

DEVELOPING THE PLAN



CASCO BAY PLAN

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Introduction

Strong public involvement has been critical throughout development of the *Casco Bay Plan*. The *Plan* will only be implemented if it represents the will of the community. Recognizing this fundamental necessity at the outset, the Casco Bay Estuary Project designed a consensus-based process to involve all members of the community.

Organization

To develop a plan that reflects the interests and active participation of the community, the project established four committees: a Management Committee and three advisory committees.

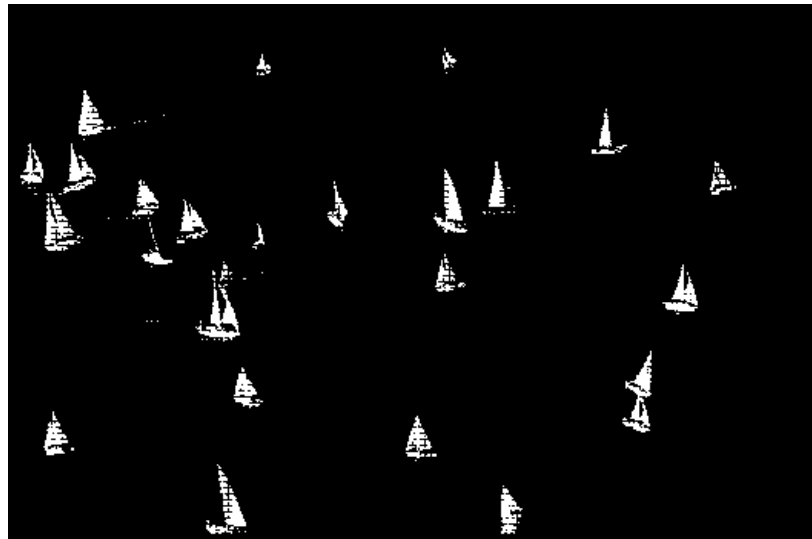


photo by Christopher Ayres

The Management Committee is responsible for overseeing the project, directing work, and developing the *Casco Bay Plan*. The other three committees — the Citizens Advisory Committee, the Technical Advisory Committee, and the Local Government Advisory Committee — provide the public, technical experts, and local governments with a strong voice in the project. Three members of each advisory committee serve on the Management Committee, along with representatives of the U.S. Environmental Protection Agency and four state agencies: Maine Departments of Environmental Protection, Marine Resources, and Economic and Community Development (formerly), and the Maine State Planning Office. This balance has encouraged discussion as the groups worked toward a shared vision for the bay.

Having established a committee structure to encourage participation, the Casco Bay Estuary Project embarked on a five-year process to develop the *Casco Bay Plan*. During that period, information was gathered, ideas were presented, and disagreements were discussed. The *Casco Bay Plan* reflects the consensus that was reached on actions needed to better protect Casco Bay.



The Process

The process to develop the *Casco Bay Plan* began in November 1990 with a public forum held in Brunswick. This forum briefed participants about Casco Bay issues and sought their views on priority concerns. The forum drew more than 120 participants and generated a list of 75 questions, potential problems, and actions.

The information generated at that forum provided the basis for the work of the project. The Management Committee began working on the issues of concern by funding research and education projects and conducting demonstration projects. For example, one common question at the forum was, “What influence does the Kennebec River have on Casco Bay?” A study was commissioned to determine the currents and flushing rates in Casco Bay, including the influence of the Kennebec River. Another common question was, “What is the extent of contamination by heavy metals and PCBs [polychlorinated biphenyls]?” A project was designed to determine contaminant levels in sedi-

ments of Casco Bay. Information from these and other Casco Bay Estuary Project studies has demonstrated the nature and extent of certain threats and helped determine future actions.

Setting Priorities

The Management Committee recognized that to be effective it must limit the number of priority issues the project would tackle. Beginning with a list of 21 potential threats to Casco Bay, the Management Committee worked with a professional facilitator to develop ranking criteria that were used to narrow the list to five priority issues. This “short list” was discussed in April 1992 at a second public forum held in Brunswick. Despite a spring snowstorm, 40 people met to comment on the priority issues. The five priority issues agreed upon during this process are the five issues addressed by the *Plan*.

Having set the priority issues, the Management Committee developed goals and objectives for each issue. Each issue was then the subject of an “expert roundtable.” Composed of technical experts and government representatives, these groups brainstormed lists of possible actions and ranked them in order of importance. The Management Committee then used these lists to develop draft action plans for a preliminary Comprehensive Conservation and Management Plan that spelled out the work for the remaining three years of the Casco Bay Estuary Project.

Before finalizing the preliminary plan, eight focus groups were held to gather comments on the draft action plans from representatives of the following interests:

- waterfront organizations and industry
- homeowners, septage haulers, and plumbers
- fishing community, clam diggers, and marina owners and operators
- real estate and land use, including brokers and contractors
- local elected officials and planning board members
- municipal government staff
- environmental advocates
- farmers and foresters

Focus-group participants suggested changes to specific actions and advised the Management Committee to consider six overarching themes as the project continued:

- **Regulatory Overhead:** People are overwhelmed by the maze of environmental regulations.
- **Cooperative Approach:** Technical assistance and help are needed and government should be supportive.
- **Bottom-up Approach:** Broad participation in environmental policy development is necessary.
- **Economy and Taxes:** Economic value of protection and true cost of development must be demonstrated.
- **Logical Approach:** Flexibility in achieving the desired goal is wanted.
- **Public Education:** Education plays an essential role in environmental protection.

After the plan was changed to incorporate the focus groups' comments, a final public forum was held in October 1992 in Portland, where more than 60 people gave comments. These comments were incorporated in the preliminary Comprehensive Conservation and Management Plan before it was released in October 1992.

Developing the *Casco Bay Plan*

During 1994, after two years of undertaking the work outlined in the preliminary Comprehensive Conservation and Management Plan to better understand the priority issues, the staff of the Casco Bay Estuary Project began working on the *Casco Bay Plan*. The first step was the development of discussion papers on each priority issue that contained a detailed description of the problem and a range of possible actions to address it.

As with the preliminary Comprehensive Conservation and Management Plan, these were reviewed by both experts in the field and focus groups of stakeholders. Each step resulted in significant revisions of the drafts.

The focus groups for the review of these drafts consisted of representatives from:

- municipal staff and officials
- waterfront owners and businesses
- development interests
- residential interests
- environmental organizations
- rural landowners
- local boards and conservation organizations
- fishermen, lobstermen, and clammers

Several common themes emerged from the focus groups. These themes were:

- **Management Responsibility:** Who is responsible for carrying out activities should be discussed. However, there was no consensus on what approach was best.
- **Clarity:** Clearly define the problems and threats and the proposed actions to address them.
- **Develop a Vision:** Present a clear vision of what the project is trying to achieve.
- **Establish Priorities:** Clearly identify which actions are most important.
- **Specific Solutions:** Solutions should be targeted to specific problems rather than broad-brush approaches.
- **Costs:** Costs and who will incur them need to be discussed. The costs should be reasonable.
- **Existing Regulations:** The effectiveness of existing regulations must be considered.
- **Education:** Educational activities are very important to the long-term management of Casco Bay.
- **Information:** High quality information on the condition of Casco Bay is needed.

The draft action papers were rewritten to address the issues raised by the focus groups. The problems and threats were more clearly identified, the actions made more specific, and estimated costs outlined. The drafts for each priority issue were then sent to 50 different experts representing 27 different organizations and state agencies. Comments were solicited on both the accuracy of the reports and the merit of the recommendations.

Throughout this review process, the Management Committee and the Citizens Advisory Committee assessed whether the actions could be supported by interested groups, government officials, and the general public.

The revised action papers were subsequently developed into the draft *Casco Bay Plan*, which was released for a two-month public comment period in early November 1995. The draft *Plan* included more than 30 draft recommendations for action, grouped into four categories: public education, technical assistance, regulations/enforcement, and planning and assessment. Almost 90 individuals or groups provided a wide range of comments on the draft *Plan* (see *Appendix F*). Management Committee members were present at two public comment meetings on the *Plan* in early December, where a variety of supportive and constructive comments were heard. A number of commenters expressed criticism about the proposed implementation strategy; as a result, a special committee was formed to develop another implementation strategy to be taken back to the Management Committee for review and adoption (see

Chapter 9).

Local Government Input

From the beginning of the project, the Management Committee has been cognizant of the important role of local governments in protecting Casco Bay. To ensure their input in the *Plan*, the Local Government Coordinator for the project met with local town boards, commissions, and staff to keep them informed and to solicit their comments. Local experience with five priority issues strongly influenced the actions being proposed.

In February 1995, the Casco Bay Estuary Project met with elected officials from the 12 communities abutting the bay to obtain feedback on the *Plan* and to discuss how best to reach elected officials. Officials encouraged staff to continue meeting with their municipal boards and staff to gather comments on the proposed actions.

Lecture Series

To provide the public with more information on the *Plan's* proposed actions, the Casco Bay Estuary Project sponsored a series of public lectures in 1994 and 1995. For example, in Brunswick in the spring of 1995, Chris Heinig of MER Assessment Corp. presented the results of his study on the economic analysis of the bay's soft-shell clam industry, and the Town of Harpswell discussed how project grant money was used to successfully reopen polluted clam flats. In South Portland, researchers from Horsley & Witten, Inc., demonstrated how their computer model of nutrient-loading in Brunswick's Maquoit Bay can be used to predict land use impacts on water quality in similar sensitive embayments. Dufresne-Henry, Inc., presented case studies demonstrating the cost-effectiveness of best management practices. Following each presentation, comments were solicited on the draft actions.

Who will be responsible for making sure the actions are completed and the work to improve the bay's health continues?

Long-Term Management

Since the beginning of the Casco Bay Estuary Project, the recurrent question has been, "Who will be responsible for making sure the actions are completed and the work to improve the bay's health continues?" To address this question, the project has undertaken a number of studies and activities. In 1990, the project commissioned a study entitled *Review of Water Quality Planning Programs Relative to Casco Bay* (Metcalf and Eddy, Inc.). This study reviewed resource protection programs in Maine to

determine what worked and what didn't.

The Regulation and Management of Casco Bay was a study done by the Marine Law Institute at the University of Southern Maine to review the existing regulatory framework and long-term management options for Casco Bay. In addition to analyzing the existing regulatory framework, it examined management options in use in other areas for lessons helpful to the Casco Bay Estuary Project.

The study identified a number of critical factors regarding regional options. They included the need to determine the adequacy of existing mechanisms to manage critical resources, work in support of existing programs at local levels, determine which functions are needed (*e.g.*, regulatory and planning), and having local support and local representation on such an entity.

In 1994 Charles Colgan, Ph.D., of the University of Southern Maine, developed a paper to facilitate discussion of management options available to the project. *Options for a Management System for the Casco Bay Estuary: A Discussion Paper* examined various management options and presented a range of choices from a decentralized network to a centralized regional management authority. It examined each option in terms of its effectiveness, relative cost, how it used existing resources, its ability to provide for good information flow, and its perceived political acceptability.

The paper did not draw any conclusions. However, valuable lessons were learned from two public forums held in November 1994 to discuss the options. The 150 people who attended these forums, including local government officials, business owners, industry leaders, fish harvesters, farmers, environmentalists, and concerned citizens, discussed both their concerns with regional approaches and the advantages of such an approach.

The major concerns with a regional management approach included loss of local control, adding additional layers of government, duplicating existing efforts, costs of funding a new agency, and political acceptability. Advantages of such an approach included more effective and efficient protection of the bay's resources, improved exchange of information, and better coordination of technical assistance and permitting.

No public consensus was reached on how best to manage Casco Bay. However, the Management Committee considered all comments when crafting the implementation section of the *Plan*.

Public Outreach Activities

In every focus group, forum, and meeting, the need to educate citizens about the health of Casco Bay has stood out as a consistent theme. Throughout the project, public education and information efforts have played a

significant role, with the Citizens Advisory Committee developing methods to raise awareness about Casco Bay. Major ongoing outreach has been achieved through the following:

Newsletter. *Currents*, the quarterly newsletter of the Casco Bay Estuary Project, provides information on bay issues, scientific studies, and project initiatives to a circulation of more than 4,000. This popular newsletter has helped publicize the events and projects of other organizations involved in protecting the watershed and bay.

Fact Sheets. Because scientific reports are often difficult to understand, the Casco Bay Estuary Project develops fact sheets to communicate results of scientific study results to the general public. Fact sheets have been used to provide homeowners and boaters with tips on pollution prevention, explain nonpoint-source pollution, and summarize a study on historic sources of pollution in Portland Harbor.

Portable Information Display. A portable display with information on the project and *Casco Bay Plan* has been used to engage the public at Earth Day, trade shows, fairs, and special events.

Publication Series. The Casco Bay Estuary Project has produced more than 25 studies and reports that inform the public about technical, economic, and management issues related to the bay (*see Appendix A*). Each publication has been widely distributed through regional and local libraries and made available to the public upon request.

Speaking Engagements. Numerous presentations, using a slide show and video on bay protection, have been made to conservation and civic organizations and local governments throughout the Casco Bay area.

Public Service Announcements. A professionally produced, 30-second advertising spot was developed for the Casco Bay Estuary Project and now appears on commercial television. A longer 15-minute video prepared for the project has been aired on many local-access cable television channels throughout the watershed. A Channel 6 “Color Me Green” segment featured what homeowners can do to protect Casco Bay.

Public Lecture Series. To make scientific information accessible to the public, the Casco Bay Estuary Project has sponsored an ongoing public lecture series to share new information. In 1994, environmental historian Edward Hawes discussed his study, *Historic Sources of Pollution in Portland Harbor*; Texas A&M scientist Terry Wade presented results of a toxic pollution study of bay sediments; and University of Maine researchers presented a computer model demonstrating how water circulates in Casco Bay.

Aucocisco: A Celebration of Maine’s Casco Bay Region. *Aucocisco* (“great mud flat”) is what the Abenaki people, who inhabited Casco Bay prior to European settlement, called the area. At the request of the Portland Downtown District, the Casco Bay Estuary Project helped organize several events, including a “Bay Day” (a day-long series of lectures on marine issues) and highly

popular educational boat tours. This important event offers Maine nonprofit organizations a chance to demonstrate the interrelationship of the bay's natural resources and economy.

Posters. Two posters were produced for the general public to raise awareness about the project and to provide educational information about the Casco Bay watershed.

Boat Tours. Educational boat tours for the public were held in conjunction with Maine Audubon Society's educational programs, and as part of "Aucocisco: A Celebration of Maine's Casco Bay Region." Project staff and volunteer naturalists from Maine Audubon Society and U.S. Fish and Wildlife Service's Gulf of Maine Project talked about the bay's important resources and pollution threats.

Grants

Providing real-life examples of successful environmental protection has been a vital tool of the Casco Bay Estuary Project. The project established a grant program to make funds available for towns and nonprofit organizations to use in solving local environmental problems.

The grants, while small in financial terms, successfully capitalized on the vast creativity and enthusiasm of local groups. In each instance, local involvement increased understanding of community impacts on the natural environment. The local contribution to these "matching" grants was often exceeded by financial gain from the project (*e.g.*, when a project identified and removed pollution sources, enabling clam flats to be reopened). A summary of grants appears in Appendix D, with highlights of some grants outlined here.

The Highland Lake Association used funds to establish a water quality monitoring program that tracks clarity and dissolved oxygen through a twice-monthly sampling program. This volunteer group purchased equipment and supplies and developed a quality assurance plan to ensure accurate monitoring. They then surveyed residents in the lake watershed about homeowner practices that affect water quality. A newsletter informs watershed residents about water quality sampling results, and informs them how to safeguard water quality. Another grant was provided to the nonprofit Presumpscot River Watch to purchase equipment and supplies and produce a training video.

Eco-Links used a Casco Bay Estuary Project grant to start a recycling program for waste oil from marine users, placing oil-collection storage tanks and recycling containers in Brunswick and Portland and educating recreational boaters about proper disposal of solid waste, waste oil, and human waste.

A grant awarded to the Maine Island Trail Association has helped it address the growing need to inform island visitors about the fragility of island ecosystems

and the importance of low-impact use. The project grant was used to create an educational brochure and 42 signs to be placed on six Casco Bay islands to explain low-impact island use techniques for visitors.

Municipalities in Casco Bay can play a significant role in protecting the health of the bay and improving water quality. Towns play a critical role in determining land use, which can affect water quality and determine the status of clam flats.

The Town of Cumberland used a project grant to conduct local shellfish resource surveys and begin water quality monitoring, training volunteers to administer shellfish resource surveys and identify shoreline pollution sources. As a result of this work, the Maine Department of Marine Resources has reopened for harvesting two productive flats that were closed for many years. A similar success story occurred in Freeport, where more than 70 percent of the town's clam flats were either permanently or conditionally closed due to pollution. Limited water quality sampling indicated that malfunctioning septic systems could be contributing bacteria to waters feeding into the Harraseeket River and Casco Bay. A pollution source identification study sampled 41 sites for suspected pollution, and pollution sources were subsequently identified and eliminated in all but three cases.

Stormwater management is a growing concern for communities as more land area in the watershed becomes developed. A grant to the Town of Falmouth enabled production of a practical, educational guide to watershed planning for town residents, using local examples of poor watershed planning that resulted in costly damage to property owners and the town. The guide recommends improvements in watershed management that property owners can make, and provides an overview of the regulatory process. The guide's unique approach of using local examples to highlight watershed problems won the project two awards: one from the Maine Association of Planners and another from the Northern New England Chapter of the American Planning Association.

NOTES

