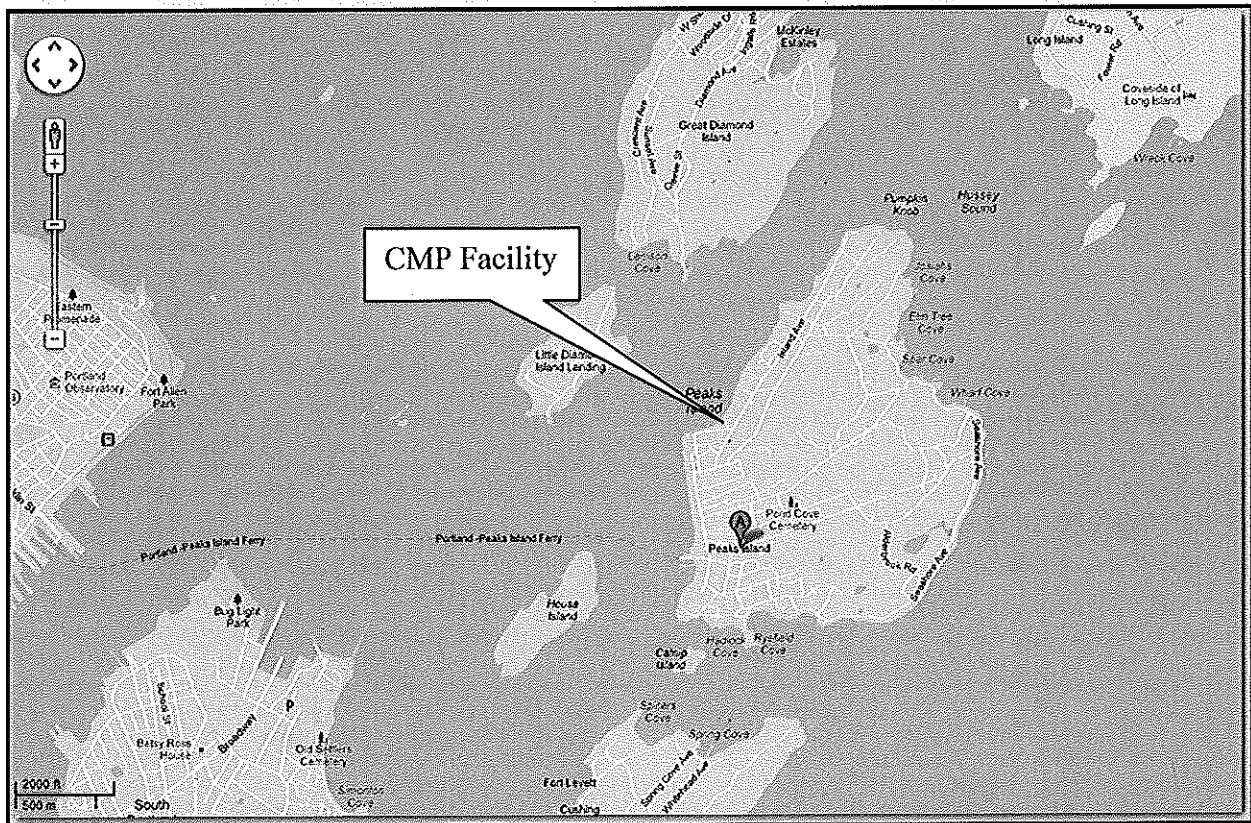
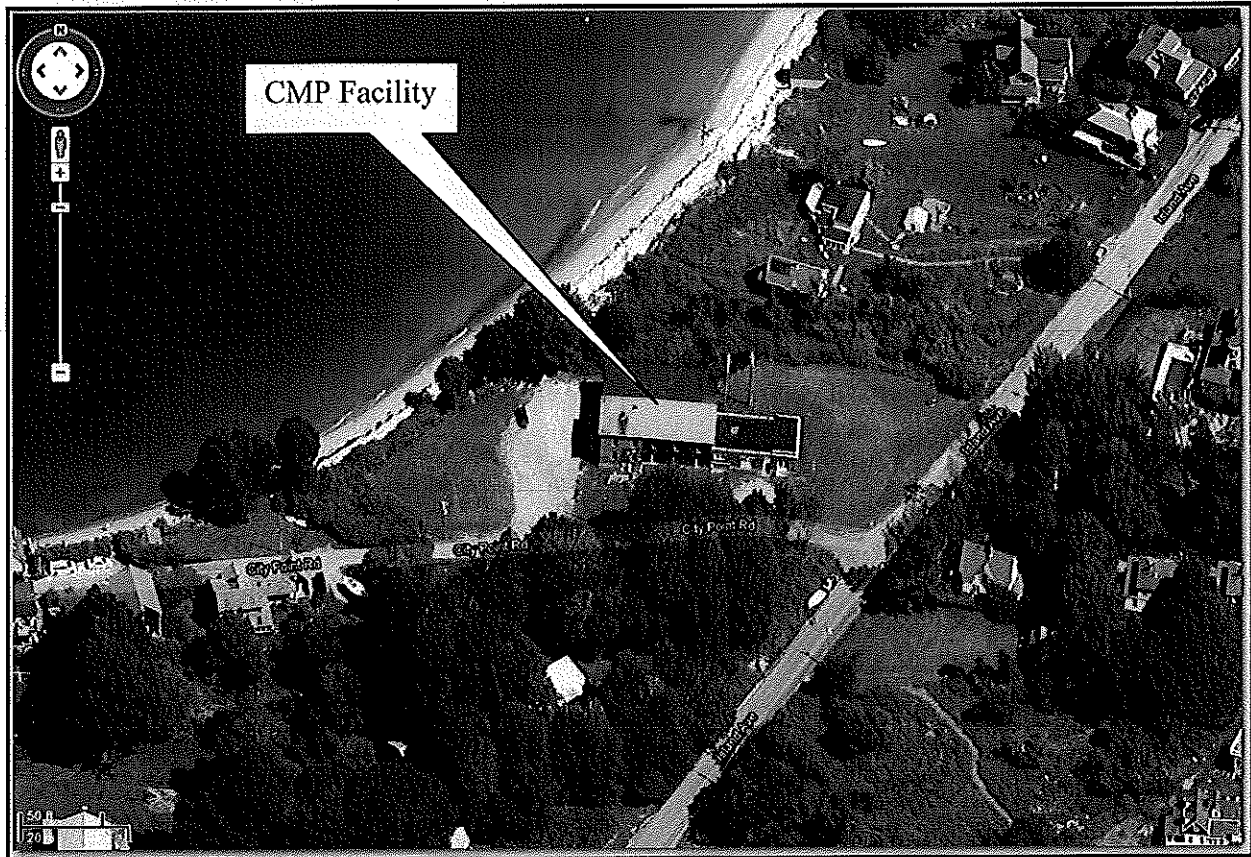
USD
 *****70.00*

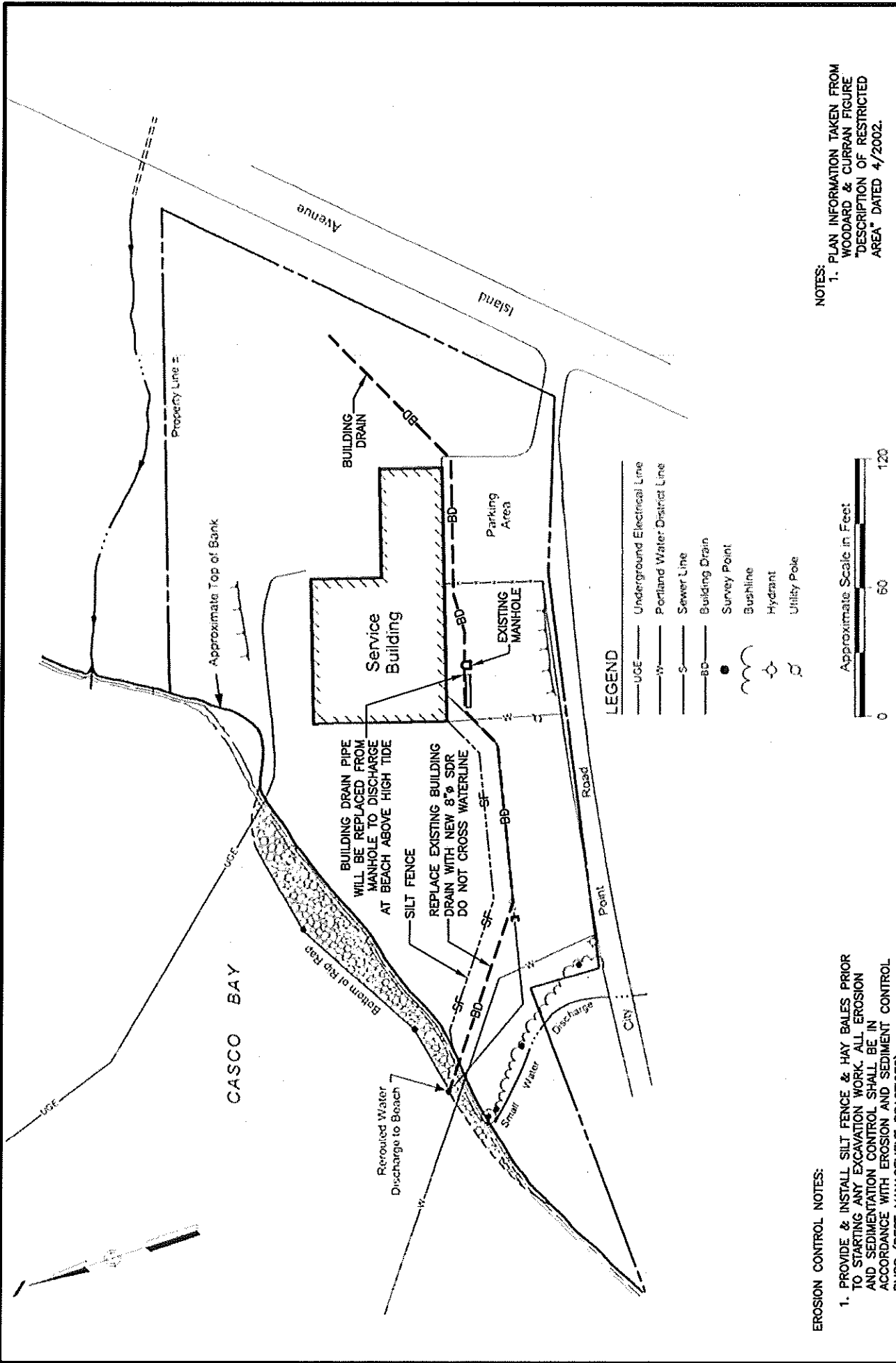
PAY TO THE ORDER OF:
 TREASURER STATE OF MAINE
 MAINE DEPT OF ENVIRONMENTAL PROTECT
 VOLUNTARY RESPONSE ACTION PLAN PROG

[Signature]
 AUTHORIZED SIGNATURE

⑈0000271200⑈ ⑆021207206⑆ 9001000564⑈

Central Maine Power Company Peaks Island Facility
Aerial Photograph & Location Map
May 2013





EROSION CONTROL NOTES:

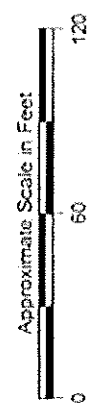
1. PROVIDE & INSTALL SILT FENCE & HAY BALES PRIOR TO STARTING ANY EXCAVATION WORK. ALL EROSION AND SEDIMENTATION CONTROL SHALL BE IN ACCORDANCE WITH EROSION AND SEDIMENT CONTROL BMPs (BEST MANAGEMENT PRACTICES)
2. LOAM, SEED & MULCH ALL DISTURBED AREAS.

SEED WITH:
 REED CANARY GRASS .34#/1000SF
 REDTOP .11#/1000SF
 BIRDSFOOT TREFOIL 1/ .23#/1000SF

NOTES:
 1. PLAN INFORMATION TAKEN FROM WOODARD & CURRAN FIGURE "DESCRIPTION OF RESTRICTED AREA" DATED 4/2002.

LEGEND

- UCE — Underground Electrical Line
- W — Portland Water District Line
- S — Sewer Line
- BD — Building Drain
- — Survey Point
- ~ — Bushline
- ⊕ — Hydrant
- ⊕ — Utility Pole

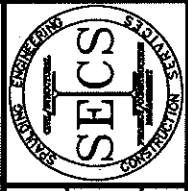


REV.	DESCRIPTION	DATE	BY	APP
1	REVISED PER GERRY MARRIAGE'S MARKUPS	05/06/13	JFB	DES
0	ISSUED FOR PERMITTING	04/16/13	JFB	DES

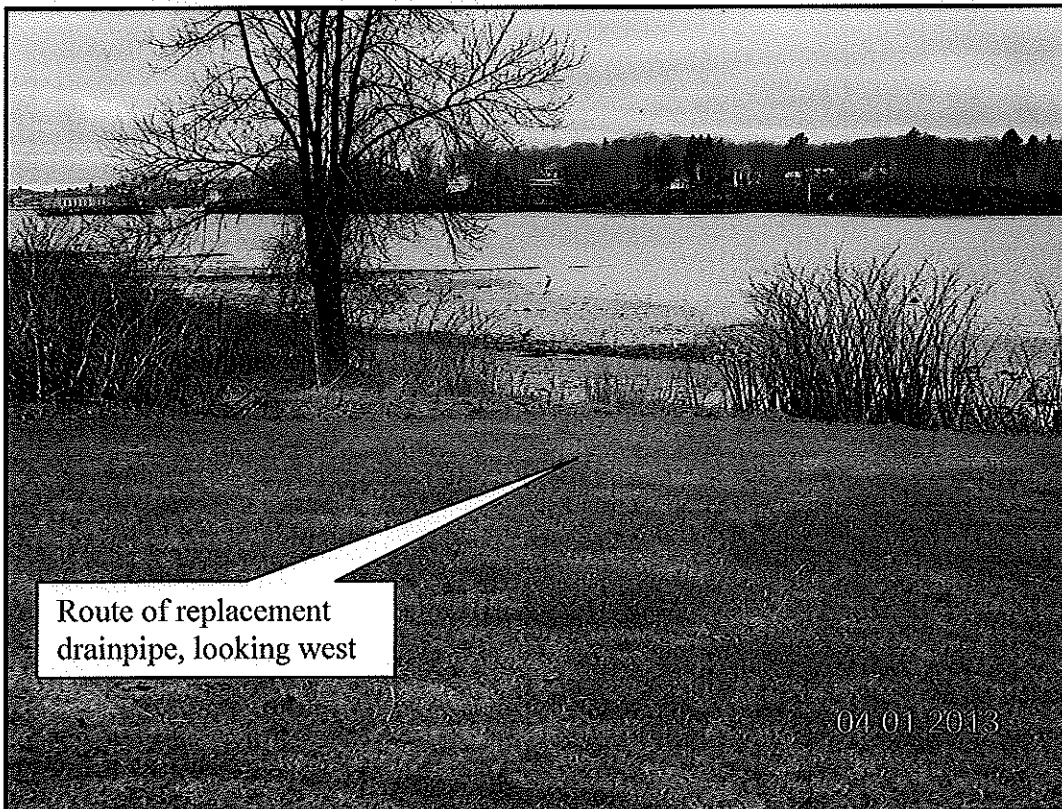
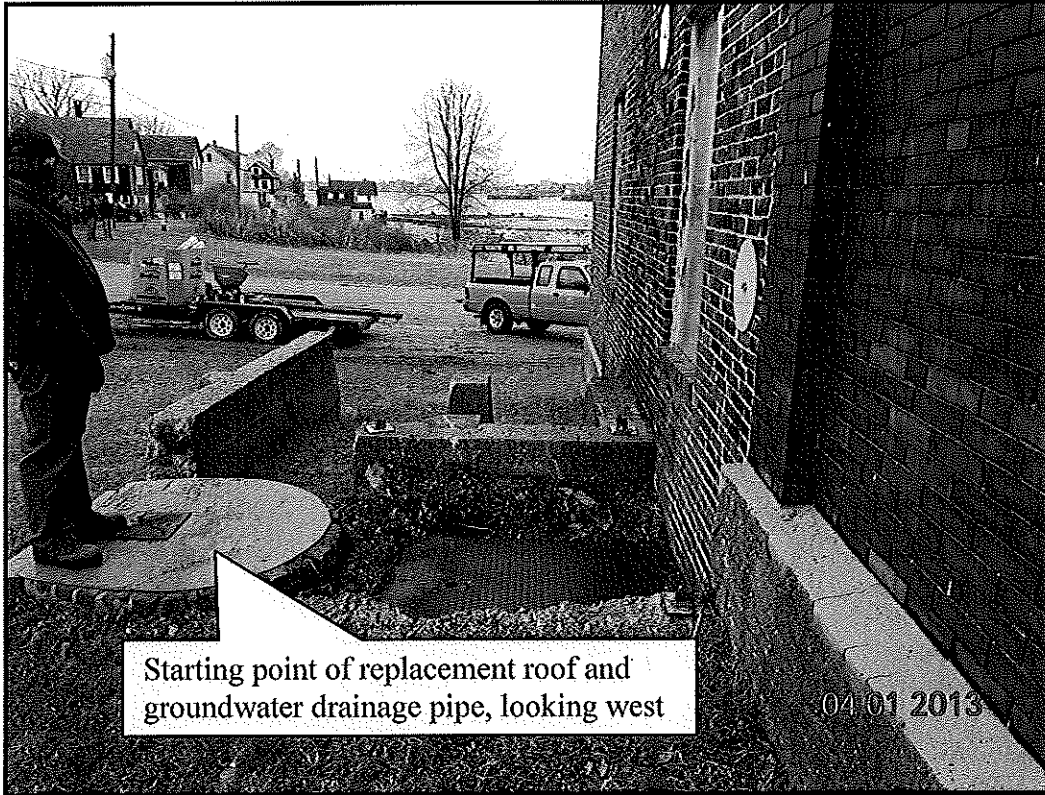
BY	JFB
CHK	DES
APP	DES
DATE	04/16/13
SCALE	AS NOTED
FILE	

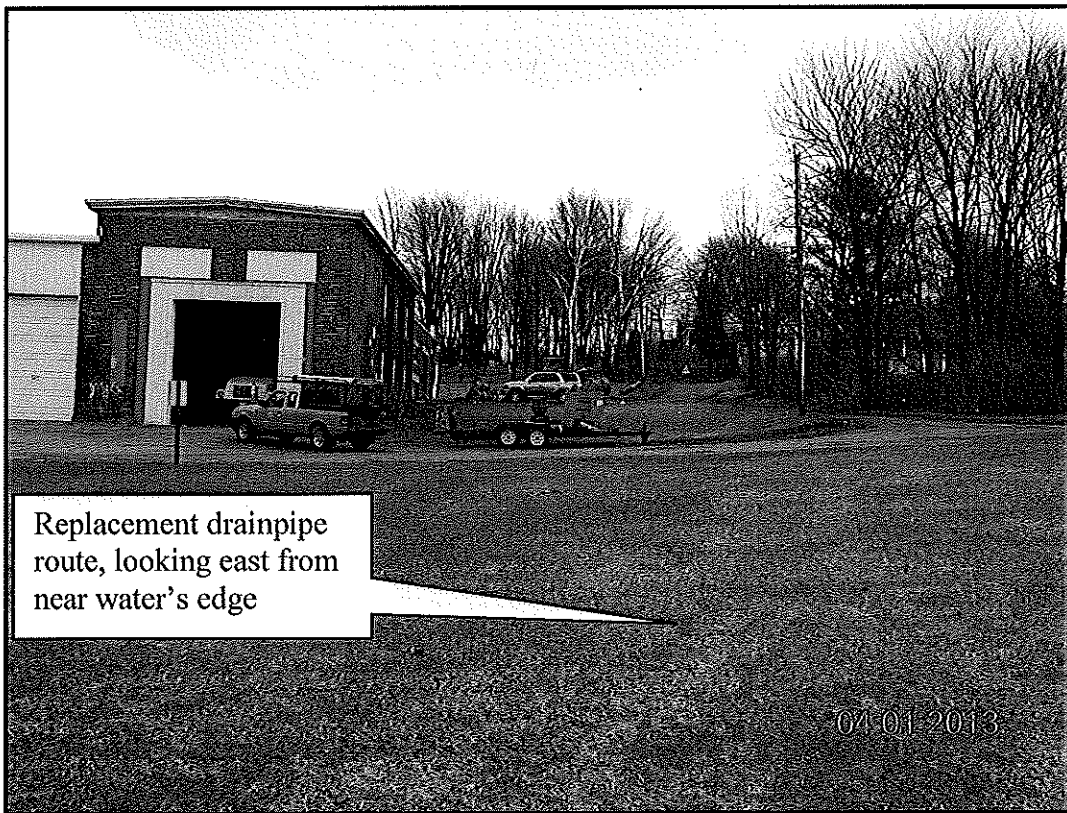
SECS#	SD-1
CAP. DWG. NO.	
REV	1

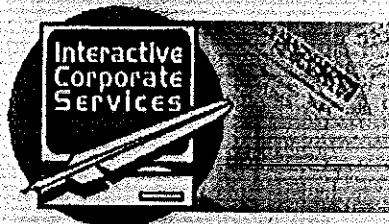
SPAULDING ENGINEERING AND CONSTRUCTION SERVICES, INC.	
24 COMMON STREET	WINTERVILLE, MAINE
CENTRAL MAINE POWER COMPANY PEAKS ISLAND SERVICE BUILDING PROPOSED BUILDING DRAIN REPLACEMENT SITE PLAN	



Central Maine Power Company
Peaks Island Facility, Peaks Island
Photographs of Planned Drain Line Replacement Area
May 2013







MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Tue Apr 24 2012 14:19:48. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
CENTRAL MAINE POWER COMPANY	19050014 D	BUSINESS CORPORATION	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
07/20/1905	N/A	MAINE

Other Names (A=Assumed ; F=Former)

MAINEPOWER - CANCELLED	A
MAINE POWER, INC.-CANCELLED	A
COMBINED ENERGIES - CANCELLED	A
THE MESSALONSKEE ELECTRIC COMPANY	F

Clerk/Registered Agent

ERIC N. STINNEFORD
83 EDISON DRIVE
AUGUSTA, ME 04336

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[Short Form without amendments \(\\$30.00\)](#) [Long Form with amendments \(\\$30.00\)](#)