Program Evaluation Report

of the
Saco River Corridor Commission

Prepared for the Joint Standing Committee on Environment and Natural Resources

October 23, 2013

State of Maine
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

Dennis Finn
Executive Director
Saco River Corridor Commission
P.O. Box 283
Cornish, Maine 04020-0283

April 26, 2013

RE: Government Evaluation Act Review

Dear Mr. Finn:

The Joint Standing Committee on Environment and Natural Resources is writing to inform you of its decision to review the Saco River Corridor Commission pursuant to the Government Evaluation Act, Title 3 of the Maine Revised Statutes, chapter 35. The objective of the law is to provide for the periodic review of the departments and independent agencies of State Government in order to evaluate their efficiency and performance in carrying out their legislative mandate.

As required by 3 MRSA § 955, the Commission must submit a program evaluation report to the Environment and Natural Resources Committee by **November 1, 2013**. The report then forms the basis for the committee's review and issuance of its findings and recommendations during the Second Regular Session. The information required to be provided in the agency program evaluation report is specified in statute at 3 MRSA § 956. The committee will conduct its review of the Commission during the Second Regular Session. If you have any questions regarding the government evaluation review process, please contact our legislative analyst, Susan Z. Johannesman, at the Office of Policy and Legal Analysis.

The committee looks forward to working with you on this review. Thank you for your attention to this matter.

Sincerely,

Senator Jim Boyle
Senate Chair

Representative Joan Welsh
House Chair

cc: Members, Joint Standing Committee on Environment and Natural Resources
Marion Hylan Barr, Director, OPLA

Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

Senator Jim Boyle
Senate Chair
Joint Standing Committee
On Environment and Natural Resources
Representative Joan Welsh
House Chair
Joint Standing Committee on Environment
And Natural Resources
100 State House Station
Augusta, Maine 04333-0100

October 30, 2013

RE: Government Evaluation Review Act Report

Dear Senator Boyle and Representative Welsh:

Please accept the Saco River Corridor Commission's Government Evaluation Review Act Report prepared in accordance with the instructions and information that we received. The Commission looks forward to the dialogue with you and the Committee to discuss the Saco River Corridor Commission, our programs, work efforts and continued protection of the Saco River and its' environs.

If there are any questions, comments or additional information needs, please do not hesitate to contact me.

Sincerely,

Dennis J. Finn
Executive Director

CC Michael Robinson, SRCC Chair

P.O. Box 283 ~ Cornish, Maine 04020-0283 ~ (207) 625-8123 Fax (207) 625-7050 E-mail: srcc@srcc-maine.org

Introduction

Maine law (3 M.R.S.A. Section 959.L (4)) requires the Saco River Corridor Commission (SRCC) to undergo review pursuant to the Government Evaluation by the Joint Standing Committee on Natural Resources in 2013-2014.

Pursuant to 3 M.R.S.A. Section 956.2., the report must contain the following elements:

- Enabling or authorizing law including any federal mandates;
- Comparison of agency-relevant federal laws/rules and state laws/agency rules;
- A detailed performance assessment of each program administered by the agency;
- Organizational structure, position count, job classes, organizational flow chart;
- Compliance with federal and state health and safety laws;
- 10- year Financial Summary
- Regulatory agenda and the summary of rules adopted;
- Efforts to coordinate with other state and federal agencies in achieving program objectives;
- Identification of the constituencies served, noting any changes or projected changes;
- Use of alternative delivery systems, including privatization, in meeting goals and objectives;
- Identification of emerging issues;
- Policies on managing personal information, implementation of information technology, and adherence to the fair information proactive principles; and
- Detailed information on paperwork required to be filed with the agency by the public and paperwork reduction efforts.

In lieu of attachments and to be concise, the following documents can be found at www.srcc-maine.org.

- Appendix A – Saco River Corridor Act (39 M.R.S.A. Section 951 et. seq.) including Performance Standards adopted by Commission
- Appendix B – Application Form for SRCC Permit (revised February 2005)

Enabling or authorizing law, including any federal mandates;

Forty years ago this past March, citizens living in the Saco River Basin gathered to discuss the importance of clean water that would ensure a healthy future for generations to come. These people recognized that existing laws were inadequate to address the degradation of the area's resources in the face of increased development pressure from expanding recreational uses and urbanization. The residents approached the Maine State Legislature with their concerns and ideas and in 1971, the 105th Maine State Legislature concluded that *"the Saco River, along with its major tributaries, the Ossipee and Little Ossipee Rivers, are natural rivers of great scenic beauty and unique character, possessing outstanding recreational, historical, educational, scientific, cultural, wilderness and environmental values of great present and future benefit to this generation and all succeeding generations..."* The Legislature further concluded that *"due to their* [Saco, Ossipee and Little Ossipee Rivers] *locations and the trends which are threatening their values that it is in the best interests of the people of the State to provide for the orderly protection and proper development of the values of the Saco River Corridor..."* In order to make sense of and implement action plans for these conclusions, the legislature created the Saco River Environmental Advisory Committee. This committee was charged with devising a plan to ensure water quality for future generations. A year later, on the strength of this committee's findings, the 106th Legislature established the Saco River Corridor and subsequently created the Saco River Corridor Commission in order to carry out the purpose of the Saco River Corridor Act (Title 38 M.R.S.A. Section 951 et. seq.).[1]

In addition, the Saco River Corridor Act gives the Commission the power to adopt such rules and regulations governing its procedures as it deems necessary to carry out the purposes of the Act including additional performance standards for permitted uses. The Commission has adopted the following Performance Standards:

A. Performance Standards for Multi-Unit Residential Dwellings, Including Condominium and Cluster Development;
B. Performance Standards for Campgrounds;
C. Performance Standards Governing Sand, Gravel, or Topsoil excavation and other Mineral Exploration and Extraction Activities within the Saco River Corridor;
D. Performance Standards Governing Expansions of Existing Nonconforming Uses, Including Structures;
E. Performance Standards for Parking Areas within the Saco River Corridor;
F. Performance Standards for the Construction and Establishment of Roads in Limited Residential and Resource Protection Districts of the Corridor.
G. Standards to Address the Environmental Factors including the following: prevention of the degradation of air and water quality; prevention of the unreasonable, harmful alteration of wetlands; prevention of an increase in erosion or sedimentation; prevention of unreasonable dangers of increased flood damage; prevention of obstruction of flood flow; despoliation of the scenic, rural and open space character of the Corridor; to prevent overcrowding and excessive noise; prevention of obstructions to navigation and the prevention of interference with the educational, scenic, scientific, historic or archeological values of those areas in the Resource Protection District of the Corridor.

[1] The Saco River Corridor – The View From the Valley, Prepared by the Saco River Environmental Advisory Committee, April 1973

Comparison of agency-relevant federal laws/rules and state laws/agency rules;

The Saco River Corridor Act was established by an Act of the legislature in 1973. In the preamble to the Act, the legislature recognized the tremendous value of the resources in the Saco Basin. Wetlands, floodplain, fish and wildlife populations, historic, archaeological, scenic, scientific and educational importance as well as protection of species of fish, migratory birds and the many types of recreational uses were all cited. In an effort to protect these resources, regulatory standards were created to be used during the land use review process. These "Standards to address environmental factors" were designed to follow the many federal acts promulgated in the 1960's and 1970's. The federal laws that were represented in the passage of the Saco River Corridor Act were the Clean Water Act of 1972 including amendments 303(d) and 305(b), the Clean Air Act of 1970 and amendments, and the Endangered Species and Conservation Act of 1973 along with many other federal acts that relate to navigation, flood control, pollution discharge and erosion control embodied in the Saco River Corridor law. The Federal Land Policy and Management Act of 1976 sought to provide protection of some of the intangible aspects of the environment such as the scenic, scientific, historic and ecologic values of the landscape and the SRCC subsequent standards seek to emulate this Act. The National Environmental Policy Act (NEPA) of 1970 set goals for assessing environmental impacts associated with development and the Safe Drinking Water Act of 1974 recognized the importance of providing safe drinking water standards for future generations. All of these early, groundbreaking pieces of Federal legislation were studied and incorporated by reference through the Corridor Commission's standards. A full copy of the Saco River Corridor Act with all of the standards and regulations that were implemented by the Maine State Legislature and the SRCC for the regulatory process can be found on our website.

The Mandatory Shoreland Zoning Act promulgated by the State of Maine has provisions that seek to protect surface water bodies from degradation that are similar to those found in the Saco River Corridor Act. The Saco River Corridor Act is administered by representatives from the 20 towns that lie adjacent to the Saco River. The Corridor Commission is the perfect embodiment of local control over natural resources because the rivers are not isolated within any one town, but rather, are dynamic and any impediment, pollution or degradation of the water potentially affects many communities downstream.

A detailed performance assessment of each program administered by the agency

There are three main components to the Saco River Corridor Commission Programs. There is the land use regulatory program that has been in effect as Maine State law since 1973, the Saco River Basin Water Quality Monitoring Program that began in 2001 and the Environmental Education Program. The descriptions have been broken down below for clarity in this report, however, the mission and priorities of the SRCC remain the same throughout.

<u>The Land Use Regulatory Program;</u>

The Corridor, as defined in the Act, *"includes the Saco River from the landward side of the rock jetty in Saco Bay to the New Hampshire border; the Ossipee River from its confluence with the Saco River to the New Hampshire border; and the Little Ossipee River from its confluence with the Saco River to the New Hampshire border at Balch Pond. The corridor also includes the lands adjacent to these rivers to a distance of 500 feet as measured on a horizontal plane from the normal or mean high water line of these rivers to the edge of the 100-year floodplain if that extends beyond 500 feet, up to a maximum of 1,000 feet."*

Any development projects within the corridor must first obtain a permit from the Commission. Development includes earth moving, erection of a permanent structure or building or enlargement of structures and buildings, and the establishment of a new use (i.e. a home occupation, commercial or industrial uses). Once an application is filed with the Commission, a series of events that includes staff review, site visits, and Commission review is started. If the project is determined to comply with all applicable Commission regulations a permit is granted that remains valid for two years. After two years, if a project has not been initiated or completed, a time extension on the original permit or a new permit must be obtained.

The review process undertaken by staff and volunteer commissioners is quite extensive. Consideration is given to possible degradation of air and water quality, unreasonable harmful alteration of wetlands, an increase in erosion or sedimentation, danger of increased flood damage, obstruction of flood flow, damage to fish and wildlife habitat, despoliation of the scenic, rural, and open space character of the corridor, overcrowding, excessive noise, obstruction to navigation, and a possible interference with the educational, scenic, scientific, historic or archeological values of areas within the corridor. The Commission is looking at issues that are far more extensive than setback from the water or the road. Although those aspects are of equal importance they are only a piece of the complex puzzle the Commission pieces together for each application received. We are constantly reminded that the Saco River is a drinking water reservoir for many residents and visitors to our area and that the SRCC is the first line of defense in the protection of this resource.

* Priorities and the goals and objectives for meeting each priority for the Regulatory Program;

This mission of the SRCC is to protect public health, safety and quality of life for the State of Maine through the regulation of land and water uses, protection and conservation of the region's unique and exceptional natural resources and through the prevention of impacts caused by incompatible development.

The priorities of the SRCC's regulatory program are as follows:

- To ensure that the reservoir drinking water quality that currently exists in the Saco River Basin is preserved in perpetuity.
- The Saco River Corridor will remain visually scenic and with a rural character that supports the tourist economy of the region and maintains high quality natural resource values.
- The Saco River Basin Corridor town population will have the information they need to make informed decisions concerning land use within the Corridor.
- The Saco River Corridor Commission will strive to conserve and protect the unique characteristics of the Saco River Basin.

*Performance criteria and timetables the SRCC uses to measure its progress in achieving the goals and objectives for the Regulatory Program;

The SRCC uses the following measures:

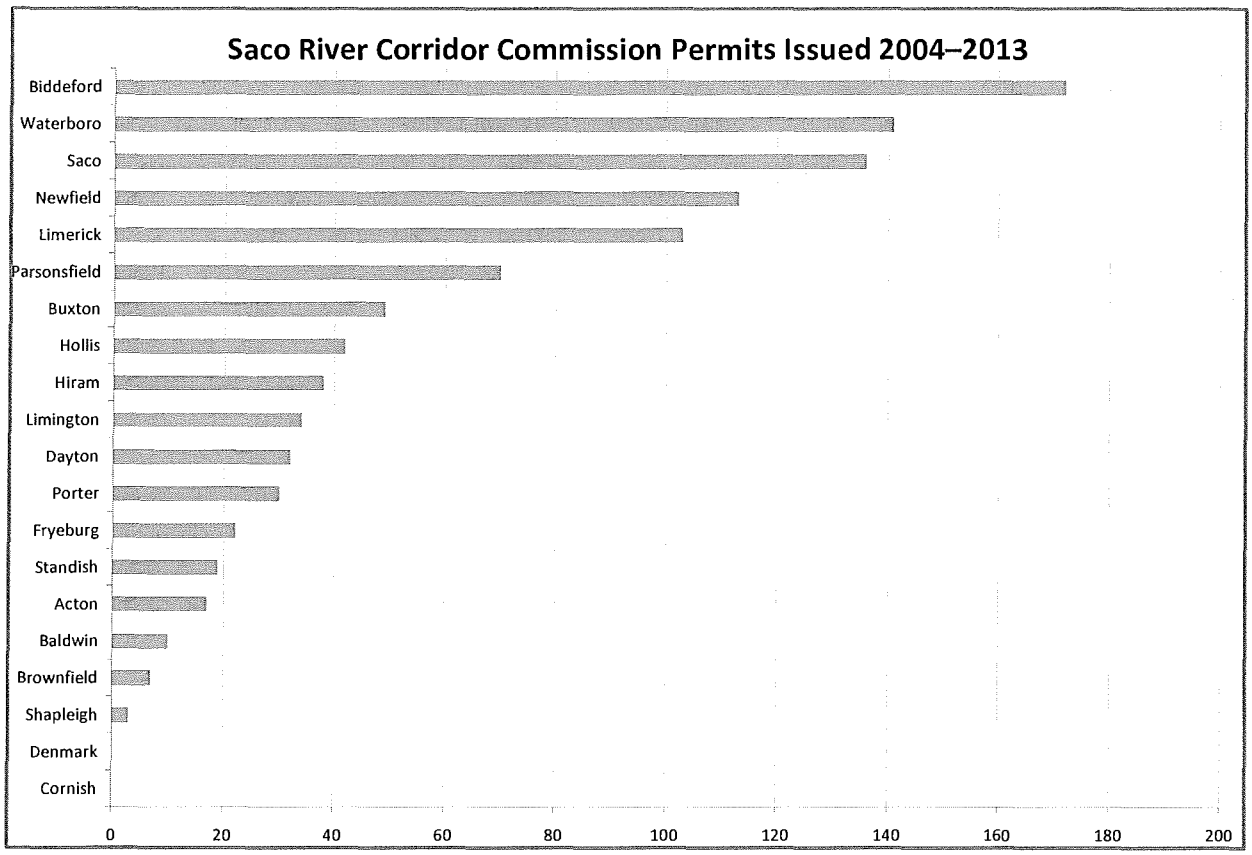
- Number of permits and amendments issued to regulate and enforce water and land use provisions in the Saco River Corridor Act.
- Number of enforcement actions taken against entities that have violated the provisions of the Saco River Corridor Act.

- Number of clients served including applicants who propose to develop within the Corridor and recreational users who use the river for active and passive pursuits.

* An assessment by the agency indicating the extent to which it has met the goals and objectives, using the performance criteria for the Regulatory Program;

Number of permits and amendments issued to regulate and enforce water and land use provisions in the Saco River Corridor Act.

Over the last 10 years the Commission has issued approximately 1038 permits in the Corridor which can be seen in the graph below, broken down by town.



Number of enforcement actions taken against entities that have violated the provisions of the Saco River Corridor Act.

Commission staff investigates a variety and number of violations each year. Often, the violation can be corrected through the permit process or through established management practices such as restoring vegetation, replanting trees, removing structures or correcting other topographic problems. In the extreme, the Commission utilizes consent agreements similar to the process used by MDEP and supported by and in consultation with the State of Maine's Attorney General's Office. This is rare, however, as most people with violations are more interested in fixing the problem and applying funds toward this goal as opposed to spending the money in litigation.

Number of clients served including applicants who propose to develop within the Corridor and recreationists who use the river.

The Commission's client base is difficult to identify with any precision due to the many disparate groups and individuals that rely on our work, directly or indirectly. In addition to the 1038 permits issued over the last decade, there are the abutters, municipalities and interested parties which raise the number to many thousands. Another client base of extreme importance is the people that obtain drinking water from the Saco River. Biddeford Saco Water Company withdraws an estimated 2 billion gallons per year, serving close to 100,000 clients per day. The SRCC views these people as direct beneficiaries of our programs.

In 1983, a recreational survey performed by the SRCC and the York County Conservation District tallied over 100,000 canoeists using the Saco River per summer. Because this data is somewhat dated, discussions with canoe liveries and residents along the river, in addition to personal observation lead us to believe this number may be low. Using the 100,000 figure however, brings the client base into many hundreds of thousands of people.

To emphasize the potential client base, a Regional Water System Master Plan prepared for the Southern Maine Regional Water Council (SMRWC)[2], a consortium of water providers in Maine, indicated that "the Saco River and Sebago Lake have surplus supply capacity that could be used to augment needs in the SMRWC service region. In fact, the Saco River has ample supply capacity to serve the entire southern Maine region and still have a significant supply surplus." Further conversations with SMRWC, have indicated that water in the Saco River may be used for population bases as far south as Portsmouth New Hampshire and perhaps, even as far south as Boston, Massachusetts. Maine's water has always been a source of resource bounty, employment opportunities and recreational attraction. Over the last decade, the interest in Maine's water has reached the national level with the emergence of the bottled water boom. A company like Nestle, selling the Poland Spring brand, or the potential for directing the water of the Saco River to far flung locations such as toward Eastern Maine or south to Boston Massachusetts, changes the dynamic and focuses on the potential for this resource. Protecting this water could potentially expand the client base into the millions.

The Saco River Basin Water Quality Monitoring Program;

The Saco River Basin covers an area of approximately 1,700 square miles: 863 in Eastern New Hampshire and 837 square miles in Western Maine. If you are more familiar with acres: that is equal to an area of 1.1 million acres, with 552,000 of those in New Hampshire and 536,000 in Maine. The Basin encompasses all or parts of sixty-three municipalities within the two states. Elevations in the basin range from 6,288 feet, the Summit of Mount Washington located in Sergent's Purchase, New Hampshire, to sea level at the mouth of the river in Saco and Biddeford, Maine.[3]

The three major tributaries of the Saco River are the Swift, Ossipee, and Little Ossipee Rivers. The Swift River flows from the northern side of Mount Kancamagus in Livermore, New Hampshire. The Swift flows easterly for 21 miles before it enters the Saco River in Conway, New Hampshire. The Swift River drains an area of 114 square miles and has a total fall of elevation over 1,400 feet.

[2] Regional Water System Master Plan Study for Southern Maine Regional Water Council, October 2008
[3] The Saco River – A Plan for Recreational Management, Prepared by Southern Maine Regional Planning Commission in cooperation with the Saco River Corridor Commission, October 1983

The Ossipee River begins at the outlet of Ossipee Lake in Effingham Falls, New Hampshire. It flows easterly for 18 miles before entering the Saco in Cornish, Maine. It drains a 455 square mile area and falls 140 feet from beginning to end.

The Little Ossipee River begins in Balch Pond which falls within Wakefield, New Hampshire, and Acton and Newfield, Maine. The Little Ossipee also flows in a meandering, easterly course until it joins with the Saco in Limington, Maine. It drains an area of 187 square miles and has a total fall of 340 feet in elevation.

The Saco River flows for a total of 130 miles from the outlet of Saco Lake in Crawford Notch, New Hampshire until it reaches the Atlantic Ocean in Saco and Biddeford, Maine. The river falls in elevation a total of 1,900 feet. Before the Saco reaches Maine, it has already descended approximately 1,500 feet in elevation.[4]

According to the most recent census information, there are 201,569 people living within the sixty-three towns that fall within the Saco River Basin. The percentage split between the two states is 70/30 with Maine supporting the greater number of residents.

During the Spring of 2001, the Commission began a volunteer based water quality monitoring program. We now have 35 volunteers who take part in a bi-weekly monitoring program from April to October. Throughout our 15 week testing season, these volunteers perform over 3,000 individual water quality tests in an effort to maintain a minimum water quality designation for the waters of the Saco River corridor. Up until recently, there was little actual data that existed on the quality of the water in the Saco, Ossipee and Little Ossipee Rivers. Regular, but infrequent testing by the State of Maine indicated that water quality has improved, in fact, the Saco River is classified by DEP as Class AA and A over much of the river's length. The Maine Department of Environmental Protection (DEP) tests the water in the Saco River at several separate locations periodically. Their testing regime is physical, unlike the Saco River Corridor Commission testing which is chemical in nature. The Maine DEP looks for the presence of aquatic insects which can be used as "indicator species" for water quality. Other isolated and periodic testing of discrete areas along the rivers over the years was carried out, primarily by school groups without a commitment to long term data collection.

Because long term background information was not available, it was difficult for the Commission to determine the current baseline water quality of the river. It was also difficult to determine if current land use management strategies and regulations remained effective. This information is important because the Saco River is a drinking water source. In hopes of answering those questions, the SRCC began what has proven to be a hugely successful program that has even stretched across state boundaries in to New Hampshire with the cooperative efforts of the Green Mountain Conservation Group located in Freedom, New Hampshire. The long term goal of our monitoring program was to collect and store the data for use by towns in the corridor, for use by the State of Maine and to help us refine and/reform our regulations to meet the current needs of the rivers and the citizens in the corridor. Now with five years of data, we can begin to create a picture of the river systems. Over time, this picture will emerge showing us and other users of the data the trends in water quality. Identification of problem areas along the river and a more informed decision making process will be the direct outcome of this program.
There are twenty municipalities within the Saco River Corridor Commission. Each of those municipalities has an opportunity to appoint a member and an alternate in order to represent their town on the Commission's regional board.

[4] Saco River Basin USDA Cooperative Study – Final Report, December 1983

* Established priorities, including the goals and objectives in meeting each priority for the Water Quality Monitoring Program;

This mission of the SRCC is to protect public health, safety and quality of life for the State of Maine through the regulation of land and water uses, protection and conservation of the region's unique and exceptional natural resources and through the prevention of impacts caused by incompatible development.

The priorities of the SRCC's water quality monitoring program are as follows:

- To ensure that the reservoir drinking water quality that currently exists in the Saco River Basin is preserved in perpetuity;
- To determine the normal range of river health and to collect background data supporting future planning and development;
- The twenty towns and their resident population will have the water quality information they need to make informed decisions concerning land use within the Corridor that protects their water resources;
- The monitoring program will help to preserve and protect the viable recreational and economic resources that the Saco, Ossipee and Little Ossipee Rivers represent to the region.

* Performance criteria to measure its progress in achieving the goals and objectives for the Water Quality Monitoring Program;

The SRCC uses the following measures:

- Number of individual water quality tests conducted to maintain minimum water quality designation for corridor water.
- Number of communities provided with water quality information.
- Number of testing sites monitored for non-point source pollution.
- Assessment of Water Quality Data seasonally.

* An assessment by the agency indicating the extent to which it has met the goals and objectives, using the performance criteria for the Water Quality Monitoring Program;

a.) Number of individual water quality tests conducted to maintain minimum water quality designation standards for corridor waters

The volunteers perform over 3,700 individual water quality tests for parameters including temperature, specific conductivity, pH, dissolved oxygen, turbidity, alkalinity, E coli, nitrogen, phosphorous, and orthophosphate. The parameters we test for are matched to the location of the site and the adjacent and up-stream land uses. For example, we test for E coli at all known swimming beaches along the river, while phosphorous and orthophosphate are sampled at areas downstream of large scale agricultural uses such as those found in the northern part of the river.

b.) Number of communities provided with water quality information

All twenty communities within the Saco River Corridor receive a water quality assessment at seasons end. In addition, the Maine DEP uses the Commission's data as part of their own surface water assessment and in their annual report to the U.S. Environmental Protection Agency. Other user groups include the county

soil and water conservation districts and the Nature Conservancy. All data is uploaded to the SRCC website for use by the public.

c.) Number of testing sites monitored for non-point source pollution.

Currently, all 36 sites tested by the SRCC are tested for some form of non point source contaminants. Nonpoint sources include pollution-producing entities that are not tied to a specific origin such as a failing septic system. Nonpoint sources of water pollution include runoff washing pollutants from roads into storm sewers and water bodies; and runoff carrying agricultural chemicals from lawns and fields.

The SRCC has worked with the Nature Conservancy (TNC) on this program and has received grant support from TNC to continue the work on establishing baseline data. Biddeford-Saco Water Company located in Biddeford, as a subsidiary of Connecticut Water Company has also recognized the value of the Commission's work and they rely on our data as an early warning system for problems in the river. The time and energy spent on this program is a fraction of what replacing the water treatment facility would cost if the quality of the water were to decline.

Saco River Corridor Commission Environmental Education Program

The SRCC realized several years ago that the single best tool for protecting natural resources was through education. For years, the SRCC had worked informally with and through environmental groups such as the Nature Conservancy, Soil and Water Conservation Districts, the Natural Resource Conservation District and DEP to come up with methods for helping our clients better understand their natural resources. Due to budget cuts and financial changes, the Commission found it necessary to add macro invertebrate testing to our water quality program as an adjunct to several of our laboratory parameters. As an experiment, we worked with several local schools at different levels from elementary to high school seniors to help us with the program. Along with the standardized protocols for collecting and organizing specimens, we sought to inform, educate and build a constituency for water quality starting at a young age. It not only helped us with the rudimentary aspects of the program, but we discovered that the schools were contacting us repeatedly to provide this information as part of their curriculum. Eventually we sought grant money to design, initiate and develop a video for school age children and teens that walked them through the entire water quality monitoring process. We used this medium to illustrate and teach how and why monitoring is important, and especially, why clean water and healthy rivers are important to their quality of life.

Commission staff also works with the University of New England's Sustaining Waters Program by providing occasional lectures to the upper class students in the program and by utilizing students during the summer months in our water monitoring program. The wonderful part of this relationship is the growing sense of accomplishment we feel in working with young people and participating in their hands-on education through the use of our water monitoring sites and equipment.

Organizational structure, position count, job classes and an organizational flow chart

The SRCC is made up of three paid staff members and a team of volunteers that varies year to year, but that currently number 35. The Commission is made up of a primary and an alternate member appointed by each municipality. With twenty municipalities that equals forty slots available for representation on this regional board.

The Executive Director is hired by the Commission as the principle administrative, operational and executive employee of the Commission.

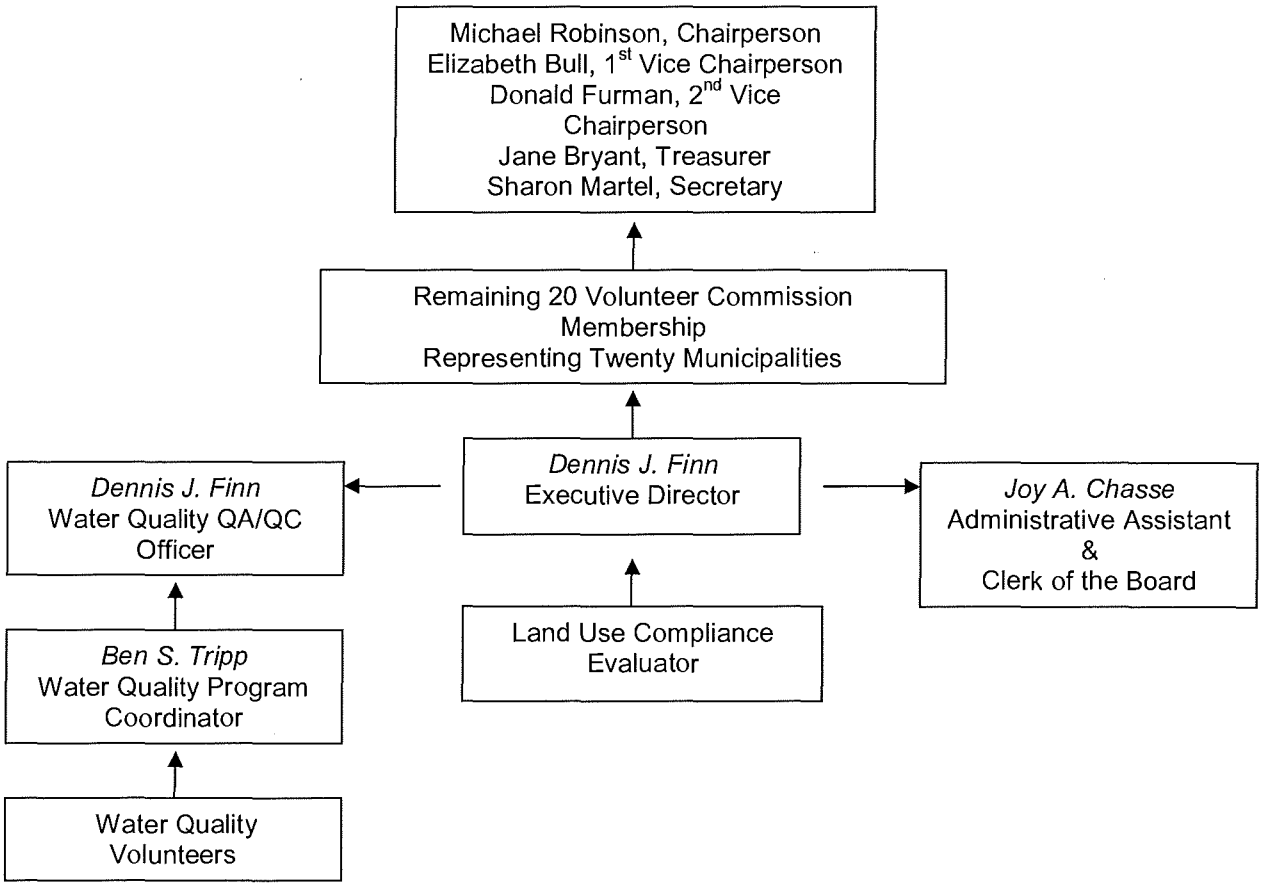
The Administrative Assistant is hired by the Executive Director to be the primary support staff to the Director of the Commission.

The Environmental Compliance Evaluator is hired by the Executive Director to perform site inspections on all projects before the SRCC as a means to ensure compliance throughout the process of development.

The Water Quality QA/QC Officer is hired by the Executive Director in order to ensure compliance with Quality Assurance Project Plan which is an agreement between the SRCC, the USEPA, and the Maine DEP regarding the Saco River Basin Water Quality Monitoring Program. The Clerk of the Board is appointed by the Commission Membership with the primary responsibility of completing all required report filings with the Maine Secretary of State's Office.

The Water Quality Program Coordinator is hired by the Executive Director to be the primary support staff for the operations of the Saco River Basin Water Quality Monitoring Program.

Due to the cutbacks and the economic downturn, Commission Staff was reduced by one person, requiring that remaining Staff pick up additional responsibility.



Compliance with federal and state health and safety laws

The SRCC adheres to and follows all State and Federal laws for health and safety including Standards for Worker's Compensation and the Occupational Safety and Health Regulations for Public Sector Workplaces.

10 Year Financial Summary;

Monies that appear in *italics* are dedicated to the Water Quality Monitoring Program.

	Income						Expenses		
Year	Municipal	State	L.D. 1155	App. Fees	Other	Total	Salaries & Benefits	Overhead	Total
03/04	20,000 *2,100*	30,000 12,847	25,802	14,275	19	90,096 *14,974*	72,437 *7,340*	26,880 *9,946*	99,317 *17,286*
04/05	20,000 *2,700*	29,970 *18,374*	16,386	9595	706	76,657 *21,074*	55,489 *16,960*	24,280 *12,299*	79,769 *29,259*
05/06	20,000 *2,100*	30,240 *24,500*	33,510	9,945	161	93,856 *26,600*	71,158 *16,443*	32,711 *11,160*	103,869 *27,603*
06/07	10,000 *1,500*	31,109 *25,000*	29,171	9,775	18 *20,525*	80,073 *47,025*	72,289 *8545*	24,764 *15,239*	97,053 *23,784*
07/08	10,000 *2,400*	31,110 *25,000*	45,515	8,625	5,287	100,537 *27,400*	78,657 *6,936*	26,329 *11,002*	104,986 17,938
08/09	20,000 *2,400*	29,132 *22,088*	37,497	13,510	100 *1,000*	100,239 *25,488*	87,077 *7,116*	26,443 *10,793*	113,520 *17,909*
09/10	20,000 *3,300*	29,135 *19,584*	40,879	10,220	5 *3,575*	100,239 *26459*	90,331 *12,137*	22,140 *8,864*	112,471 *21,001*
10/11	20,000 *4,200*	28,000 *18,283*	46,783	8,445	3,964 90	107,192 *22,573*	89,808 *14,205*	20,203 *7,747*	110,010 *21,952*
11/12	20,000 *3,750*	28,719 *19,919*	42,853	7,325	 15,700	98,897 *39,369*	77,622 *12,234*	20,451 *20,155*	98073 *32,389*
12/13	20,000 *3,900*	28,000 *18,960*	41,738	8,850	6.50	98,595 *22.860*	80,943 *6429*	17,863 *8,324*	98,806 *14,753*

The regulatory agenda and the summary of rules adopted

The SRCC is currently in the process of analyzing and modifying rulemaking items on its regulatory agency. The summaries of rule chapters that were included in the last batch of rulemaking are provided below.

* Regulations for the Processing of Applications for Permits, Variances, or Certificates of Compliance

This regulation outlines the complete process for the submission of an application to the Commission including the timeline for rendering a decision by the Commission.

* Standard Conditions of Approval

All projects approved within the corridor must conform to a general set of standards related to vegetation removal, erosion control, beaches, driveways, and compliance with all associated federal, state, and local laws.

* Standards to Address the Environmental Factors

All projects approved must show no unreasonable a) degradation of water and water quality, b) harmful alteration of wetlands, c) increase in erosion or sedimentation, d) danger of increased flood damage, e) obstruction of flood flow, f) damage to fish and wildlife habitat, g) despoliation of the scenic, rural and open space character of the corridor, h) overcrowding, i) excessive noise, j) obstruction to navigation, and k) interference with the educational, scenic, scientific, historic or archeological values of those areas designated and approved for inclusions within the Resource Protection District.

* Performance Standards for Multi-Unit Residential Dwellings, Including Condominium and Cluster Development

The number of units within a proposed multi-unit use will be limited to the maximum number of individual residential lots the parcel could be subdivided into considering water frontage and setback requirements.

* Performance Standards for Campgrounds

A permitted, established campground can only allow tent camping within 250 feet from the water, while recreational vehicles may be allowed at no less than 250 feet from the water.

* Performance Standards Governing Sand, Gravel, or Topsoil Excavation and other Mineral Exploration and Extraction Activities within the Saco River Corridor

Mineral exploration and/or mineral extraction activities within the corridor are limited to 100 cubic yards in area over any twelve (12) month period

* Performance Standards Governing Expansions of Existing Nonconforming Uses, Including Structures

The expansion of any existing nonconforming structure within the shoreland zone is limited to 30 percent calculated by both square footage and cubic footage and the structure can go no closer to the water than the existing closest point.

* Performance Standards for Parking Areas within the Saco River Corridor

Only parking areas that serve permitted uses are allowed within the corridor.

*Performance Standards for the Construction and Establishment of Roads in Limited Residential and Resource Protection Districts of the Corridor

A road is any route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of vehicular traffic. This term excludes

temporary logging roads that are revegetated within 12 months and private driveways less than 100 feet in length and not within 75 feet of the water.

The commission is currently working on other rule changes to include revisions to the parties of proceedings, buffer area requirements within the Shoreland Zone, timber removal standards in residential areas and access ways to the water.

Efforts to coordinate with other state and federal agencies in achieving program objectives

The Commission works with the Maine Department of Environmental Protection (Maine DEP) staff to ensure that the SRCC water quality monitoring program remains flexible and useful, not only to the twenty towns that we monitor in, but to the Maine DEP statewide water quality monitoring effort. Over the last few years, the Maine DEP added tributary streams to their statewide impaired list under the Clean Water Act, section 303(d) and established Total Maximum Daily Load (TMDL) under 303(b) for these streams on the basis of the SRCC monitoring program results.

The SRCC has worked more closely with the Maine Natural Areas Program, the Department of Inland Fisheries and Wildlife (IF&W) and the Beginning With Habitat (BTH) program in identification of sensitive habitats and with the Department of Conservation and Maine State Forestry to help assess and identify timber issues and violations. The Commission has also incorporated the expertise and knowledge of the Maine Board of Pesticides by using their information on Yardscaping, Best Management Practices and alternatives to pesticide/herbicide use in our land use reviews. The SRCC also works with the Federal Natural Resource Conservation Service (NRCS) in erosion and engineering issues associated with sensitive or erosive soils in the Corridor.

In order to foster communication, to share information and strategies and reduce the duplication of effort that many groups seem engaged in, the SRCC has worked to develop a plan for an electronic clearing house, sounding board and bulletin board to be used by all environmental groups or interested parties in the Corridor. We designed this e-board in such a way that if implementation is successful, the blueprint can be shared with other areas/regions in the state and perhaps even nationally. We received tentative approval for the grant we applied for from Brookfield Hydro LLC as part of their Fish Passage Agreement and Hydro license from the Federal Energy Regulatory Commission (FERC). The SRCC is excited to design and ultimately participate in a format that should reduce energy and money spent to protect our resources.

Although not a federal or state agency, the SRCC has been working with the Soil and Water Conservation Districts of York and Oxford Counties and the Non Point Education for Municipal Officials (NEMO). Both of these groups lend alternative information and assistance to the SRCC reviews.

Recognizing that the surface water in the Saco Basin originates in New Hampshire, SRCC staff has established working relationships with N.H. Soil and Water Conservation Districts, with staff at N.H. Department of Environmental Services (DES), the counterpart to our Maine DEP, and with other conservation groups working in the watershed. The SRCC has entered into a formal agreement with the Green Mountain Conservation Group in N.H. with the establishment of a Quality Assurance Protection Plan (QAPP) which is endorsed by N.H.DES, Maine DEP and conducted under the auspices of the EPA. This agreement allows the SRCC to apply for federal grants and funds to carry out our water quality work.

Identification of the constituencies served, noting any changes or projected changes

There are several separate constituencies that rely on the work of the Saco River Corridor Commission. These groups will be discussed individually below.

First and foremost are the residents within the twenty communities that the Commission serves. This community represents 147,169 living in the Saco Basin. A large proportion of these residents actually take their drinking water from the Saco River placing added emphasis on all of the Commission's programs. Over 2 billion gallons of water are drawn from the Saco annually serving Biddeford and Saco directly. Although not in the Saco River Corridor, the towns of Kennebunk, Kennebunkport, Old Orchard Beach, Wells and portions of Scarborough also draw water from the Saco River and receive the benefits of the Commission's regulatory, education and water quality monitoring programs. In total over 100,000 drink water taken from the Saco River.

The second group of constituents that are served by the SRCC programs are the tourists and non- resident second home owners along the Saco, Ossipee and Little Ossipee Rivers. Millions of tourist dollars are infused in the Western Maine economy each year by the people that come to the region to recreate. Western Maine is largely a tourist economy that relies on the return of people that come here to enjoy the relatively pristine waters, woods and mountains. Many of the people that choose to locate and build second homes in the area cite the cleanliness of the water as their primary reason for choosing this area. This also represents tax dollars moving directly into the local communities.

A third group is the applicants themselves. This group applies to the SRCC for a permit to build or develop land in the Corridor.

Another group is the students that participate in our educational programs. Young people from early elementary up through high school and even students from the University of New England are part of a very important constituency. Finally, real estate groups, conservation groups and municipal officials contact the SRCC for information, confirmation of state land use law, map, land use and water quality information.

Uses of alternative delivery systems, including privatization, in meeting goals and objectives

Administering a regional regulatory program provides limited opportunities for privatization. Regulation of land use by its very nature defies such privatization. However, the Commission has turned to volunteers to assist with, and in many instances, help coordinate the water quality program. Over 35 volunteers assist Commission staff with this program performing water quality tests, transporting samples to the lab and maintaining equipment.

Identification of emerging issues

There are several primary issues facing the agency in the near future. The influx of out of state interests in purchasing and potentially developing land along the rivers, decreasing funds and increasing costs, and providing conservation education to a growing population. The pace of development along the river corridor over the last few years briefly slowed after the economic downturn of 2008, however, if anything, the interest in living in Maine and along a waterbody has increased. Many people come from outside of Maine for recreation or to construct second homes. Many of these people come here because of Maine's clean environment. People wish to relocate from more densely developed locations outside of Maine where natural resources have been compromised to a great degree, to Western Maine where

resources are still abundant. It's an interesting paradox that once they arrive in Maine they wish to recreate the very location they are trying to escape from. Often, these folks present irrational and angry arguments to support their reasons for wanting to remove most of the trees on a small lot, and to have a house, septic system and lawn ten feet from the water. Maine is one of the few places in the Northeast where it is still possible to formulate plans to protect our resources versus planning to restore our resources. With diminishing funds, and increasing costs, it is clear that protection schemes must be carefully thought out, alliances and partnerships formed and additional funding sources sought.

An issue debated for decades with a potentially profound impact on coastal Maine, particularly in the Saco River estuary, is climate change and sea level rise. Like most states with a seacoast, Maine has a fairly dense development pattern close to the ocean. At the mouth of the Saco River there are small communities lying within the 100 year floodplain of the river and within the velocity zone of the Atlantic Ocean. These communities lie within the reach of devastating storm surges and flood waters. The SRCC has worked with the University of New England in an informal partnership in workshops and meetings to determine the potential impacts the a rising sea level could mean to the ecology of the area and the residents that live in this increasingly fragile zone.

Another threat to the surface water is the indirect impact associated with a declining level of groundwater. Aquifer recharge is a recognized problem nationally, although it has not affected Maine dramatically to date. One reason for diminishing aquifer recharge is the amount of impervious surface, both currently existing and potential future use. The Commission has recently applied to the Maine Outdoor Heritage Fund in a partnership with the Nonpoint Education for Municipal Officials (NEMO) to meet with and discuss with Corridor town Boards of Selectmen, planning boards and conservation commissions the many ways to allow aquifer recharge without increasing costs. The Commission has always attempted to meet every budget constraint and shortfall with little to no depreciation or degradation of our services. This service includes an emphasis on providing information to towns and residents through the presentation of new ideas and creative, low cost solutions to environmental problems.

Policies on managing personal information, implementation of information technology and adherence to the fair information practice principles; and

Personal information collected from applicants includes name, address, and phone number which is incorporated as part of our standard application form. Once we receive a complete application a file is started and all associated paperwork is kept on file at the Commission's office location (81 Maple Street, Cornish, Maine). No personal information is entered into a computer system and no personal information is available to the public through the Commission's web site.

All projects on file at the office are considered public information and anyone wishing to view those files may request so during normal business hours. Individuals may also request copies of paperwork over the telephone and have them mailed to them.

This signature page of the application form includes a disclaimer to the applicant making them aware that all information provided on the application form and all other documents submitted as part of a complete application for a development proposal is a matter of public record and that copies of the information may be supplied upon request to an interested party.

Detailed information on paperwork required to be filed with the agency by the public and paperwork reduction efforts.

Land use regulation requires an application and other supporting documents such as the Maine State Plumbing Code HHE 200 forms, site plans and other legal documents demonstrating land ownership and vested interest. All of our paperwork forms can be found as printable documents, on-line at the SRCC website. Additionally, the entire Saco River Corridor Act and all information concerning the laws, standards, buffer plantings, erosion control and videos produced by the SRCC are on the internet. Ten years ago, all of this information would have been converted to paper documents and mailed out upon request to applicants and interested parties. This information is not directly and immediately available electronically. The forms we still require in hardcopy are found below.

Application Form – Filed by applicant once at beginning of each development proposal. Example provided as Appendix B.

Time Extension Request – Filed by applicant no less than every two years after date of original approval. If approved by SRCC, this will extend the completion of construction deadline for another two years.

Status of Completion of Construction Form – Filed by applicant once proposed development project is complete.