



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17
AUGUSTA, MAINE 04933

DEPARTMENT ORDER

IN THE MATTER OF



JAN 16 2007

RECEIVED

MAINE YOUTH GOLF FOUNDATION
Portland, Cumberland County
THE FIRST TEE OF MAINE
L-23245-NJ-A-N (approval)

) STORMWATER MANAGEMENT LAW
)
)
) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Section 420-D, and Chapters 500 and 502 of the Department's Regulations, the Department of Environmental Protection has considered the application of THE MAINE YOUTH GOLF FOUNDATION with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: The project is located on a 100+ acre parcel of land owned by the City of Portland. The Riverside Golf Course and City of Portland Waste Transfer Facility currently are located on portions of the parcel. Development on this parcel is not subject to Site Location of Development Law.

B. Summary: The applicant proposes to construct a stormwater management system for an approximately seven-acre golf practice course and a 2,000 square foot clubhouse and educational training facility. The applicant has a lease and use agreement with the City of Portland for approximately 7.3 acres of land. The project is shown on a set of plans the first of which is entitled "First Tee of Maine at Riverside Golf Course," prepared by Land Use Consultants, and dated August 31, 2006 with a latest revision date on any of the sheets of December 12, 2006. The project site is located on Riverside Street in the City of Portland.

The project will alter 731 square feet of wetland near the outlet of the wetpond on the practice course. This amount of wetland alteration is exempt from permitting under the Natural Resources Protection Act (38 M.S.R.A. § 480(Q)(17)).

C. Current Use of the Site: The site of the proposed golf practice course is currently an undeveloped wooded area. The site of the clubhouse and educational training facility is developed with the current clubhouse, lawn area, the first tee of the Riverside South Golf Course and a parking lot.

Patrick Clark
Land Use Consultants
207-878-0201
from ME DEP Land Bureau

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2. STORMWATER STANDARDS:

The proposed project results in 0.21 acres of impervious area and 7.1 acres of disturbed area. It is in the watershed of a lake most at risk and must meet Chapter 500 Basic and General Standards for stormwater treatment. The stormwater plan submitted by the applicant was reviewed by, and revised in response to, comments from the Division of Watershed Management of the Bureau of Land and Water Quality (DWM). Specific aspects of the plan are discussed below.

The applicant is proposing to utilize a stormwater management system consisting of two wetponds. One pond will serve the practice course area and the other pond will serve the clubhouse area.

A. Basic Standards: The applicant submitted a stormwater maintenance plan that addresses re-occurring regular maintenance and long term performance of the stormwater system for the project and an erosion and sedimentation control plan. DWM stated that these plans meet Chapter 500 standards for erosion and sedimentation control, inspection and maintenance, and housekeeping and recommended that the applicant contract with an approved third party inspector to regularly inspect the erosion control measures. The contract must not end until the site is fully stabilized. Grading and construction activity are designed so that they will not impede or otherwise alter drainage ways resulting in an unreasonable adverse impact on a protected natural resource.

B. General Standards: Best Management Practices (BMP): The applicant's stormwater management plan includes BMP treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. This mitigation is being achieved by using two wetponds that will control runoff from no less than 95% of the impervious area and no less than 80% of the developed area. The wetpond for the practice course area will control runoff from 81% of the developed area. There is no new impervious area created for the golf practice area. The wetpond for the clubhouse area will control runoff from 95% of the proposed impervious area. There is no new developed area in the vicinity of the proposed clubhouse.

The applicant is requesting an alternate treatment method for the channel protection and temperature requirements pursuant to Department Rules, Chapter 500(4)(B)(1)(b). This section provides that the Department may, on a case-by-case basis, consider alternate treatment measures. The practice course area wetpond will discharge to an existing channel, which discharges into an existing pond on the existing portion of the golf course prior to discharging into the Presumpscot River. The clubhouse area wetpond will discharge into a vegetated channel, which eventually flows into the existing stormdrain system, which then discharges into another vegetated channel prior to discharging into the Presumpscot River. The Department approves the applicant's alternate treatment measures.

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DWM stated that the proposed stormwater management system complies with the Chapter 500 General Standards.

Based on the stormwater system's design and DWM's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500, Basic and General Standards. The Department further finds that the proposed project will meet the Chapter 500 standards for management of stormwater discharges.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Section 420-D, and Chapters 500 and 502 of the Department's Regulations:

A. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 Basic Standards for: (1) erosion and sediment control; (2) inspection and maintenance; (3) housekeeping; and (4) grading and construction activity provided that the applicant contracts with an approved third party inspector to regularly inspect the erosion control measures.

B. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 General Standard for best management practices.

C. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 standards for: (1) easements and covenants; (2) management of stormwater discharges; (3) discharge to freshwater or coastal wetlands; (4) threatened or endangered species; and (5) discharges to public storm sewer systems.

THEFORE, the Department APPROVES the above noted application of MAINE YOUTH GOLF FOUNDATION to construct a stormwater management system as described above in Portland, Maine, SUBJECT TO THE FOLLOWING CONDITIONS, and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.

2. In addition to any specific erosion control measures described in this order, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

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- 4. The applicant or other responsible party shall, within three months of the expiration of each five-year interval from the date of this Order, submit a report certifying that the items listed in Department Rules, Chapter 500, Appendix B(4) have been completed in accordance with the approved plans.
- 5. The applicant shall retain a third party inspector in accordance with the Third Party Inspector Program, a copy of which is attached to this Order.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED AT AUGUSTA, MAINE, THIS 16TH DAY OF JANUARY, 2007.

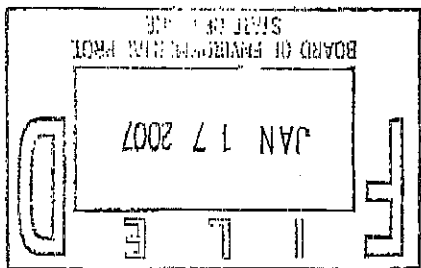
DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
 DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

Date of initial receipt of application: September 28, 2006
 Date of application acceptance: October 19, 2006

Date filed with Board of Environmental Protection
 CGW/ATS#60882/L23245AN



- (1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S.A. § 420-D(8) and is subject to penalties under 38 M.R.S.A. § 349.
- (2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- (3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- (4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.
- (5) Initiation of project within two years. If the construction or operation of the activity is not begun within two years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference.
- (6) Reexamination after five years. If the project is not completed within five years from the date of the granting of approval, the department may reexamine its approval and impose additional terms or conditions or prescribe other necessary corrective action to respond to significant changes in circumstances or requirements which may have occurred during the five-year period.
- (7) Certification. Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the developer, and the owner and each contractor and subcontractor has certified, on a form provided by the department, that the approval and conditions

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL

Standard conditions of approval. Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

November 16, 2005

- (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
- (b) All aspects of the stormwater control system have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the facilities.
- (c) The erosion and stormwater maintenance plan for the site is being implemented as written, or modifications to the plan have been submitted to and approved by the department, and the maintenance log is being maintained.

(9) Recertification requirement. Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.

(8) Maintenance. The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the department.

received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the department.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's General Laws, 38 M.R.S.A. § 341-D(4), and its Rules Concerning the Processing of Applications and Other Administrative Matters (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. All the matters to be contested. The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.

6. Request for hearing. The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.

7. New or additional evidence to be offered. The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRChP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.



Land Use Consultants Inc.

planners
engineers
landscape
architects

Bill Bullard, Project Analyst
Department of Environmental Protection
Bureau of Land and Water Quality
312 Canco Road
Portland, Maine, 04103

The First Tee of Maine at Riverside Golf Course; City of Portland, (Map 360/
Lot 1) Stormwater Management Law Permit Application

Dear Bill:

On behalf of Maine Youth Golf Foundation, Inc. (a.k.a. The First Tee of Maine), we
are pleased to present the enclosed materials for a Stormwater Law Permit
Application for a proposed site plan. Enclosed please find 2 copies of the following:

- Stormwater Management Law Permit Application
- Site Plans Set dated August 15, 2006 (2 sets full size)
- Application Fees

This application includes the attached supporting information and Exhibits:

- Exhibit 1 - Vicinity Maps and Assessors Map
- Exhibit 2 - Aerial Site Plan
- Exhibit 3 - Medium Intensity Soils Map
- Exhibit 4 - FEMA Map
- Exhibit 5 - Site Sketches
- Exhibit 6 - Right, Title and Interest
- Exhibit 7 - Financial Capacity
- Exhibit 8 - Project Personnel
- Exhibit 9 - Abutter List
- Exhibit 10 - Storm Water Management
- Exhibit 11 - Erosion and Sedimentation Control
- Exhibit 12 - Pond Specifications and Maintenance Plan

Existing Conditions:

The applicant Maine Youth Foundation, Inc. in cooperation with the City of Portland, is submitting an application for an expansion of Riverside Golf Course to provide facilities to benefit The First Tee of Maine. This is a non-profit organization which provides opportunities for underprivileged youth offering leadership training and golf instruction.

966 RIVERSIDE STREET
PORTLAND, MAINE 04103
voice (207) 878 - 3313
fax (207) 878 - 0201
email: landuse@landuseinc.net

August 15, 2006

4393

David A. Kamila PE
Frederic J. Licht PE
Thomas N. Emery RLA
J. David Haynes RLA

The subject property is a 7.3 acre± portion of a much larger 100 acre± parcel currently occupied by Riverside Golf course and the Waste Transfer Facility. The proposal is for a new 7 acre ± golf practice facility and removal of existing golf shanty to be replaced by a new 2000 sft± clubhouse and educational training facility as shown on the attached Plans. The plan would require demolishing the existing small log cabin style clubhouse shanty while keeping the existing parking area and golf play areas of the Riverside south course.

The property is owned by the City of Portland and currently is used by the waste transfer facility and the Riverside Golf Course. The portion of the property to be developed as the new practice course is situated on the portion of the property used by the waste facility and is currently an undeveloped wooded area. The clubhouse site is at the existing location of the current clubhouse and first tee of the Riverside South Golf course. This area is located approximately 500 feet from the new practice holes and is currently well vegetated with grass and turf utilized by the existing golf course. The existing site contains several existing gravel cart paths and paved parking for the current golf course and has access from Riverside Street. A large well vegetated swale is directly adjacent to the northeasterly side of the clubhouse site and currently receives runoff from this area. The existing property is serviced by overhead electric and on-site subsurface wastewater disposal and public water.

Development Plans:

The existing small clubhouse building will be removed. The new facility proposes an architectural design for a pitched roof building with a wrap-around porch. The interior of the building will include a small pro shop for the South course and a larger classroom for the First Tee education and training center. The building includes a full basement which will be used for storage. New paths and walkways will be constructed around the clubhouse and connect to the existing cart paths. There will be a moderate increase in total impervious area at the clubhouse site. The practice golf area will not include any impervious areas and will be completely revegetated. There will be no significant increase in traffic or golf course use as a result of this development.

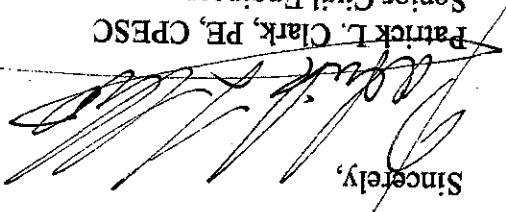
The development qualifies for a stormwater permit as a result of the total area of disturbance exceeding one acre. Although there will be significantly less than one acre of impervious area created by the development (9,000 sft±) it will create more than 5 acres of disturbance and therefore will not be eligible for a stormwater Permit-By-Rule. The project is located on a very large existing parcel owned by the City of Portland and is a longstanding parcel which is not subject, to date, to Site Location of Development Standards. Since this is not a Site Law project or an amendment, it does not have to meet the flooding standard of the Stormwater Law. This project is required to meet the BMP standards of the General standards. Because of the low impact development and the proximity of the project directly discharging to the Presumpscot River, the applicant is requesting a waiver of the local stormwater

quantity or detention standards from the City of Portland Codes. In addition, since the golf course area will discharge directly to the river, the applicant is also requesting a waiver of the channel protection portion of the BMP standards. The applicant is proposing a basic wet pond design for each of the development locations and will provide the pool volume for treatment of runoff but, as a result of the waiver request, will not provide the filtered outlet or the underdrained overflow above the permanent pool volume. There are no known streams or protected resources receiving runoff from the site prior to discharge into the river. The primary discharge courses from both locations are manmade drainage ditches and swales which convey the runoff to the river.

New underground electric utilities, water service and sanitary sewer connection will be provided as indicated on the drawings. Curbside collection will be utilized for normal solid waste and recycling. The project includes onsite swales, catch basins, field inlets and a two storm water wet ponds which will be utilized to collect and treat runoff from both areas.

Land Use Consultants has assessed storm water management based on limited field survey and the SCS Medium Intensity Soils Maps.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,


Patrick L. Clark, PE, CPESC
 Senior Civil Engineer

encl: As noted



STORMWATER APPLICATION FORM

PLEASE TYPE OR PRINT IN INK ONLY

1. Name of Applicant:	Maine Youth Golf Foundation (aka The First Tee of Maine)
2. Applicant's Mailing Address:	First Tee of Maine 1158 Riverside Street, Portland, Maine
3. Applicant's Daytime Phone #:	Don Pilon, President (207) 590-0507
4. Applicant's Fax #:	(If available)
5. Location of Project:	Riverside Golf Course (Road, Street, Rt.#) 1158 Riverside Street
6. Type of Direct Watershed:	<input type="checkbox"/> Lake not most at risk <input type="checkbox"/> Lake most at risk <input type="checkbox"/> Lake most at risk, severely blooming <input checked="" type="checkbox"/> River, stream or brook <input type="checkbox"/> Urban impaired stream <input type="checkbox"/> Freshwater wetland <input type="checkbox"/> Coastal wetland <input type="checkbox"/> Wellhead of public water supply
7. Applicable Standards:	<input checked="" type="checkbox"/> Stormwater PBR <input checked="" type="checkbox"/> Basic standards <input checked="" type="checkbox"/> General standards: BMP <input type="checkbox"/> General standards: phosphorus <input type="checkbox"/> Flooding standard <input type="checkbox"/> Urban impaired stream standards <input type="checkbox"/> Other:
8. Exceptions &/or Rivers Requested:	<input type="checkbox"/> Pretreatment measures <input type="checkbox"/> Discharge to ocean/major river segment <input type="checkbox"/> Linear portion of project <input type="checkbox"/> Utility corridor <input type="checkbox"/> Redevelopment
9. Brief Project Description:	The project is a non-profit project consisting of a 3/4 hole practice golf facility with small clubhouse and education center for underprivileged youth. The project will utilize existing vehicle circulation and parking facilities, and provide new stormwater treatment systems, erosion controls, and landscaping.
10. Size of Lot or Parcel:	<input type="checkbox"/> square feet, or <input type="checkbox"/> 7 acre portion of Riverside Golf Course <input type="checkbox"/> acres
11. Title, Right or Interest:	<input type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement
12. Deed Reference Numbers:	Book #: 3634 Page: 331 Map #: 360 Lot #: 01
13. DEP Staff Previously Contacted:	Bill Bullard Ben Viola
14. Resubmission of Application?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15. Written Notice of Violation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16. Detailed Directions to the Project Site:	Riverside Street, Portland, off of existing parking area adjacent to existing small clubhouse on Riverside South course.
17. Stormwater Permit by Rule Submissions	<input checked="" type="checkbox"/> This form (including signature page) <input checked="" type="checkbox"/> Fee <input checked="" type="checkbox"/> Proof of title, right or interest <input type="checkbox"/> Certificate of good standing (if applicable) <input checked="" type="checkbox"/> Photos of Area
18. Stormwater Application Submissions	<input checked="" type="checkbox"/> Professional & Notice Certificate <input checked="" type="checkbox"/> Basic standards submissions <input checked="" type="checkbox"/> General standards submissions <input type="checkbox"/> Flooding standards submissions <input type="checkbox"/> Other standard submissions

IMPORTANT: By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

"I hereby authorize the person named below to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application."

SIGNATURE OF APPLICANT, if agent involved

DATE

"Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant."

SIGNATURE OF AGENT/APPLICANT

DATE

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

Use this form to help determine the permit fee. The fee is based upon the amount of disturbed or developed area created.

FEE WORKSHEET

NOTE: Ditches, swales, ditch turn-outs, level spreaders, and similar Best Management Practices (BMPs) used solely to convey or discharge water to a vegetated buffer are not considered, by themselves, to constitute structural BMPs, provided that the applicant assumes that all water quality treatment takes place in the buffer. If any treatment is assumed within the BMPs used to convey water to the buffer, they are treated as structural BMPs for the purposes of determining the applicable fee (and review period). "Disturbed area" and "imperVIOUS area" are defined in Chapter 500, Section 2(C) and (E).

(a) If solely vegetative control measures are used (e.g. buffers), the fee is \$250 for up to one acre of disturbed or developed area, plus \$125 for each additional whole acre of disturbed or developed area.

Example. Project will create 2.34 acres of disturbed area.
 Fee = \$250 + [\$125 x (1)] = \$375.00

Your fee: _____

$$\$250 + [\$125 \times (\quad)] = \underline{\hspace{2cm}}$$

(b) If any structural control measures are used (e.g. underdrained filters, ponds, infiltration systems), the fee is \$500 for up to one acre of disturbed or developed area, plus \$250 for each additional whole acre of disturbed or developed area.

Example. Project will create 2.34 acres of disturbed area.
 Fee = \$500 + [\$250 x (1)]. Fee = \$750.00

Your fee: _____

$$\$500 + [\$250 \times (1)] = \underline{\$750.00}$$

FIRST TEE OF MAINE

Project. Project will create 7.79 acres of disturbed area.

Fee: $\underline{\$500 + [\$250 \times (6)] = \$2000.00}$

APPLICATION CERTIFICATION

The person responsible for preparing this application and/or attaching pertinent site and design information hereto, by signing below, certifies that the application for project approval is complete and accurate to the best of his/her knowledge.

Signature: _____

Name (print): Patrick L. Clark

Date: August 15, 2006

Re/Cert/Lic No.: _____

Engineer P.E. # 5749

Geologist _____

Soil Scientist _____

Land Surveyor _____

Site Evaluator _____

Active Member of the Maine Bar _____

Professional Landscape Architect RLA # 103

Other Thomas N. Emery RLA

NOTICE CERTIFICATION

By signing below, the applicant (or authorized agent) certifies that he or she has

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located within thirty days prior to the filing of the application;

2. Sent by certified mail a completed copy of the Notice of Intent to File to the owners of the property abutting the land upon which the project site is located within thirty days prior to the filing of the application;

List below the names and addresses of the owners of abutting property. (Submit an additional sheet if necessary)

NAME	ADDRESS
See Exhibit 9	

3. Sent by certified mail a completed copy of the Notice of Intent to File and filed a duplicate of this application with the town clerk or city clerk of the municipality(ies) where the project is located;

4. Sent by certified mail to the appropriate water company, municipality, or water district if the project is in the direct watershed of a public water supply; and

4. Provided a copy of the notice with this application.

Signature of applicant or agent

Patrick L. Clark, Senior Civil Engineer

Date

8/15/06

Print name and title of applicant or agent

Date

August 15, 2006

*If signature is other than that of the applicant, attach letter of agent authorization signed by applicant.

NOTICE OF INTENT TO FILE

Please take notice that Maine Youth Golf Foundation,

The First Tee of Maine
1158 Riverside Street
Portland, ME 04103

is intending to file a Stormwater Management permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. § 420-D and a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. 480-A through 480-z on or about 08/15/06 (*anticipated filing date*)

The application is for: Construction of 3 hole practice golf course and clubhouse/classroom for the First Tee program of Maine. This program is a part of a national program offering life skills and leadership training along with golf instruction to underserved youth.

(*summary of project*)

at the following location: Riverside Street, Portland, adjacent to existing small clubhouse at Riverside South Golf Course

(*location, address, town, county*)

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in

Portland (Portland, Augusta or Bangor) during normal working hours. A copy of the application may also

be seen at the municipal offices in Portland, _____, Maine. (*town*)

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land & Water Quality, 17 State House Station, Augusta, Maine 04333 or the appropriate regional office.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Bureau of Land and Water Quality
 17 State House Station, Augusta, Maine 04333-0017
 Telephone: 287-2111 or 287-3901

CERTIFICATION - STORMWATER MANAGEMENT LAW

(To be completed and sent to the DEP after the contractor and any subcontractors have been shown a copy of the approval with conditions by the developer, and the owner and each contractor and subcontractor have certified, on this form provided by the department, that the approval and conditions have been received and read, and the work will be carried out in accordance with the approval and conditions.)

Name of Applicant: Maine youth Golf Foundation, aka The First Tee of Maine

Town where project located: Portland, Cumberland County Maine

Type of project: Commercial, non-profit youth program, practice golf facility and youth training

Permit number: _____

Work done by a contractor or subcontractor pursuant to an approval under the Stormwater Management Law may not begin before the contractor and any subcontractors have been shown a copy of the approval with conditions by the developer, and the owner and each contractor and subcontractor have certified, on this form provided by the department, that the approval and conditions have been received and read, and the work will be carried out in accordance with the approval and conditions. Completed certifications forms must be forwarded to the department. See 06-096 CMR 500(9)(A)(7).

This certification form must be completed and mailed to sent to Shari Berry Goodwin, Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333 prior to start of construction. Separate forms may be submitted for each person, or persons may be listed on a single form. List the name, address, phone number, of each person signing the form.

I certify that I have personally received and read the approval and conditions described below, and that the work will be carried out in accordance with the approval and conditions.

Owner (Applicant) Name (typed or printed), address, and phone number :	Maine Youth Golf Foundation Portland, Maine
Signature:	

Contractor Name (typed or printed), address, and phone number:	
Signature:	

Subcontractor Name (typed or printed), address, and phone number:	
Signature:	

SUBMITTAL CHECKLIST

Submissions for all stormwater projects, as applicable, except stormwater PBR:

- Completed application form with signatures
- Fee worksheet & fee
- Professional & notice certification
- Notice of intent to file
- Proof of title, right, or interest
- Certificate of Good Standing (corporations only)
- Photos of the project site

Basic standards submissions:

- Erosion and sedimentation control plan
- Location plan
- Site details
- Inspection and maintenance plan
- List of measures
- Inspection & maintenance tasks
- Task frequency
- Responsible parties
- Maintenance plans
- Housekeeping plan

General standards submissions:

- Narrative
- Drainage plans
- Calculations
- Water volume
- Buffer sizing
- Details, designs, and specifications
- Ponds
- Undrained vegetated filters
- Infiltration systems
- Buffers
- Phosphorus export calculations
- Maintenance contract

Flooding standard submissions:

- Control of peak flows
- Details, designs, and specifications