

Resolve 5- 10/11
Passage: 8-0 (Coyne absent) 12/6/10

NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
JILL C. DUSON (A/L)

**RESOLUTION SUPPORTING MODIFICATION TO THE
TIER II COMBINED SEWER OVERFLOW
ABATEMENT IMPLEMENTATION PLAN**

WHEREAS, the Portland City Council previously approved the City’s Tier II Combined Sewer Overflow (“CSO”) Abatement Implementation Plan; and

WHEREAS, the Tier II CSO Plan contains particular projects to be performed by certain deadlines in order to comply with the City’s Maine Pollutant Discharge Elimination System (“MEPDES”) permit issued by the Maine Department of Environmental Protection (“DEP”); and

WHEREAS, the City has begun to develop the Tier III CSO Abatement Plan, which includes an evaluation of the effectiveness of the Tier II CSO projects; and

WHEREAS, the review of the Tier II CSO projects has resulted in a recommendation to modify the Tier II CSO Plan by replacing a certain number of remaining separation projects with the construction of an in-line storage conduit to be located on the north side of Back Cove, beneath Baxter Boulevard; and

WHEREAS, the City must seek approval from DEP in order to modify the Tier II CSO Plan and ultimately the City’s MEPDES permit; and

WHEREAS, the proposed modification of the Tier II CSO Plan will enable the City to meet and exceed the water quality objectives of the Tier II CSO Plan and enhance stormwater pollution control, while keeping project costs within the authorized bond funding;

NOW THEREFORE BE IT RESOLVED, that the Portland City Council supports the proposed modification to the Tier II CSO Plan and authorizes City staff to request approval from DEP for an amendment to the Tier II CSO Plan and the City’s MEPDES permit.