



**City Council Workshop & Meeting
May 4, 2020
Agenda**

This City Council workshop and meeting will be conducted both in Council Chambers and remotely using “Zoom.” The meeting will be broadcast as usual on Great Falls TV (cable channel 1302) and on the City of Auburn [YouTube](#) channel.

If you wish to offer public comment during the meeting, you can “attend” the meeting via Zoom and speak during the public comment session. To participate in this way, please register in advance by using the following link: https://us02web.zoom.us/webinar/register/WN_g0l2vcUvSBWb1Im4h1_9cQ

After registering, you will receive a confirmation email containing information about joining the meeting. If you wish to speak, simply click “Raise Hand” in the webinar controls. You can also use the Alt+Y keyboard shortcut (Mac: Option+Y) to raise or lower your hand. You will be notified when it is your turn to speak. Be sure to “Unmute” yourself and speak clearly. All participants will be able to hear you.

If you prefer to submit public comment in writing, please send your remarks via email to: comments@auburnmaine.gov. Your comments will be included in the meeting minutes.

05:30 P.M. City Council Workshop

- A. Comprehensive Plan update – Eric Cousens and Michael Chammings (15 minutes)
- B. Lewiston Falls/Monty Hydro Licensing Amendment – Eric Cousens (15 minutes)
- C. Barker Mills Licensing Update – Eric Cousens (10 minutes)
- D. Annual Action Plan Discussion – Phil Crowell (15 minutes)
- E. Council Budget Discussion

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Boss

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
- II. **Minutes** - April 27, 2020 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Covid-19 Update
 - Council Communications

- IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that appears on the agenda.*
- V. **Unfinished Business - None**
- VI. **New Business**
 - 1. **Order 49-05042020**
Adopting the amendments to the Citizen Participation Plan as recommended by the Citizen’s Advisory Committee. Public comment and vote.
 - 2. **Order 50-05042020**
Adopting the amendments to the Annual Action Plan as recommended by the Citizen’s Advisory Committee. Public comment and vote.
 - 3. **Order 51-05042020**
Scheduling the School Budget Validation Referendum Election to be held on July 14, 2020 to coincide with the State Election.
 - 4. **Order 52-05042020**
Approving a second, non-binding advisory question to be included on the School Budget Validation Referendum Ballot as proposed by the School Department.
- VII. **Reports**
 - a. **Mayor’s Report**
 - b. **City Councilors’ Reports**
 - c. **City Manager Report**
- VIII. **Executive Session** - Economic Development, pursuant to 1 M.R.S.A. Sec. 405(6)(C)
- X. **Adjournment**



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Comprehensive Plan Update

Information: As part of the CIP Discussion specifically the Comprehensive Plan Implementation and Acquisition Fund proposal the Council and Managers Office asked for a proposal on how we could proceed with a Comp Plan Update. The need for the update is driven by changing circumstances over time and the new Strategic Plan. The Comp Plan is a legally required document for access to many State grant funds and to ground the City's legal authority for zoning and land use regulations.

City Budgetary Impacts: An estimated 290 hours of Staff time and \$19,000.

Staff Recommended Action: Discussion and Council feedback to finalize and actionable plan for the update.

Previous Meetings and History: 2020 Budget and CIP Process.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cousens".

Attachments: Comp Plan Update Staff Proposed Plan Summary.

We have a range of options for updating the Comp Plan. This year we are proposing a targeted update focused on Strategic Plan Priorities and issues raised by the Council, Planning Board and Staff in recent years. A full rewrite as was completed in 2010 would likely be in excess of \$150,000 in consultant services and is not required at this time. We are looking for guidance from the Council on whether they agree with the proposal or would like to do something different.

Proposal:

Review implementation status to date and link to Strategic Plan Priorities. 40 Hours Staff Time.

Review 10-15 specific Text and Map Updates raised by Council, Planning Board and Staff over the past few years to prioritize and ensure compatibility with Strategic Plan Priorities. These items would be identified by City Council and Planning Board with a list suggested by staff as a starting point. 80 hours of Staff Time plus public meetings with Council, Planning Board and topic specific existing Committees (Conservation, Agriculture, Recreation, Economic Development, etc.)

Review and compare new to previous State Data Packages for Comprehensive Plan Information. Summarize Changes. \$3,000

GIS Mapping and Demographic updates. \$8,000

Draft Comp Plan text amendments and bring through public hearing process. 100-150 hours of Staff time for 10 – 15 substantive amendments.

Printing Updated Comp Plans. \$5,000

Contingency: If certain aspects become controversial requiring additional mapping or study or scope is expanded. \$3,000

State Update Submittal preparation and review for Consistency Finding with Maines Informed Growth Act. 20-30 Hours of Staff Time.

Total: \$19,000 and up to 290 Hours of Staff Time

We can do a meaningful update with the above budget that is more responsive to current opportunities, new challenges and more timely than a full rewrite could be. This would be followed by or could be combined with the top priority policy and zoning changes identified during the update. Speed will depend on how we prioritize this effort over other tasks.

Priority Considerations:

1. Future Land Use Map – Potential Turnpike Exit near 136 and/or South Main Street.
2. Future Land Use Map – Industrial Transition Zone near Broad and South Witham Road. Council, Planning Board and Staff and Landowners have considered this as a potential residential growth

2020 Comprehensive Plan
Update: Action Plan Summary

area that would require less infrastructure than an industrial change. Easy Turnpike access from Exit 75.

3. Future Land Use Map – Consider expanded Downtown form-based code to reduce setbacks and density limitations in urban neighborhoods. Ensure consistency with existing development patterns or forge new direction in certain areas.
4. Recreation and River Access. Review status, identify opportunities, needs and update implementation plans. Include recreation open space priorities, resources access and policy towards subdivision requirements that currently pose a challenge to urban developments.
5. Future Land Use Map – Downtown. Review current tasks, progress to date and adjust policy as needed with a focus on walkability, livability and economic expansion opportunities.
6. TBD
7. TBD
8. TBD
9. TBD
10. TBD
11. TBD
12. TBD
13. TBD
14. TBD
15. TBD



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Lewiston Falls Project Boundary Amendment

Information: Brookfield White Pine Hydro, LLC is proposing to amend the project boundary for the Lewiston Falls/Monty Hydro facility. The current project boundary extends approximately 5 miles (28,000 feet) downstream from the dam near the Auburn town line and the proposal is to reduce that to .28 miles (1,450 feet). The proposal does retain an “island” project boundary that includes the Durham Boat Launch as a recreational site within the project. We have mapped the area of the existing and proposed project boundary at: <http://auburnme.maps.arcgis.com/home/webmap/viewer.html?webmap=299f5e528bf44fdbe4e77dec881fc18> and it can be viewed on pages 15 and 31-32 of the attached proposal. With everything going on with COVID 19 and the associated disruptions in work schedules and mail we didn’t review the proposal until it was filed with FERC last week. Although the preapplication comment period has passed we recommend commenting on the proposal during the FERC review process. We have discussed this with other stakeholders and they too became aware of the proposal last week and will likely provide comments on their own.

During the Lower Barker Mill Dam licensing discussions, we asked for recreational amenities outside the project boundary and were often faced with opposition and the defense from Kruger Energy that “sorry, that is not in or adjacent to the project boundary.” Based on that experience it is recommended that we file comments asking FERC to not reduce the project boundary as proposed. There is some logic to a reduction in project boundaries because the area occupied by project infrastructure on the downstream side of the dam was reduced when Brookfield transferred ownership of the canals in Lewiston to the City of Lewiston. Following that logic exclusively would result in a reduction of approximately 1 mile of river from the project area, retaining 4+/- miles.

The proposed reduction in project area will exclude Dresser Rips, New Auburn, a substantial portion of the Riverwalk, the Railroad Pedestrian Bridge and areas to the south making it likely that we will face an uphill battle during the relicensing (2021-2026) to obtain recreational amenities that the City and other stakeholders desire. Some of these amenities and others are included in the 1987 CMP Recreation Plan approved as part of the existing FERC License and were built as part of their license obligations. A Riverwalk extension to Anniversary Park and portage trails near Dresser Rips are amenities that are already identified as desired and more may be identified as we continue to implement the Strategic Plan and Comprehensive Plan. As part of the preparation for the relicensing we are preparing an ARC GIS Information Hub to help organize stakeholders and for sharing and receiving feedback from the public. A good compromise may be to argue that the project Boundary should only be reduced to the Maine Turnpike which is approximately 2.8 miles (15,000 feet) downstream from the existing dam and would include known recreational needs associated with the facility.

City Budgetary Impacts: None currently.

Staff Recommended Action: Discuss and if there is no objection, staff would like to file comments with FERC on behalf of the City asking that the project boundary not be reduced any further than the Maine Turnpike crossing of the Androscoggin River.



Previous Meetings and History: Hydropower update March 16, 2020 and many previous discussions

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cochran".

Attachments: Brookfield White Pine Hydro Application for an amendment to the Lewiston Falls Project Boundary.



April 20, 2020

ELECTRONICALLY FILED

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street N.W.
Washington, DC 20426

Project No. 2302
Lewiston Falls Project
Application for a Non-Capacity Amendment of License – Revised Exhibit G

Dear Secretary Bose,

Brookfield White Pine Hydro, LLC (BWPH) is the Federal Energy Regulatory Commission (FERC) licensee for the Lewiston Falls Project (FERC No. 2302). Pursuant to the requirements of 18 CFR § 4.201, BWPH files the attached application for a non-capacity amendment of license for its Lewiston Falls Project (Project), a major existing water power project over 5 megawatts (MW) located on the Androscoggin River in Lewiston, Maine, to make minor modifications to the Project boundary.

The current license for the Project includes the 28 MW Charles E. Monty Station (Monty Station) powerhouse located on the mainstem of the Androscoggin River. The Licensee is proposing to amend its existing FERC license to modify the Project boundary by shortening the downstream extent of the Project. The existing Project boundary extends 5.3 miles (28,000 feet) downstream of the Project powerhouse. The proposed downstream extent of the Project boundary would be 0.28 miles (1,450 feet) downstream of the powerhouse. The proposed modification of the Project boundary would eliminate approximately 5 miles of free-flowing Androscoggin River from the licensed Project boundary—waters that are not necessary for Project purposes and that are remnant from a previous modification to amend the license to remove and decommission the canal system from the Lewiston Falls Project.

The proposal includes no changes to Project features or operations and will have no impact on the generating or water control capabilities of Monty Station. The Lewiston Falls Project will continue to operate under the terms of its current FERC license and applicable Water Quality Certification (WQC). To that end, no environmental resources are affected by the proposed Project boundary modification and all protection, mitigation and enhancement measures required by the Project license would be unchanged.

BWPH is required to submit only those exhibits that are affected by the proposal. As there are no changes to the Project structures and operations, the following Exhibits are unchanged:

Brookfield

Renewable

- Exhibit A – there is no specific description of the Project boundary in Exhibit A that requires amendment of this exhibit including the discussion of lands of the United States.
- Exhibit B - there is no specific description of the Project boundary in Exhibit B and no proposed changes in operation that requires amendment of this exhibit.
- Exhibit C - there is no proposed construction.
- Exhibit D – there is no proposed construction.
- Exhibit F – there are no proposed changes to Project structures and no changes required of this exhibit.

In accordance with the consultation requirements outlined in 18 CFR 4.38(a)(7), BWPH has consulted with agencies, tribes and other interested organizations regarding the proposed Project boundary change. No issues or concerns were expressed by any of the consulted entities. A complete consultation record, including copies of all comments received, are included in the application (see Appendix I)

BWPH respectfully requests that the Commission review and authorize the proposed changes to the Lewiston Falls Project. If you have any questions regarding this application, please contact Ms. Kelly Maloney at BWPH at kelly.maloney@brookfieldrenewable.com or 207-755-5606.

Regards,



Kelly Maloney
Manager, Compliance Northeast

Attachment: Application for a Non-Capacity Amendment of License

cc: Distribution List

Distribution List

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Mr. William McDavitt Environmental
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Commissioners Office
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Auburn, ME 04210

Amy Landry, Executive Director
Androscoggin Valley Council of
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Mr. Edward Barrett City Administrator
City of Lewiston 27 Pine Street
Lewiston, ME 04240

Mr. Peter Crichtron Acting City Manager
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NGO

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**BROOKFIELD WHITE PINE HYDRO LLC
APPLICATION FOR NON-CAPACITY AMENDMENT OF LICENSE
LEWISTON FALLS PROJECT
(FERC NO. 2302)**

Submitted by:

**Brookfield White Pine Hydro LLC
150 Main Street
Lewiston, ME 04240**

Prepared by:

**Kleinschmidt Associates
141 Main Street
Pittsfield, ME 04967**

April 2020

Brookfield

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**LEWISTON FALLS PROJECT
(FERC NO. 2302)**

APPLICATION FOR NON-CAPACITY AMENDMENT OF LICENSE

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FIGURE

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**BEFORE THE
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Brookfield White Pine Hydro LLC) **FERC Project No. 2302**
) **Lewiston Falls Project**
)

APPLICATION FOR NON-CAPACITY AMENDMENT OF LICENSE

INITIAL STATEMENT

1. Brookfield White Pine Hydro, LLC (“BWPH”) is applying to the Federal Energy Regulatory Commission (FERC or Commission) for a non-capacity amendment of license for the Lewiston Falls Project (FERC No. 2302) (the “Project”), a major existing water power project over 5 megawatts (MW), as described in the attached exhibits. This application is for a change in Project boundary and, therefore, a non-capacity amendment in accordance with FERC regulations at 18 CFR §4.201.

2. The exact name, business address, and telephone number of the Applicant are:

Brookfield White Pine Hydro, LLC
150 Main St.
Lewiston, ME 04240

The exact name, address, and telephone number of each person authorized to act as an agent for the Applicant in this application are:

Kelly Maloney
Brookfield White Pine Hydro, LLC
150 Main St.
Lewiston, ME 04240
(207) 755-5606
Kelly.Maloney@brookfieldrenewable.com

3. The Applicant is a domestic limited liability company organized and existing under the laws of the State of Delaware and having its principal place of business in Lewiston, Maine, and is

the Licensee for the Project in the records of FERC under Order Issuing New License issued on September 29, 1986.

4. The current license for the Project includes a dam, impoundment and the Charles E. Monty Station (Monty Station) powerhouse located on the mainstem of the Androscoggin River. The current Project boundary encompasses the Project dam, powerhouse, impoundment, and tailwater area, as well as 5.3 miles of Androscoggin River mainstem downstream of the dam. The Licensee is proposing to amend its FERC license to modify the downstream extent of the current Project boundary, and terminate the Project boundary approximately 1,450 feet (0.28 miles) downstream of Monty Station. This proposed modification to the Project boundary would have no effect on any Project facilities. The Project waters to be removed from the Project boundary are not necessary for Project purposes. The downstream, FERC-approved Project recreation site (Durham Boat Launch) will be unaffected by this change and will remain within the Project boundary. The proposal will have no impact on the generating or water control capabilities of Monty Station, and the Project will continue to operate under the terms of its current FERC license and applicable Water Quality Certification (WQC).
5. (i) The statutory or regulatory requirements of the state in which the Project is located that affect the Project as proposed with respect to bed and banks and the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act, are as follows:
 - (1) The Maine Waterway Development and Conservation Act (MWDCA), enacted in 1983, regulates certain construction or reconstruction of hydropower projects which change water levels or flows above or below a dam. The proposed Project boundary change would not involve any construction or changes in water levels that would require approval under the MWDCA.
 - (2) The Mill Act, essentially enacted in 1821, allows riparian owners to maintain dams and raise water. The statute does not require any permits and has been interpreted by the Maine Supreme Judicial Court to apply to hydroelectric generating plants. See Veazie v. Dwinel, 50 Me. 479 (1862). Maine case law has also held that owners of the riverbed have the right to the natural flow of a stream as it passes through their land, Wilson & Son v. Harrisburg, 107 Me. 207 (1910). Licensee either owns or has easement or flowage rights to all Project lands and waters, and the proposed Project boundary change would have no effect on these rights.
- (ii) The steps that the Applicant has taken or plans to take to comply with each of the laws cited above are:

- (1) As evidenced herein, BWPH will continue to operate the Project in full compliance with its current Maine Waterway Development and Conservation Act Permit and Water Quality Certification originally issued and subsequently amended by the MDEP. Nothing in this Application and the proposed modification of the downstream extent of the Project boundary will change the water quality of the Project, or the total and minimum flows being discharged from the Project. The Licensee will continue to own or maintain easement and flowage rights to the Project lands and waters retained in the revised Project boundary.

SUBSCRIPTION

This Application for Amendment of License for the Lewiston Falls Hydroelectric Project, FERC No. 2302, is executed in the State of Maine, by Tom Uncher of Brookfield White Pine Hydro LLC, 150 Main Street, Lewiston, ME 04240, who, being duly sworn, deposes and says that the contents of this application are true to the best of his knowledge or belief and that he is authorized to execute this application on behalf of Brookfield White Pine Hydro LLC. The undersigned has signed this application this 20th day of April, 2020.

BROOKFIELD WHITE PINE HYDRO LLC

By Tom Uncher

Tom Uncher
Vice President
Brookfield White Pine Hydro LLC

VERIFICATION

Subscribed and sworn to before me, a Notary Public of the State of ^{New York}~~Maine~~, this 20th day of April, 2020.

Kellen L. Haas
(Notary Public)

KELLEN L. HAAS
Notary Public, State of New York
Saratoga County #01HA6385815
Commission Expires Jan. 14, 2023

(My Commission Expires 1/14/2023)/seal



EXHIBIT E
ENVIRONMENTAL REPORT

**LEWISTON FALLS PROJECT
(FERC NO. 2302)****APPLICATION FOR NON-CAPACITY AMENDMENT OF LICENSE****EXHIBIT E – ENVIRONMENTAL REPORT****1.0 PURPOSE AND NEED FOR ACTION**

The existing Project boundary extends 5.3 miles downstream of the Project powerhouse. Originally, the FERC-licensed Project included the entire Lewiston Canal system, and the downstream Project boundary was intended to include all of the canal facilities and discharge points. In an Order dated November 9, 2017, FERC amended the Project license to remove the entire Canal system and its associated water conveyance and generating structures from the licensed Project. As a result, there are no Project facilities or Project operations that would affect the Androscoggin River downstream of the Project beyond the immediate tailwaters of Monty Station. Thus, the lowermost 5 miles the free-flowing Androscoggin River within the existing Project boundary is not needed for Project purposes.

2.0 PROPOSED ACTION AND ALTERNATIVES

The Licensee is proposing to amend its existing FERC license to modify the Project boundary by shortening the downstream extent of the Project. The existing Project boundary extends 5.3 miles (28,000 feet) downstream of the Project powerhouse. The proposed downstream extent of the Project boundary would be 0.28 miles (1,450 feet) downstream of the powerhouse (Figure E2-1). The proposed modification of the Project boundary would eliminate approximately 5 miles of free-flowing Androscoggin River from the licensed Project boundary—waters that are not necessary for Project purposes.

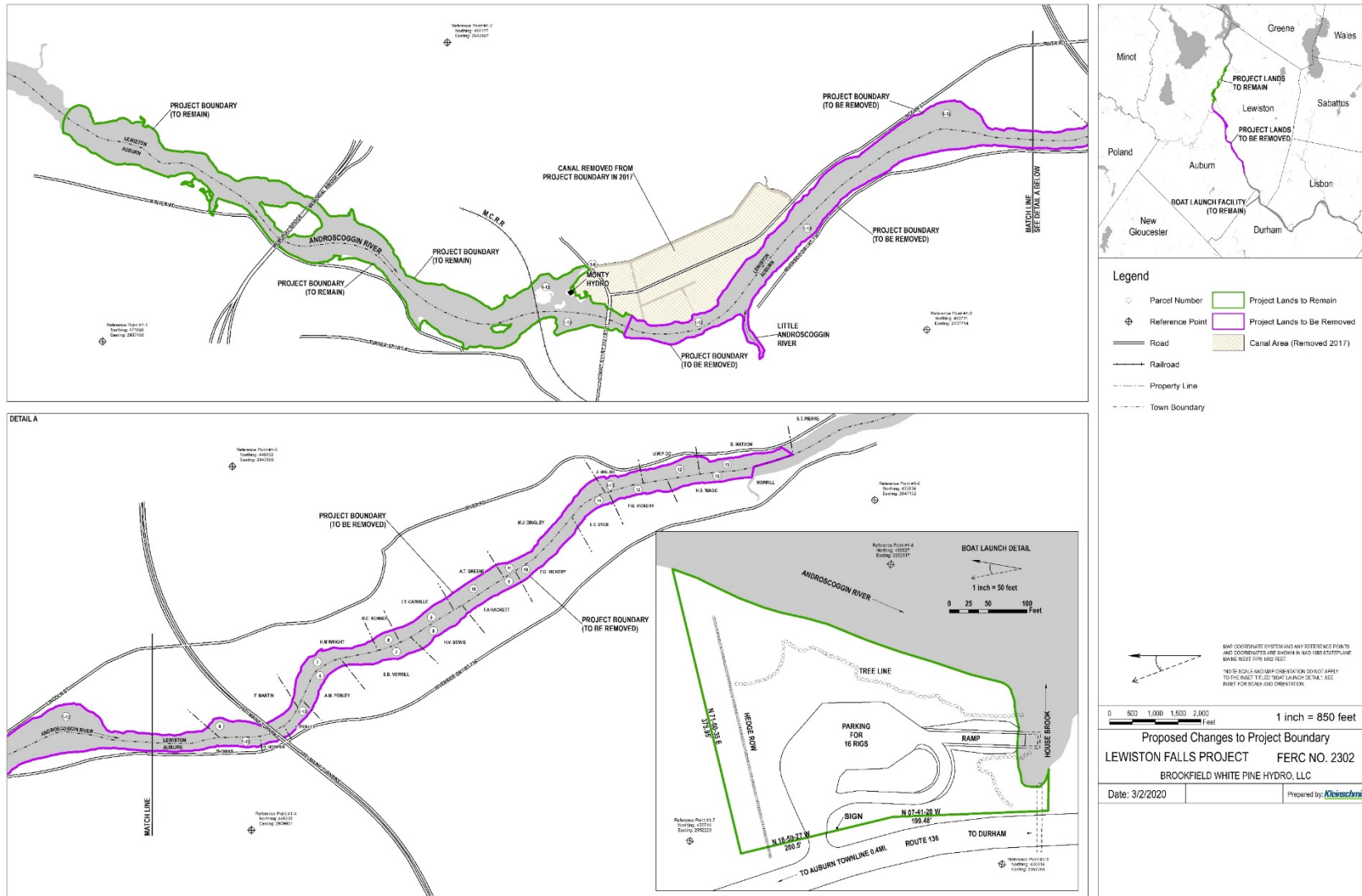


Figure E2-1 Lewiston Falls Existing and Proposed Project Boundary

3.0 CONSULTATION

The Licensee has consulted with federal and state agencies as well as local governments regarding the proposed license amendment. The proposed Project boundary change was distributed to agencies and stakeholders February 28, 2020 and the Licensee requested comments within 30 days, by April 3, 2020. The list of agencies and other stakeholders that were provided an opportunity to review and comment on the draft application are included in the Distribution List attached to Licensee's February 28, 2020 distribution, which is included in the consultation record (Appendix I). Comments were received from the U.S. Fish and Wildlife Service

(USFWS), the Maine Department of Inland Fisheries and Wildlife (MDIFW), and the Maine Department of Agriculture, Conservation and Forestry Bureau of Parks and Lands (MBPL). None of the responding agencies had any issues or concerns with the proposed Project boundary change. No other comments were received. The full consultation record is provided in Appendix I.

4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL EFFECTS

4.1 Description of Project Area

The Lewiston Falls Project is located on the Androscoggin River in the downtown areas Lewiston and Auburn, Maine. The Androscoggin River is Maine's third largest river and its watershed covers an area of 3,500 square miles and the river flows 161 miles from Umbagog Lake to Merrymeeting Bay. The Androscoggin River basin is bordered on the west by the Presumpscot River basin and on the east by the Kennebec River basin (NOAA, 2009a).

The Androscoggin River has been extensively developed for industrial use, including hydroelectric power production, for well over a century. The first dam on the river is the Brunswick Project, located near the Merrymeeting Bay head of tide and the Lewiston Falls Project is the third hydroelectric project upstream from Merrymeeting Bay located approximately 23 miles from the head of tide. The Lewiston Falls Project was previously comprised of the Lewiston Falls Dam and Gatehouse, Monty Hydroelectric Station and the Canal system, which had a series of canals and small hydroelectric generating stations but which were removed from the Lewiston Falls Project and decommissioned pursuant to FERC Order Amending License dated November 9, 2017. There are also a number of hydroelectric projects on tributaries to the Androscoggin River, including, notably, the Little Androscoggin River, a tributary that joins the mainstem downstream of the Project in Auburn, Maine.

As discussed in Section 2, BWPB is proposing to remove approximately 5 miles of free flowing Androscoggin River from the Project boundary as this reach is not needed for Project purposes and is a remnant of the previous Project description that included the Canal system and the canal discharge locations. No changes to Project operations, structures or protection, mitigation or enhancement measures are proposed, and all conditions of the FERC license and WQC, as amended, would perpetuate.

4.2 Geology and Soils

There are no changes to Project operations proposed as part of the revision of the Project boundary. There is no land contained within the reach of the Androscoggin River encompassed by the proposed Project boundary revision as this reach follows an elevation that corresponds to the normal tailwater elevation of the Lewiston Falls Project. As such, factors affecting soils and erosion would be unchanged.

4.3 Water Resources

There are no changes to Project operations proposed as part of the revision of the Project boundary. Project operational flows and minimum flows required by the Project license and

WQC, as amended, would be unchanged. As such, there is no effect to water quantity or quality from this proposal.

4.4 Fish and Aquatic Resources

Diadromous fish species that occur in lower Androscoggin River include American shad, river herring, Atlantic salmon and American eel. Fish passage facilities provided at the downstream hydropower projects provide access to the Lewiston Falls area by some migratory species, but passage numbers for anadromous fish remain low (NOAA, 2013). Resident species include bass, pickerel, perch, etc. and brown trout are stocked by MDIFW between the Lewiston Falls and Brunswick Projects (CMP, 1991).

Project operations and structures will remain unchanged. As such, no effect to resident or diadromous fish species nor other aquatic species nor fish and aquatic habitat downstream of the Lewiston Falls Project will result from the removal of the 5 miles of Androscoggin River from the Project boundary.

4.5 Wildlife and Botanical Resources

The portion of the Project proposed for removal from the Project boundary is free-flowing river. There are no wildlife or botanical species or terrestrial habitats that would be affected by the proposed change to the Project boundary.

4.6 Wetlands, Riparian, and Littoral Habitat

The portion of the Project proposed for removal from the Project boundary is free-flowing river and contains no uplands or wetlands. Project operations will be unchanged so Project effects to riparian and littoral habitats will likewise be unchanged.

4.7 Rare, Threatened and Endangered Species

According to the USFWS, the only Endangered Species Act listed species having the potential to occupy the Project is the Gulf of Maine Distinct Population Segment (GOMDPS) Atlantic salmon (*Salmo salar*), which was listed under the Endangered Species Act (ESA) in 2009.

The ESA listing of GOMDPS Atlantic salmon includes critical habitat designations for several river basins in Maine, including a portion of the lower Androscoggin River basin (NMFS, 2009a and b). Although critical habitat for Atlantic salmon does not extend to or above the Lewiston Falls dam, the National Marine Fisheries Service (NMFS) required the Licensee to prepare an Interim Species Protection Plan (ISPP), and on July 19, 2013, NMFS issued a Biological Opinion (BO) for the Project that approved the ISPP (NOAA, 2013); both of which were incorporated into the Project license on December 13, 2012. There are no provisions in the SPP, BO or subsequent FERC Order relative to the Lewiston Falls Project downstream of the powerhouse.

In December 2019, the Licensee filed a Species Protection Plan (SPP) for the Lewiston Falls Project. As with the ISPP, there are no provisions in the SPP or the anticipated BO that affect the river downstream of the Project including the lower 5 miles that are proposed for removal from the Project boundary.

4.8 Land Use and Recreational Resources

The Androscoggin River and riverfront in the vicinity of the Lewiston Falls Project is used for a variety of recreational activities which will be unchanged with the removal of the lower 5 miles of free-flowing river from the Project boundary. Project recreation sites include an improved, hard-surface boat launch that provides access to the Project impoundment, a carry-in boat launch in Lewiston, the Durham boat launch that provides access to the Androscoggin River downstream of the Project, and a scenic overlook located on the Auburn side of the river contained within West Pitch Park. None of these FERC-authorized Project recreation sites would be affected by the proposed Project boundary change. The Durham Boat Launch which is located approximately seven miles downstream of the Project dam will continue to be within the Project boundary, as it is currently.

As discussed elsewhere, there is no land contained within the Project boundary in the reach of the Androscoggin River proposed for removal.

4.9 Historic Properties

The Lewiston Water Power Company was formed in 1850 to develop mills and canals in the Lewiston area. There are numerous historic properties in the Lewiston area, including those associated with the Lewiston Canal System that was once a part of the Project. However, there are no historic properties within the downstream free flowing portion of the Project that is proposed for removal from the Project boundary, and no historic properties will be affected by the change in Project boundary.

4.10 Literature Cited

Federal Energy Regulatory Commission (FERC). 1986. Environmental Assessment Lewiston Falls Hydroelectric Project FERC No. 2302-003-Maine. July 31, 1986

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National Marine Fisheries Service (NMFS). 2009a. Endangered and Threatened Species; Determination of Endangered Status for the Gulf of Maine Distinct Population Segment of Atlantic Salmon NOAA Fisheries, Greater Atlantic Region. Federal Register 29344. Vol. 74, No. 117. June 19, 2009.

NMFS. 2009b. Endangered and Threatened Species; Designation of Critical Habitat for Atlantic Salmon (*Salmo salar*) Gulf of Maine Distinct Population Segment. Federal Register 29300. Vol. 74, No. 117. June 19, 2009.

NMFS. 2009c. Biological valuation of Atlantic salmon habitat within the Gulf of Maine Distinct Population Segment. National Marine Fisheries Service, Northeast Region. Gloucester, MA.

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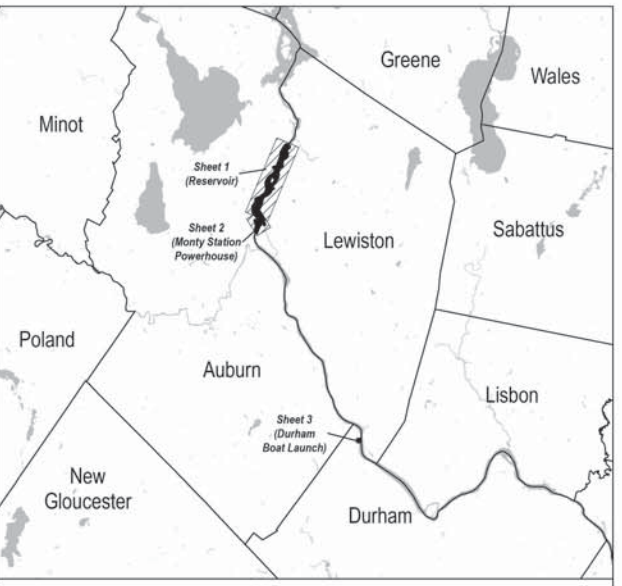
EXHIBIT G
PROPOSED PROJECT BOUNDARY REVISIONS

**LEWISTON FALLS PROJECT
(FERC NO. 2302)**

APPLICATION FOR NON-CAPACITY AMENDMENT OF LICENSE

EXHIBIT G – PROPOSED PROJECT BOUNDARY REVISIONS

The current and proposed Project boundary are shown in Figure E2-1 and in the draft Exhibit G maps included herein. Final Exhibit G Project Boundary maps will be provided upon FERC approval.



	FERC Project Boundary		Roads
	Reference Point		Town Boundary
	Source of Title Parcel Numbers		Maine Central Railroad
	Source of Title Approximate Property Lines		Transmission Line

- GENERAL NOTES:**
1. AS USED ON THESE PLANS, CMP MEANS CENTRAL MAINE POWER COMPANY AND MAY INCLUDE UWP WHICH MEANS UNION WATER POWER COMPANY AND CUMBERLAND SECURITIES CORPORATION, BOTH OF WHICH ARE SUBSIDIARIES OF CMP. FERC MEANS FEDERAL ENERGY REGULATORY COMMISSION.
 2. UNLESS OTHERWISE NOTED HEREON OR IN THE DEED, TRANSMISSION AND DISTRIBUTION-RELATED LINES, SUPPORT STRUCTURES EXCLUDING BUILDINGS OR GENERATION-ASSET-RELATED STRUCTURES INCLUDED IN THE DESCRIPTION OF THE GRANTED PREMISES IN THE DEED, APPURTENANCES AND EQUIPMENT ARE OWNED BY CMP AND ALL GENERATION-ASSET-RELATED FACILITIES, STRUCTURES AND EQUIPMENT INCLUDING, WITHOUT LIMITATION, DAMS, POWERHOUSES, FISH ELEVATORS AND FISH LADDERS, FLUMES, PENSTOCKS, GATES, GATEWAYS, SPILLWAYS, RETAINING WALLS, BUILDINGS AND APPURTENANCES THERE TO, IF ANY, ARE OWNED BY BROOKFIELD WHITE PINE HYDRO LLC.
 3. UNLESS OTHERWISE NOTED HEREON OR IN THE DEED, RAILROAD RIGHTS OF WAY, PUBLIC ROADS, BRIDGES, AND THIRD PARTY UTILITIES ARE NOT PART OF THE FERC LICENSED PROJECT WORKS.
 4. CMP TRANSMISSION RIGHTS OF WAY ARE RETAINED IN EASEMENT WITHIN THE PROJECT BOUNDARIES.
 5. UNLESS OTHERWISE NOTED HEREON OR IN THE DEED, PROJECT LANDS INCLUDE ALL LANDS WITHIN THE PROJECT BOUNDARY, INCLUDING CERTAIN ISLANDS IN THE RIVER, THE RIVERBED, AND THE POWERHOUSE PARCEL.
 6. CONTOURS AND ELEVATIONS ARE BASED ON USGS DATUM AND REFERENCED AS FEET ABOVE MEAN SEA LEVEL. USGS REFERENCE 9M STAMPED "T12 TNC 184 262" LOCATED IN EAST AUBURN EL. 30.547.
 7. THE PROJECT BOUNDARIES SHOWN ON THIS PLAN INCLUDE ALL LANDS WITHIN THE FERC LICENSED PROJECT BOUNDARY IN EFFECT FOR THE PROJECT AT THE DATE OF THE SALE.
 8. CIRCLED PARCEL NUMBERS REFER TO THE SOURCE OF TITLE AS LISTED ON THE DEED SCHEDULE ENTITLED "DETAILS - LAND RIGHTS OWNED AND PURCHASED" AND USUALLY REFERRED TO AS TABLE G-51 INCLUDED IN THE FERC APPLICATION.
 9. FOR LIMITS OF CONVEYANCE IN PARCELS NO. 5-13 INCLUSIVE IN BOTH AUBURN AND LEWISTON, SEE DEED OF WALTER E. ROSE TO UWP CO. DATED 9 SEPTEMBER 1999 A.C.A.D. BK. 217 PL. 64.
 10. THE LIBBY MILL INTAKES ARE NON-PROJECT STRUCTURES OWNED AND MAINTAINED BY OTHERS.
 11. ORIGINAL FLOWAGE RIGHTS ON ALL PARCELS IN THE RESERVOIR AREA WERE ACQUIRED FROM FRANKLIN COMPANY AS PART OF PARCEL 1-13.
 12. PROJECT FENCES ARE MAINTAINED AT ALL POINTS WHERE IT IS DEEMED NECESSARY FOR PUBLIC SAFETY.
 13. FLOWAGE RIGHTS OWNED TO EL. 169.50, FIXED CREST OF STONE DAMS AT LEWISTON: EL. 164.17, NORMAL FULL POND: EL. 168.17.

SURVEYORS STATEMENT
 I HEREBY CERTIFY TO THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) THAT THIS PLAN MEETS THE CONDITIONS SET FORTH BY FERC FOR ITS EXPRESSED PURPOSE. THE PURPOSE OF THIS MAP IS TO PROVIDE A GEOREFERENCED VISUAL DEPICTION OF THE LOCATION OF PROJECT FEATURES AND BOUNDARIES BASED ON THE BEST AVAILABLE HISTORICAL DRAWINGS AND DIGITAL REFERENCE SOURCES INCORPORATED INTO THE GEOGRAPHIC INFORMATION SYSTEM (GIS). LOCATIONS HAVE NOT BEEN VERIFIED BY PHYSICAL FIELD SURVEYS AND THIS DRAWING SHOULD NOT BE USED FOR PURPOSES OF DEVELOPING PROPERTY BOUNDARY DESCRIPTIONS.

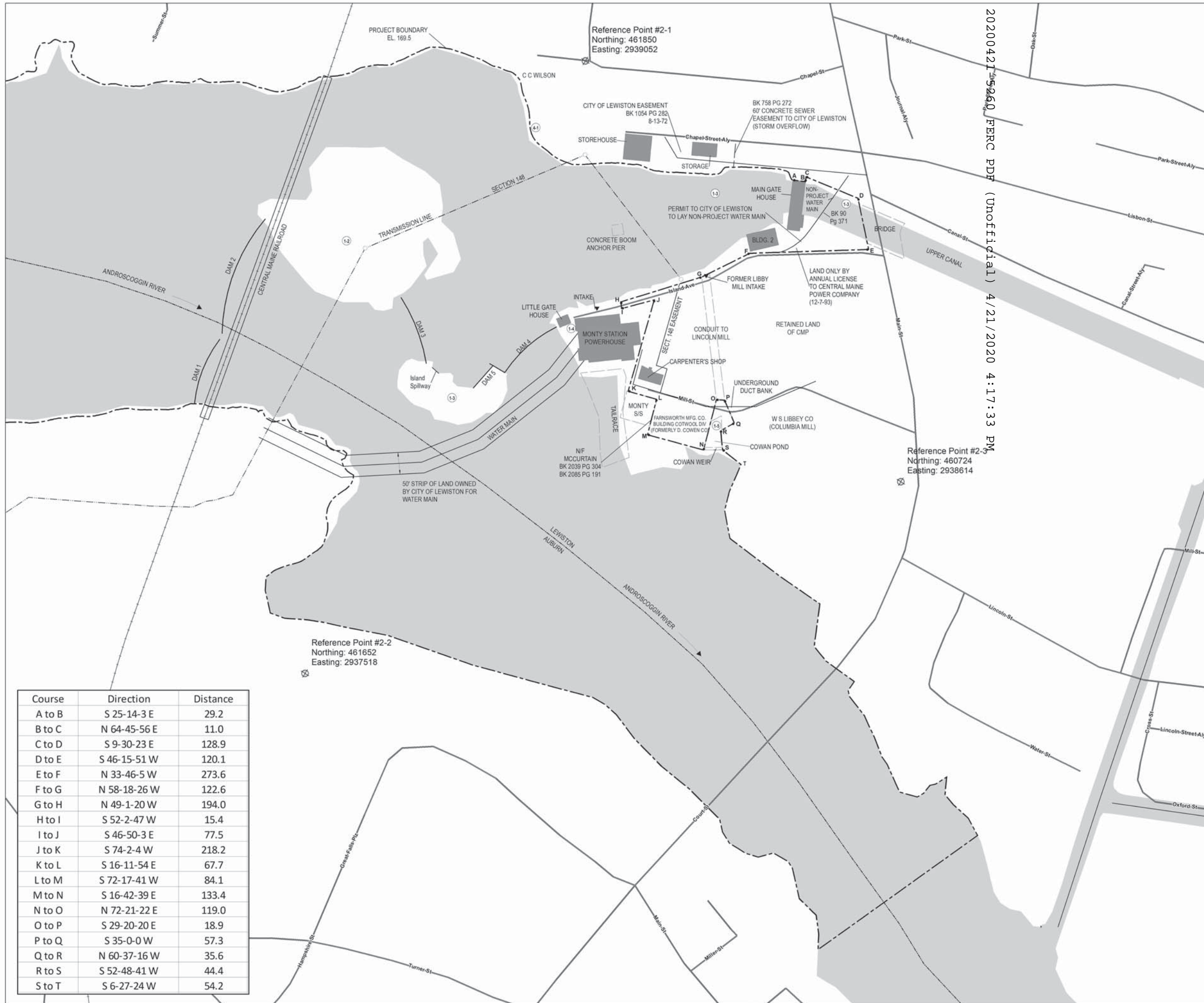


MAP COORDINATE SYSTEM AND ANY REFERENCE POINTS AND COORDINATES ARE SHOWN IN NAD 1983 STATEPLANE MAINE WEST FIPS 1802 FEET.



Exhibit G Project Detail Map (Reservoir)
LEWISTON FALLS PROJECT FERC NO. 2302
 BROOKFIELD WHITE PINE HYDRO, LLC

Date: 4/20/2020 **Sheet 1 of 3** Prepared by: *Kleinschmidt*



20200421 5:26:00 PM FERC PDF (Unofficial) 4/21/2020 4:17:33 PM

Course	Direction	Distance
A to B	S 25-14-3 E	29.2
B to C	N 64-45-56 E	11.0
C to D	S 9-30-23 E	128.9
D to E	S 46-15-51 W	120.1
E to F	N 33-46-5 W	273.6
F to G	N 58-18-26 W	122.6
G to H	N 49-1-20 W	194.0
H to I	S 52-2-47 W	15.4
I to J	S 46-50-3 E	77.5
J to K	S 74-2-4 W	218.2
K to L	S 16-11-54 E	67.7
L to M	S 72-17-41 W	84.1
M to N	S 16-42-39 E	133.4
N to O	N 72-21-22 E	119.0
O to P	S 29-20-20 E	18.9
P to Q	S 35-0-0 W	57.3
Q to R	N 60-37-16 W	35.6
R to S	S 52-48-41 W	44.4
S to T	S 6-27-24 W	54.2



Legend

- FERC Project Boundary
- Reference Point
- Source of Title Parcel Numbers
- Roads
- Town Boundary
- Maine Central Railroad
- Transmission Line

- GENERAL NOTES:**
- AS USED ON THESE PLANS, CMP MEANS CENTRAL MAINE POWER COMPANY AND MAY INCLUDE UWP WHICH MEANS UNION WATER POWER COMPANY AND CUMBERLAND SECURITIES CORPORATION, BOTH OF WHICH ARE SUBSIDIARIES OF CMP. FERC MEANS FEDERAL ENERGY REGULATORY COMMISSION.
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 - FOR LIMITS OF CONVEYANCE IN PARCELS NO. 5-13 INCLUSIVE IN BOTH AUBURN AND LEWISTON, SEE DEED OF WALTER E. ROSE TO UWP CO. DATED 9 SEPTEMBER 1994 A.C.A.D. BK. 217 PL. 64.
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SURVEYORS STATEMENT

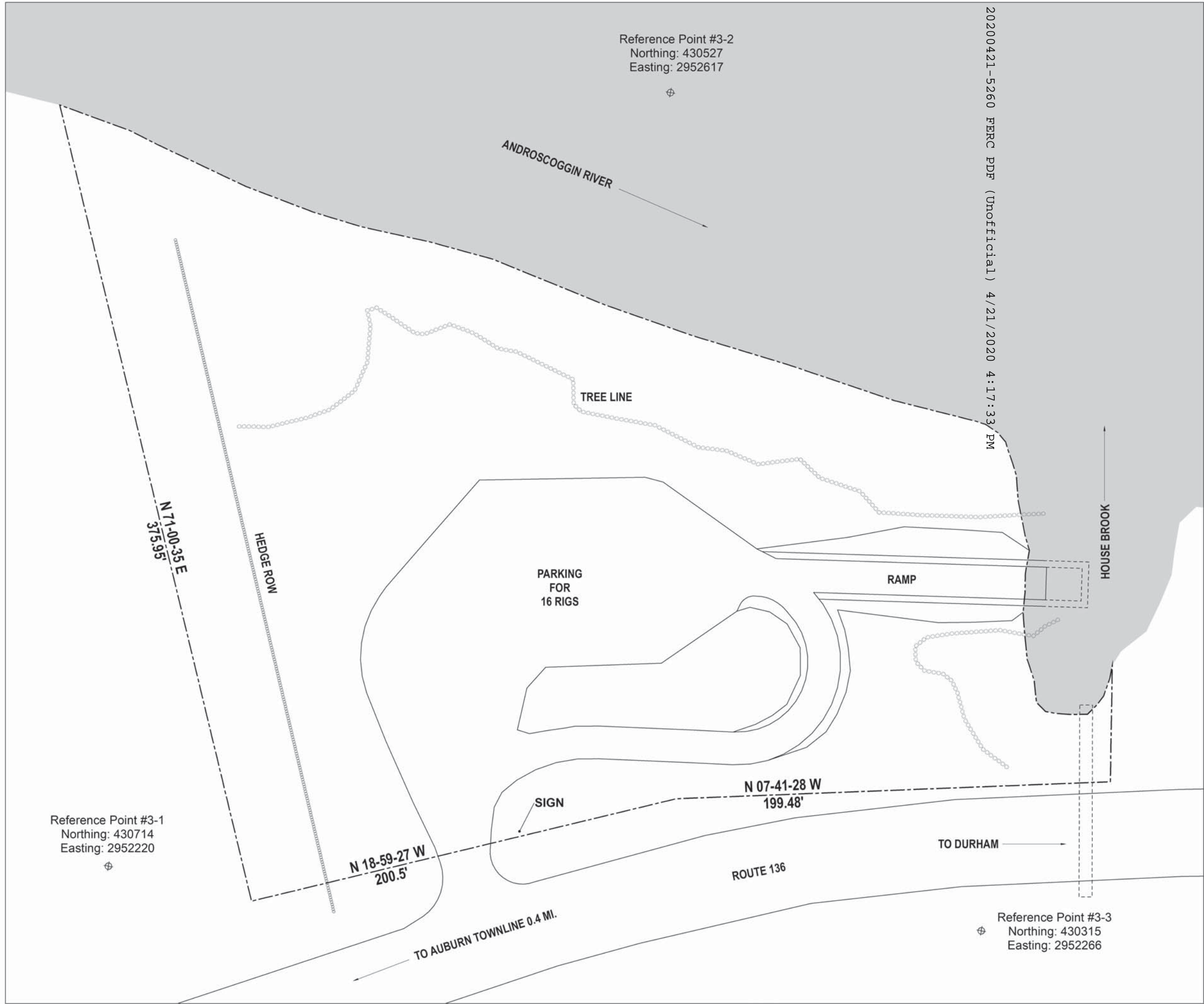
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Exhibit G Project Detail Map (Monty Station Powerhouse)
LEWISTON FALLS PROJECT **FERC NO. 2302**
 BROOKFIELD WHITE PINE HYDRO, LLC

Date: 4/20/2020 **Sheet 2 of 3** Prepared by: *Kleinschmidt*



- GENERAL NOTES:**
1. AS USED ON THESE PLANS, CMP MEANS CENTRAL MAINE POWER COMPANY AND MAY INCLUDE UWP WHICH MEANS UNION WATER POWER COMPANY AND CUMBERLAND SECURITIES CORPORATION, BOTH OF WHICH ARE SUBSIDIARIES OF CMP. FERC MEANS FEDERAL ENERGY REGULATORY COMMISSION.
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 7. THE PROJECT BOUNDARIES SHOWN ON THIS PLAN INCLUDE ALL LANDS WITHIN THE FERC LICENSED PROJECT BOUNDARY IN EFFECT FOR THE PROJECT AT THE DATE OF THE SALE.

SURVEYORS STATEMENT

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Exhibit G Project Detail Map (Durham Boat Launch)
 LEWISTON FALLS PROJECT FERC NO. 2302
 BROOKFIELD WHITE PINE HYDRO, LLC

Date: 4/20/2020 Sheet 3 of 3 Prepared by: Kleinschmidt

APPENDIX I
CONSULTATION SUMMARY



Brookfield Renewable
Brookfield White Pine Hydro LLC
150 Main Street
Lewiston ME 04240

Tel 207.755.5600
Fax 207.755.5655
www.brookfieldrenewable.com

March 3, 2020

Re: Lewiston Falls Project FERC No. 2302

Dear Recipient or Stakeholder,

Brookfield White Pine Hydro, LLC (BWPH) is applying to the Federal Energy Regulatory Commission (FERC) for a non-capacity amendment of license for its Lewiston Falls Project (Project), a major existing water power project over 5 megawatts (MW) located on the Androscoggin River in Lewiston, Maine. The Project features, by order amending license dated November 9, 2017 consist of a dam comprised of five sections (Dams No. 1, 2, 3, 4 and 5), impoundment, and the mainstem power station (Monty Station).

As a follow up to FERC's November 9, 2017 order amending the Project license to remove portions of the Lewiston canal system and its four non-operating stations, BWPH, as outlined in the attached draft Exhibit G, is proposing to revise the Project boundary to remove lands and waters not necessary for Project purposes that are remnant of the previous Project description, inclusive of the canal system. To that end, the existing project boundary extends downstream of the Lewiston Falls Dam and powerhouse approximately 5 miles and includes sections of the river to which the former Project canal system discharged.

The proposal includes no changes to Project features or operations and will have no impact on the generating or water control capabilities of the Project. The Project will continue to operate under the terms of its current FERC license and applicable Water Quality Certification (WQC). No environmental resources are affected by the proposed Project boundary modification and all protection, mitigation and enhancement measures required by the Project license would be unchanged.

In accordance with the consultation requirements outlined in 18 CFR 4.38(a)(7), BWPH is providing the attached revised Exhibit G sheet for your organization's review and comment. Consistent with FERC's regulations, we are providing a 30 day review period, and comments on the draft revised Exhibit G should be returned to Brookfield by April 2, 2020. Comments may be provided in writing via email and addressed to:

Kelly Maloney
Brookfield White Pine Hydro, LLC
150 Main St.
Lewiston, ME 04240
(207) 755-5606
Kelly.Maloney@brookfieldrenewable.com

Lewiston Falls Project FERC No. 2302, March 3, 2020
Page 2 of 2

Thank you for your consideration of the revised Exhibit G. Should you have any questions, please contact me kelly.maloney@brookfieldrenewable.com or 207-755-5606.

Regards,

A handwritten signature in black ink that reads "Kelly Maloney". The signature is written in a cursive style with a large, looping "K" and "M".

Kelly Maloney
Manager, Compliance – Northeast

Attachment: Revised Exhibit G

cc: Distribution List

Distribution List
Lewiston Falls Project (FERC No. 2302)

Federal Agencies

Mr. John Spain
Regional Engineer
Federal Energy Regulatory Commission
Division of Dam Safety and Inspections
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john.spain@ferc.gov

Mr. William McDavitt
Environmental Specialist
NOAA - National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Mr. Kevin Mendik
NPS Hydro Program Manager
National Park Service
U.S. Department of the Interior
15 State Street, 10th Floor
Boston, MA 02109-3572
Kevin_Mendik@nps.gov

Mr. Antonio Bentivoglio
U.S. Fish and Wildlife Service
Maine Field Office
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antonio_bentivoglio@fws.gov

Mr. Jay Clement
U.S. Army Corps of Engineers
675 Western Avenue #3
Manchester, ME 04351
jay.l.clement@usace.army.mil

Mr. Ralph Abele
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Mail Code OEP06-02
Boston, MA 02109-3946
abele.ralph@epa.gov

Mr. Sean P. McDermott
Fisheries Biologist
NOAA - National Marine Fisheries Service
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Mr. Samuel D. Rauch III (Acting)
Assistant Regional Administrator
NOAA - National Marine Fisheries Service
Northeast Region
One Blackburn Drive
Gloucester, MA 01930

U.S. Army Corps of Engineers
Divisional Office, Regulatory
696 Virginia Road
Concord, MA 01742

State Agencies

Ms. Kathy Howatt
Bureau of Land Resources
Maine Department of Environmental
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17 State House Station
Augusta, ME 04333-0017
Kathy.howatt@maine.gov

Mr. Francis Brautigam, Director
Division of Fisheries
Maine Department of Inland Fisheries and
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284 State Street
41 State House Station
Augusta, ME 04333-0041

Mr. Scott Lindsay
Regional Wildlife Biologist
Maine Department of Inland Fisheries and
Wildlife
358 Shaker Road
Gray, ME 04039

Distribution List
Lewiston Falls Project (FERC No. 2302)

Mr. James Pellerin
Fisheries Biologist
Maine Department of Inland Fisheries and
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358 Shaker Road
Gray, ME 04039

Mr. John Perry
Environmental Coordinator
Maine Department of Inland Fisheries
and Wildlife
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Ms. Gail Wippelhauser
Marine Resources Scientist
Maine Department of Marine Resources
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gail.wippelhauser@maine.gov

Mr. Jim Vogel
Senior Planner
Department of Agriculture, Conservation,
and Forestry
Division of Parks and Public Lands
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Jim.Vogel@maine.gov

Mr. Kirk Mohney, Director
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333
kirk.mohney@maine.gov

Tribes

Chief Edward Peter Paul
Aroostook Band of Micmacs
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Presque Isle, ME 04769

Chief Brenda Commander
Houlton Band of Maliseet Indians
88 Bell Road
Littleton, ME 04730

Susan Young
Historic Preservation Officer
Houlton Band of Maliseets
Natural Resources Department
88 Bell Road
Littleton, ME 04730
ogs1@maliseets.com

Governor Frederick Moore III
Passamaquoddy Tribe - Pleasant Point
Reservation
PO Box 343
Perry, ME 04667

Chief William J. Nicholas, Sr.
Passamaquoddy Tribe - Indian Township
PO Box 301
Princeton, ME 04668

Chief Kirk Francis
Penobscot Indian Nation
12 Wabanaki Way
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Kirk.Francis@penobscotnation.org

Chris Sockalexis, THPO
Cultural and Historic Preservation Program
Natural Resources Department
Penobscot Indian Nation
12 Wabanaki Way
Indian Island, ME 04468
chris.sockalexis@penobscotnation.org

Local / Governments

Mr. Larry Post, County Administrator
Androscoggin County Commissioners
Commissioners Office
2 Turner Street, Unit 2
Auburn, ME 04210

Distribution List
Lewiston Falls Project (FERC No. 2302)

Amy Landry, Executive Director
Androscoggin Valley Council of
Governments
125 Manley Road
Auburn, ME 04210

Mr. Edward Barrett
City Administrator
City of Lewiston
27 Pine Street
Lewiston, ME 04240

Mr. Peter Crichton
Acting City Manager
City of Auburn
60 Court Street
Auburn, ME 04210

NGO

Mr. John R.J. Burrows
Director of New England Programs
Atlantic Salmon Federation
Fort Andross, Suite 406
14 Maine Street
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john@asf.comcastbiz.net

Androscoggin River Committee
Androscogginrivercommittee@gmail.com

Shelley Kruszewski, Director
Androscoggin Land Trust
86 Main Street, Suite 201
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Grow L-A
271 Park Street
Lewiston, ME 04240

Shanna Cox, President
Lewiston Auburn Economic Growth
Council
415 Lisbon Street, Suite 400
Lewiston, ME 04243

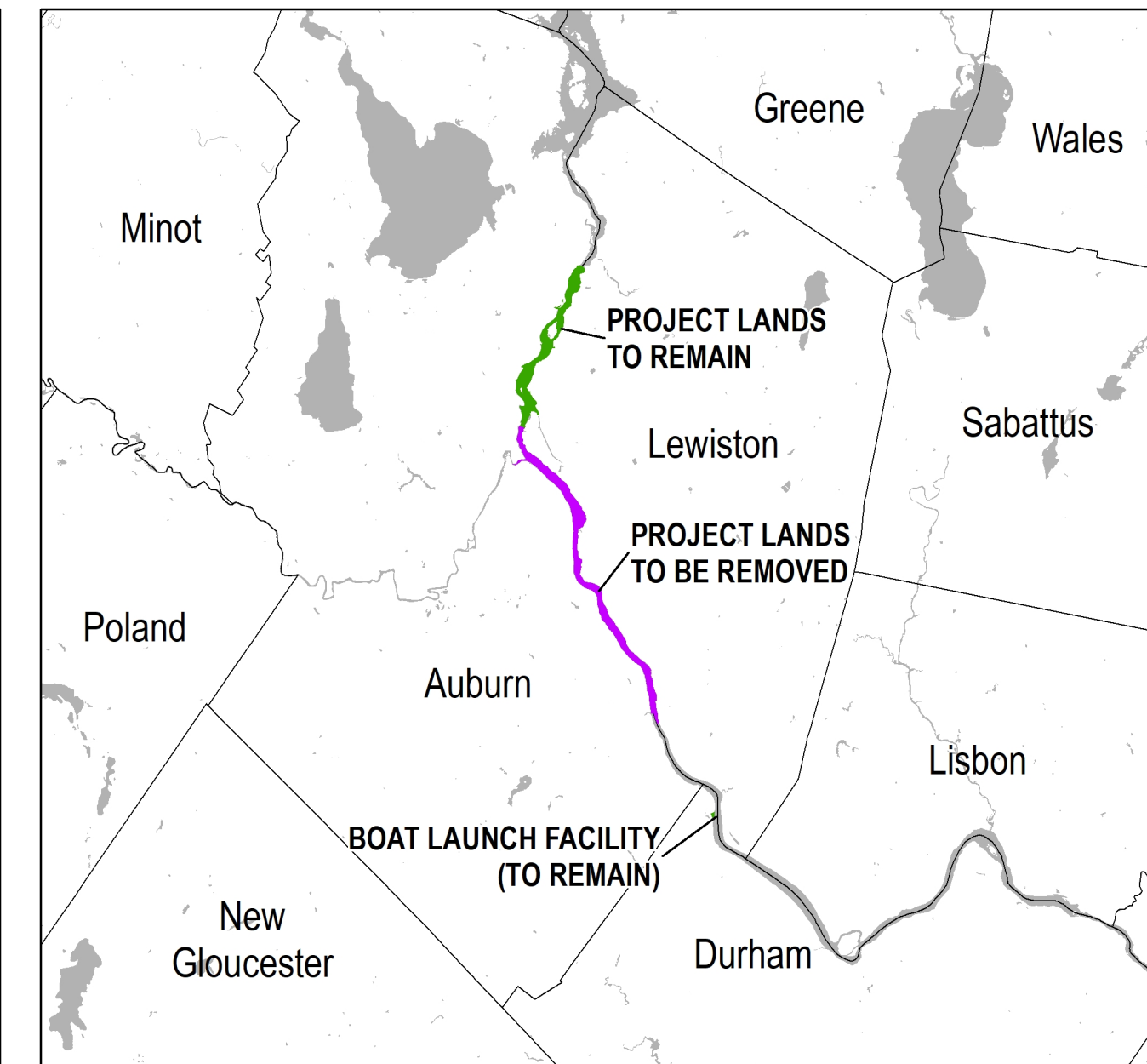
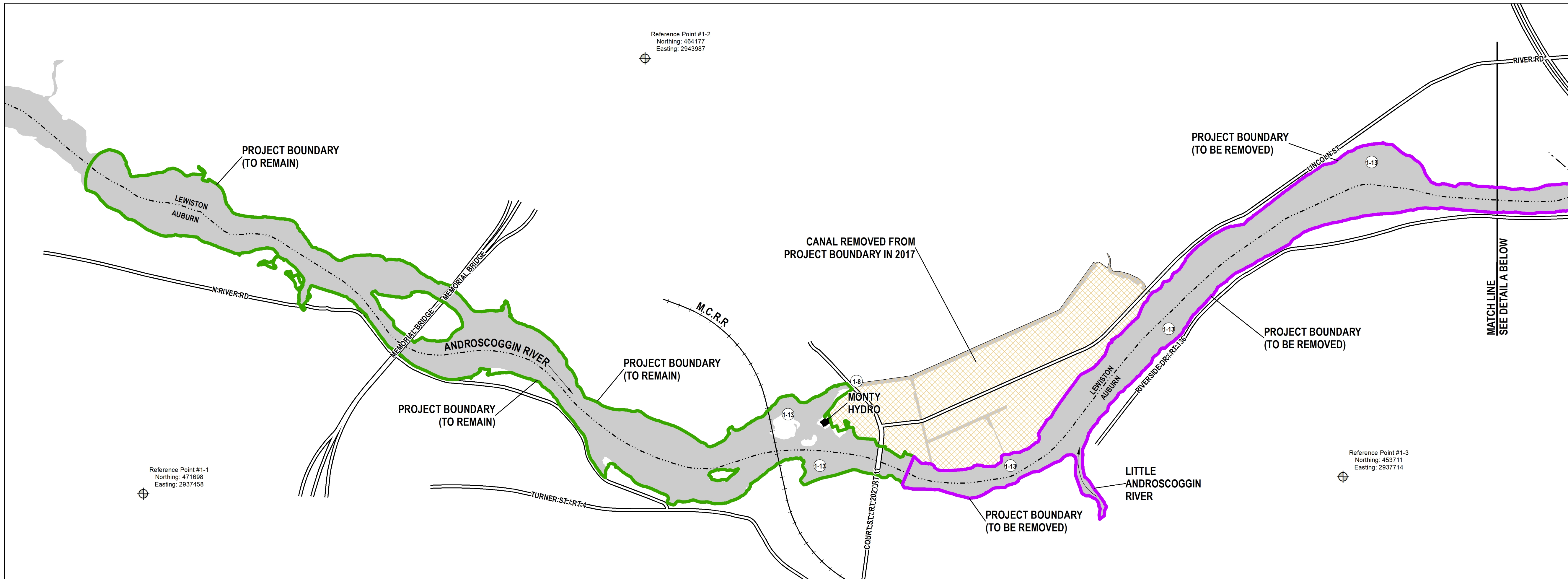
Lewiston - Auburn Chamber of Commerce
PO Box 59
415 Lisbon Street
Lewiston, ME 04243

Mr. Jeff Reardon
Trout Unlimited
9 Union Street
Hallowell, ME 04347
jreardon@tu.org

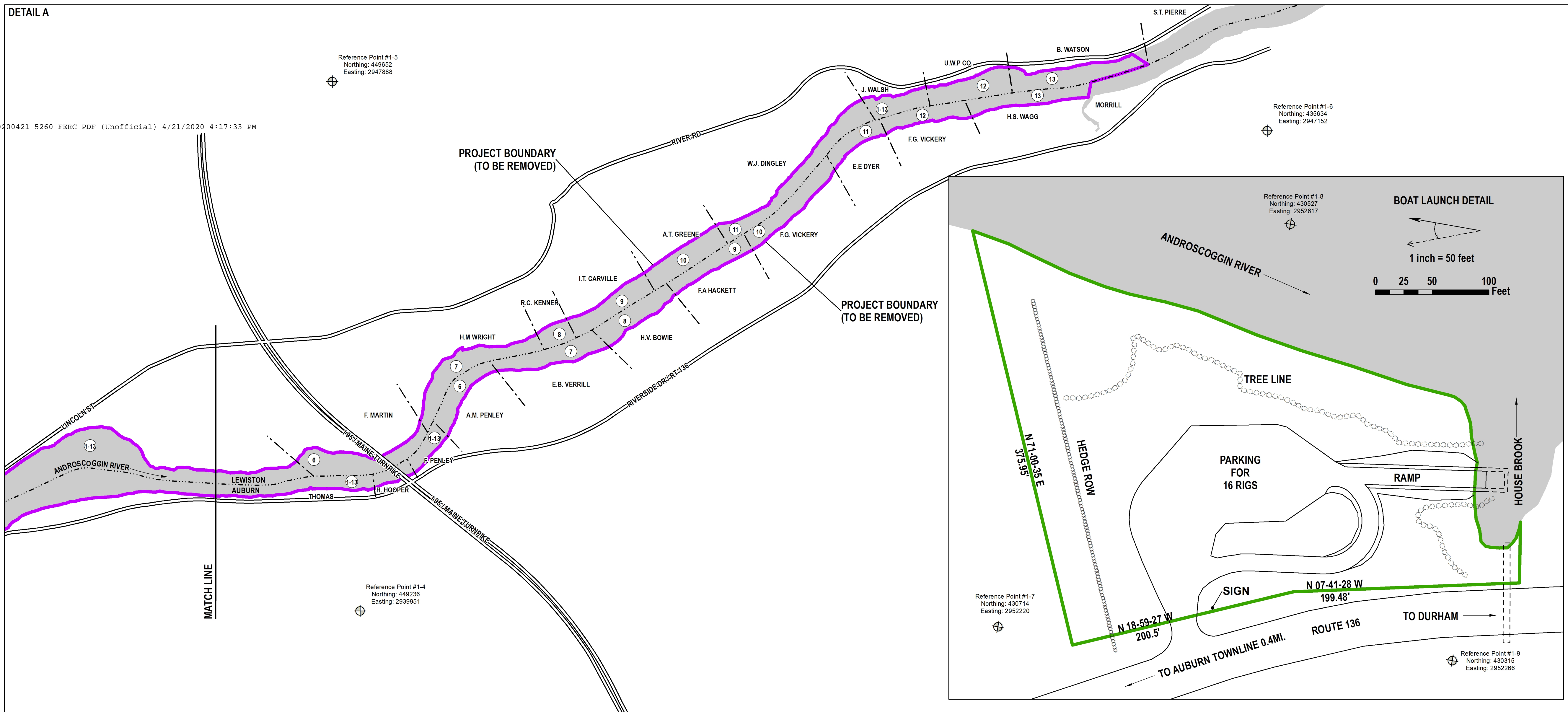
Licensee

Mr. Nate Stevens
Brookfield Renewable Group
Brookfield White Pine Hydro LLC
150 Main Street
Lewiston, ME 04240
Nathan.Stevens@brookfieldrenewable.com

Kelly Maloney
Brookfield Renewable Group
Brookfield White Pine Hydro LLC
150 Main Street
Lewiston, ME 04240
Kelly.Maloney@brookfieldrenewable.com



- Legend**
- Parcel Number
 - ⊕ Reference Point
 - == Road
 - Railroad
 - - - Property Line
 - · - · - Town Boundary
 - ▭ Project Lands to Remain
 - ▭ Project Lands to Be Removed
 - ▨ Canal Area (Removed 2017)



MAP COORDINATE SYSTEM AND ANY REFERENCE POINTS AND COORDINATES ARE SHOWN IN NAD 1983 STATEPLANE MAINE WEST FIPS 1802 FEET.

*NOTE SCALE AND MAP ORIENTATION DO NOT APPLY TO THE INSET TITLED "BOAT LAUNCH DETAIL". SEE INSET FOR SCALE AND ORIENTATION.

0 500 1,000 1,500 2,000 Feet
1 inch = 850 feet

Proposed Changes to Project Boundary
LEWISTON FALLS PROJECT **FERC NO. 2302**
 BROOKFIELD WHITE PINE HYDRO, LLC

Date: 3/2/2020 Prepared by: **Kleinschmidt**

From: [Bentivoglio, Antonio](#)
To: [Faith Wintle](#)
Cc: [Wendy Bley](#); [Teta Jungels](#); [Maloney, Kelly](#); [Harris, Anna](#)
Subject: Re: Lewiston Falls Project (P-2302)
Date: Wednesday, March 4, 2020 11:48:58 AM

Thanks for sending us the document Faith,
due to our current staffing, we are unable to review the document and provide input.

Antonio

From: Faith Wintle <Faith.Wintle@KleinschmidtGroup.com>
Sent: Wednesday, March 4, 2020 11:32 AM
Cc: Wendy Bley <Wendy.Bley@Kleinschmidgroup.com>; Teta Jungels <Teta.Jungels@KleinschmidtGroup.com>
Subject: [EXTERNAL] Lewiston Falls Project (P-2302)

Good Day,

Brookfield White Pine Hydro, LLC (BWPH) is applying to the Federal Energy Regulatory Commission (FERC) for a non-capacity amendment of license for its Lewiston Falls Project (Project), a major existing water power project over 5 megawatts (MW) located on the Androscoggin River in Lewiston, Maine. In 2017, the Project license was amended to remove the Lewiston canal system. Now BWPH is proposing to revise the Project boundary to remove lands and waters not necessary for Project purposes that are remnant of the previous Project description, inclusive of the canal system. We are providing you with the attached consultation letter and revised Exhibit G map for your review and comments. Please note that comments are due on April 3, 2020. If you have any questions, please contact Kelly Maloney at Kelly.Maloney@brookfieldrenewable.com or Wendy Bley at Wendy.Bley@Kleinschmidgroup.com.

Thank you,

Faith Wintle
Project Coordinator

Office: 207.487.3328 Ext. 1212
www.KleinschmidtGroup.com

From: [Maloney, Kelly](#)
To: [Anderson, Luke](#); [Murphy, Kyle](#); [Wendy Bley](#)
Subject: FW: Lewiston Falls Project (P-2302)
Date: Thursday, April 2, 2020 11:21:39 AM
Attachments: [image002.png](#)

From: Perry, John <John.Perry@maine.gov>
Sent: Thursday, April 02, 2020 11:03 AM
To: Maloney, Kelly <Kelly.Maloney@brookfieldrenewable.com>
Subject: RE: Lewiston Falls Project (P-2302)

Hi Kelly,

MDIFW has no concerns with this proposal.

John

John Perry
Environmental Review Coordinator
Maine Department of Inland Fisheries and Wildlife
284 State Street, 41 SHS
Augusta, Maine 04333-0041
Tel (207) 287-5254; Cell (207) 446-5145
Fax (207) 287-6395
www.mefishwildlife.com



Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

From: Faith Wintle <Faith.Wintle@KleinschmidtGroup.com>
Sent: Wednesday, March 04, 2020 11:33 AM
Cc: Wendy Bley <Wendy.Bley@Kleinschmidtgrou.com>; Teta Jungels <Teta.Jungels@KleinschmidtGroup.com>
Subject: Lewiston Falls Project (P-2302)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Thank you,

Faith Wintle

Project Coordinator

Kleinschmidt

Office: 207.487.3328 Ext. 1212

www.KleinschmidtGroup.com

From: [Maloney, Kelly](#)
To: [Wendy Bley](#)
Cc: [Deluca, Ernest](#); [Murphy, Kyle](#); [Anderson, Luke](#); [Kessel, Miranda](#)
Subject: FW: Lewiston Falls Project (P-2302)
Date: Monday, March 9, 2020 12:26:29 PM
Attachments: [image001.jpg](#)

From: Vogel, Jim <Jim.Vogel@maine.gov>
Sent: Monday, March 09, 2020 12:07 PM
To: Maloney, Kelly <Kelly.Maloney@brookfieldrenewable.com>
Cc: Petruska, Liz <Liz.Petruska@maine.gov>
Subject: RE: Lewiston Falls Project (P-2302)

Hello Kelly:

The Bureau has reviewed the proposed Project boundary revision and has no concerns with the proposal.

Thank you for the opportunity to comment.

James Vogel
Senior Planner, Bureau of Parks and Lands
18 Elkins Lane, Harlow Building
22 State House Station
Augusta, Maine 04333-0022
Direct Telephone: Office 207.287.2163
Cell phone: 207.841.3427
www.state.me.us/doc/parks/index.html

From: Faith Wintle <Faith.Wintle@KleinschmidtGroup.com>
Sent: Wednesday, March 04, 2020 11:33 AM
Cc: Wendy Bley <Wendy.Bley@Kleinschmidtgroupp.com>; Teta Jungels <Teta.Jungels@KleinschmidtGroup.com>
Subject: Lewiston Falls Project (P-2302)

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Thank you,

Faith Wintle
Project Coordinator



Office: 207.487.3328 Ext. 1212

www.KleinschmidtGroup.com

Document Content(s)

P-2302 Lewiston Falls PB Amendment Application-FINAL.PDF.....1-37



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Lower Barker Mill Dam License Update

Information: FERC Issued the Lower Barker Mill License on April 15, 2020. It has been a 6 year effort by the City but all the monitoring, commenting and discussions with the Council for direction have paid dividends. Key changes include:

1. Minimum flows increase from 20 cubic feet per second (CFS) to 113 CFS, or inflows whichever is less in the bypassed reach. This will enhance fishing and recreational opportunity during the summer months and provide suitable flows for resident and migrating fish that are present at certain times of the year.
2. Recreation. This is the big win for Auburn and is most of what we asked for. To enhance recreation, KEI Power proposes to: (1) improve the informal hand-carry boat launch and the informal foot trail leading to the bypassed reach, add signage for the boat launch and trail, designate the parking area near the gatehouse, and maintain these facilities; (2) maintain the portion of the Barker Mill Trail that serves as a portage route around the project dam; (3) provide up to five annual recreation flow releases (up to 5 hours each of flows up to 500 cfs) to the bypassed reach to enhance whitewater boating opportunities; and (4) automate the calculation of stream flows in the bypassed reach using real-time flow data obtained from the U.S. Geological Survey's upstream South Paris gage, and publish the calculated flows to a public website to help inform recreation users of current conditions for boating and fishing in the bypassed reach.

This license requires KEI Power to develop a recreation plan that includes: (1) conceptual drawings and descriptions of the proposed improvements; (2) a schedule for maintaining the Barker Mill Trail where it parallels the project impoundment to below the dam; (3) a schedule for providing flow data; and (4) a provision to monitor and report recreational use in the project area.

3. Downstream fish passage improvements and upstream eel passage by Summer of 2021. This is a great improvement for migrating alewives from Taylor Pond and although it goes unnoticed by most there are a few rainy nights in June that eels, sometimes in large numbers, make their way over and around the urban dam from the Sargasso Sea to return to their parents home rivers and lakes until they are ready to spawn and make the trip back to their birthplace. (https://www.fws.gov/fisheries/fishmigration/american_eel.html).

4. Upstream salmon and alewife passage by 2024, reserving the right to change this if the appeal to MDEP changes the outcome of their 401 water quality certification.

5. Intake changes to reduce fish entrainment.

FMI- <http://www.auburnmaine.gov/pages/government/rivers-hydropower>



City Budgetary Impacts: None currently.

Staff Recommended Action: Discussion and public awareness. No further action needed at this time.

Previous Meetings and History: Hydropower update March 16, 2020 and many previous discussions

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cudde".

Attachments: Barker Mill Dam License Link: https://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20200415-3017 . 80 Pages.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020 **Order:** 50-05042020

Author: Zachary Lenhert

Subject: CDBG Annual Action Plan and Citizen Participation Plan amendments

Information: The Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law makes available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). Grantees have been advised to amend their plans as soon as possible by adding CDBG-CV allocations as an available resource for the current program year (PY2019). Auburn has been allocated \$334,985. Costs must be related to the current pandemic.

The proposed amendment focuses on three areas of pandemic response:

1. Food security
2. Economic development
3. Public services.

City Budgetary Impacts: None

Staff Recommended Action: Council adopts CDBG-CV amendment to the PY2019 Annual Action Plan

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Coakley".

Attachments: Proposed amendment to the PY2019 Annual Action Plan



City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6600

Proposed Amendment to PY2019 Annual Action Plan

The recently enacted CARES Act provides an additional \$334,985 allocation of CDBG funds to the City of Auburn, the Citizen’s Advisory Committee identified areas of need where CDBG funds could have the greatest impact to residents and small businesses. These funds will be included in the Community Development PY2019 Annual Action Plan as an amendment.

A summary of the programs to be offered is provided below. The Auburn Citizen’s Advisory Committee reviewed the amendment at their April 21 meeting and recommended approval. The Auburn City Council was presented with a summary of the proposed amendment at their April 27th workshop.

Program	Description	Allocation
Food Security	Senior Center Kitchen, PAL Center, Farmer Market vouchers for low/mod.	\$134,985
Public Service	Grants to local public services responding to pandemic	\$50,000
Economic Development	Grants to low/mod microenterprises affected by pandemic-targeted to gaps in PPP	\$100,000
Administration	Salary and benefits of staff performing general admin duties related to CARES Act funds	\$50,000
Total		\$334,985

The Food Security Program is designed to increase Auburn’s capacity to provide food to its most vulnerable residents who have been affected by the COVID-19 pandemic.

The Small Business and Microenterprise Assistance Programs will make forgivable loans available for microenterprise and economic development programs. Businesses may apply on the City’s Economic and Community Development web page. Specific programs are being developed to assist local business.

Public Service Assistance Program will make grants available to nonprofit public service providers that have experienced unexpected costs due to their pandemic response.

The income limits associated with microenterprise assistance and job creation/retention by businesses utilizing the programs are noted below:

2020 Income Limits – Auburn								
AMI by Household Size								
# in household	1	2	3	4	5	6	7	8
80% AMI	\$39,150	\$44,750	\$50,350	\$55,900	\$60,400	\$64,850	\$69,350	\$73,800



City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6600

Summary of Available CDBG-CV Assistance

www.auburnmaine.gov

Food Security Program – The City intends to make \$134,985 of CDBG-CV funds available to increase its capacity to provide food to its most vulnerable residents who have been affected by the COVID-19 pandemic. The Senior Community Center, in coordination with the PAL Center, have been preparing and distributing meals to residents in need during this crisis. The primary limitation of the activity is refrigeration capacity. Recent power outages have also caused food to go to waste. Funds will be designated for increased refrigeration capacity and back-up generator for the Senior Community Center. Remaining funds may be used to provide vouchers for the Farmer's Market to income eligible households.

Small Business and Microenterprise Assistance – The City intends to make \$100,000 of CDBG-CV funds available to provide forgivable loans to Auburn small businesses and microenterprises that have been affected by the COVID-19 pandemic. The programs will provide needed working capital, operating expenses, and equipment costs to Auburn businesses who have experienced income losses or additional expenses due to a widespread emergency. Businesses or microenterprises must create or retain at least one job made available to low- to moderate-income individuals to be eligible. Assistance may not duplicate funds received through other federal, state, or local programs, such as the Payroll Protection Program.

Public Service Assistance Program – The City intends to make \$50,000 of CDBG-CV funds available to provide grants to eligible public service providers who have been affected by the COVID-19 pandemic. The program will assist essential public service providers to cover expenses of pandemic related costs. Eligible costs include but are not limited to purchase of PPE, equipment purchases, payroll of extra staff, etc.

Materials and program guidelines will be posted on the web page as they are developed. Economic and Community Development Department staff are working to develop application materials, underwriting criteria, staffing, and the processes to review and act upon applications expediently, while continuing to meet federal regulatory requirements. Loans and grants are contingent upon the availability of funds.

Administration – The City intends to designate \$50,000 of CDBG-CV funds to cover costs related to administration of CDBG-CV funds. Costs would include salary and benefits of staff performing general admin duties related to CDBG-CV funds, as well as commercial underwriting fees and other external admin costs.

Mayor Levesque called the meeting to order at 7:00 P.M. The meeting was conducted remotely using “Zoom” due to the Covid-19 pandemic. The meeting was also broadcast as usual on Great Falls TV (cable channel 1302) and on the City of Auburn YouTube channel.

Members of the public were allowed to comment during the public comment session of the meeting, by either “attending” the meeting via Zoom or by submitting remarks via email to: comments@auburnmaine.gov.

Mayor Levesque led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items:

1. Order 47-04272020*

Appointing Election Clerks to serve a two-year term from May 1, 2020 through April 30, 2022 pursuant to Title 21-A §503.

2. Order 48-04272020*

Confirming Chief Moen’s appointment of Tyler J. Trainor as a Constable with firearm for the Auburn Police Department.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage of the consent items.

Passage 7-0. A roll call vote was taken.

II. Minutes

April 6, 2020 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Boss to approve the minutes of the April 6, 2020 Regular Council Meeting. Passage 7-0. A roll call vote was taken.

April 16, 2020 Special Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Carrier to approve the minutes of the April 16, 2020 Special Council Meeting.

Passage 7-0. A roll call vote was taken.

III. Communications, Presentations and Recognitions

- Covid-19 Update provided by Phil Crowell and Matt Fifield
- Council Communications:
 - Councilor Gerry – nothing to report

- Councilor Lasagna – stated that she wanted to be sure that we are being thoughtful and ready to hit the road running when we are ready when it comes to boards and committees
- Councilor MacLeod – nothing to report
- Councilor Milks – nothing to report
- Councilor Carrier – nothing to report
- Councilor Walker – commented that he is hoping things will begin opening by May 4th
- Councilor Boss – commented that based on an epidemiology and historical perspective, the second wave is always worse when you lift restrictions.
- Mayor Levesque – appreciates staff actions, thought process, and how staff has taken into account proper protocol and precaution, adding that he is very impressed and thanked staff. He said there is a slow movement already towards a new normal, Hobby Lobby has been deemed essential and re-opened today, more restaurants are opening and forward thinking on proper planning. He noted that the Governor will be holding a press conference tomorrow afternoon. He talked about Community Gardens and whether they should be considered essential, the \$1.25 billion dollar stimulus adding that he will be advocating for additional stimulus funds, he discussed recovery, resurgence, and said he was pleased with the City budget that was presented. He also stated that the desire right now is to have an in person meeting on May 4th, and they are working out the details adding that if anyone is uncomfortable, they do not have to attend in person.

IV. Open Session – No one from the public spoke or submitted comments via email.

V. Unfinished Business - None

VI. New Business

1. Resolve 07-04272020

Supporting the Androscoggin River Water Quality Classification Upgrade from Class C to Class B.

Motion was made by Councilor Walker and seconded by Councilor Carrier for passage.

Passage 7-0. A roll call vote was taken.

VII. Reports

Mayor Levesque – reported that boards and committees have started meeting and would continue to do so as pertinent issues come up.

Councilor Boss – reported on the Auburn Public Library meeting held on 4/21 via zoom, the next meeting would be around the same time next month, most likely via zoom. She also noted that the Court Street study has been extended and the next meeting is scheduled for 5/1/2020 at 10:00 AM via zoom.

Councilor Walker – would like the City Clerk to provide an update on upcoming meetings and reported that things were coming along with the park in New Auburn.

Councilor Carrier – reported that the Airport Board has not met, however they did receive correspondence from the Airport Manager regarding the CARES funding. He also reported that the School Building Committee will be meeting on May 5, 2020 at 6:30 PM via Zoom. On Wednesday, the School Committee will be meeting to discuss the school budget.

Councilor Milks – reported on the Sewer and Water Board Meetings held last week. Appointments were made for the year.

Councilor MacLeod – reported on the Lewiston Auburn Transit Committee meeting that was held last week. He also reported that the School Building Committee will meet on May 5th.

Councilor Lasagna – commented on our small farms and how they are doing, and how they are providing food to the community.

Councilor Gerry – nothing to report.

Manager Crichton – commented on the work being done by staff adding that they are doing a good job stepping up, and he thanked the Council and Mayor for their leadership as they work to move the City forward.

Jill Eastman, Finance Director – March 2020 Monthly Finance Report

Motion was made by Councilor Carrier and seconded by Councilor Walker to accept and place on file the March 2020 Monthly Finance report.

Passage 7-0. A roll call vote was taken.

VIII. Executive Session - None

X. Adjourn – Motion was made by Councilor Lasagna, seconded by Councilor Walker to adjourn, all were in favor. The meeting adjourned at 7:40 PM.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020

Order: 49-05042020

Author: Zachary Lenhert

Subject: Citizen Participation Plan Amendment

Information: The CARES Act has provided CDBG grantees with flexibilities that make it easier to use CDBG-CV grants and fiscal years 2019 and 2020 CDBG Grants for coronavirus response and authorizes HUD to grant waivers and alternative requirements. In order to take advantage of those waivers, Auburn's Citizen Participation Plan requires amendments. The Citizen's Advisory Committee is also recommending other amendments and updates to the plan.

On April 14, 2020, the CAC approved and recommended adoption of amendments to the Citizen Participation Plan including:

- Allows a shortened 5-day public comment period for amendments and plans of PY2019 & 2020.
 - Clarifies "target area" to "predominately low-mod income census blocks".
 - Allows alternate notice process
 - Updates CAC nomination process in accordance with the City of Auburn Board and Committee Appointment Process and sets the number of members to 7.
 - Changes the definition of "substantial amendment" from 10% to 15% of total budget.
-

City Budgetary Impacts: None

Staff Recommended Action: Council adopts proposed amendments to the 2020-2024 Citizen Participation Plan

Previous Meetings and History: April 27, 2020 Council Workshop

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Coakley".

Attachments: Amended 2020-2024 Citizen Participation Plan

CITY OF AUBURN CITIZEN PARTICIPATION PLAN 2020-2024

1. INTRODUCTION

The City of Auburn received an “entitlement” designation for Community Development Block Grant funds in 1974. These funds are used for a number of loan programs to promote housing and economic development. Funds are also used for public facilities and infrastructure, and for social services. In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds.

The Department of Housing and Urban Development (HUD) requires recipients of its grant funds to prepare formal plans as a condition of receiving federal funds. These plans are intended to encourage communities to allocate federal resources to address local needs and market conditions.

In the next few months the City will be developing a Consolidated Plan (ConPlan). The ConPlan is a fact-based analysis of local housing needs that reflects the incidence and severity of housing problems among different segments of the population. The ConPlan articulates priorities for addressing the needs that have been documented and defines strategies and activities linked to these priorities. Community representatives and housing practitioners will have opportunities to help shape the development of priorities and strategies. The process is intended to assist with coordination among relevant agencies in both planning and implementation. The City works closely with Auburn Housing Authority (AHA) on housing matters.

Section 104(a) of the Housing and Community Development Act of 1974 requires that the City of Auburn follow a Citizen Participation Plan. In order to comply with HUD regulations, the Community Development Department has prepared the following plan which outlines the process through which citizens will be informed of and involved in the Community Development Program. The Community Development Program involves funding of both the Community Development Block Grant and HOME Investment Partnerships (HOME) Program.

The Citizen’s Participation Plan is an effort to create a collaborative process whereby citizens assist in developing a vision for community development housing actions. The City Council will consider both public comments and recommendations of the Citizen’s Advisory Committee (CAC) in making decisions to allocate Community Development and HOME resources.

To affirmatively encourage citizen participation, the following plan elements shall be implemented in the execution of the Community Development Program.

2. GOAL

The goal of the Citizen Participation Plan is to provide Auburn citizens with an opportunity to participate in various processes of the Community Development Program. Citizen participation shall be conducted in an open manner with appropriate and timely dissemination of information pertinent to all plans and programs. The emphasis of this Citizen Participation Plan to involve persons who are most likely to be affected by and utilize the Community Development Program, especially persons of low income, persons with special needs, and persons living in ~~target areas~~predominately low-mod income census blocks.

3. OBJECTIVES

The objectives of the Citizen Participation Plan are to:

- Encourage citizen participation with emphasis on participation by persons who are of low income, special needs, and persons who live in or own property in a predominately low-mod income census block.~~target area~~;
- Provide citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of funds;
- Provide technical assistance to groups or representative of persons of low income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Obtain citizen views and answer questions at all stages of the Community Development process including development of needs, review of proposed activities and review of program performance;
- Provide for a timely written answer to complaints and grievances; and
- Provide for meeting the needs of non-English speaking residents and persons with special needs for accessibility or communication assistance at public meetings where a significant number of people are expected to participate.

4. PUBLIC PARTICIPATION

A. ~~NOTICES OF PUBLIC MEETINGS~~ NOTICE OF AVAILABILITY

Public ~~meetings~~comment periods and hearings are held to obtain views of citizens and public agencies with respect to the Community Development Program. ~~Meeting n~~Notices will be published on the City's website, emailed to public agencies, and posted at City Hall, Auburn Senior Community Center, and Auburn Public Library.

At least 30 days before adoption by the City Council, a summary of the proposed Consolidated Plan and Annual Action Plan will be published on the City's web site to give citizens an opportunity to review and comment on the plan. The summary will describe the general contents of the Consolidated Plan. The public notice will indicate the location where copies can be examined or how to find it on the web site. The comment period shall be reduced to 5 days for the PY2019 Annual Action Plan, PY2020 Consolidated and Annual Action Plan, and CDBG-CV funds in accordance with HUD's authority to grant waivers and alternative requirements under the CARES Act.

At least 15 days before submission a public notice will be ~~placed in a local newspaper published on the City's web site~~ announcing the availability of the Consolidated Annual Performance and Evaluation Report (CAPER) to give citizens an opportunity to review and comment on the report. The CAPER provides a review of program progress and performance of the Community Development Block Grant Program.

B. AVAILABILITY OF PUBLIC DOCUMENTS

Documents will be available at the Community Development Department for perusal in an effort to provide readily accessible information to citizens. Historical records will be available for the previous five-year period. Documents that will be available are:

- Residential Anti-displacement;
- Relocation Assistance Plan and Affordable Rent Policy;
- Urban Conditions Study;
- Citizen Participation Plan;
- Community Development Block Grant Regulations;
- Environmental Review Records;
- Consolidated Annual Performance and Evaluation Report;
- Guidelines of various programs funded with Community Development and HOME Investment Partnerships Program funds; and
- Consolidated Plan and Annual Action Plans.

C. CITIZENS ADVISORY COMMITTEE

The purpose of the Citizen's Advisory Committee is to assist in developing the Consolidated Plan and to monitor progress on achieving the goals and objectives of the plan. The committee will be made of up to ~~11-6~~ Auburn residents and 1 City Councilor, total of 7 members. The Committee will meet on a regular basis to track progress in accomplishing the goals of the Consolidated Plan. ~~From the City's website~~ Community Development staff shall solicit members with interests and backgrounds in understanding the needs of low-income persons and special needs populations, human services, affordable housing, real estate development, and program management, who will be representative of the following categories:
~~At least one person of minority race or ethnic background;~~

~~2 representatives of community or faith-based organizations, one of which represents the interests of homeless persons; A City Councilor; and 7 persons from target areas including residents, landlords and small business owners. There will be a minimum of 1 each from the Downtown, Union Street and New Auburn Target Areas.~~

The City Councilor member shall be appointed by the ~~Council~~ Mayor and their term shall coincide with their term in office. The other committee members shall be appointed ~~by the Mayor~~ according to the City of Auburn Board and Committee Appointment Process and their term shall be three years, terms start on July 1st. The CAC membership shall elect a person amongst them to act as liaison with Community Development staff and to serve as spokesperson for the CAC to the City Council. CAC meetings may be held in person or virtually, special accommodations will be made upon request for non-English speaking persons and other conditions or disabilities.

1) CAC Meetings:

a) Consolidated Plan

In year 2019-20, the CAC will be involved in assisting with development of the 5-year Consolidated Plan by considering needs and resources, and prioritizing goals and objectives.

b) Annual Action Plan

In the subsequent four years, the CAC will review the annual Consolidated Annual Action Plan for conformance with the Consolidated Plan.

c) Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each program year, a performance report will be prepared. The CAC will meet after completion of the CAPER to consider progress in meeting the stated goals and objectives of the Consolidated Plan. The CAC will also review program performance, effectiveness, and evaluation.

d) The CAC may determine that other meetings are necessary to promote the goals of the Consolidated Plan. Establishing extra meetings will require a majority vote of the CAC.

2) Consolidated Plan Considerations:

During the study process, the CAC will consider data on housing needs and comments from focus groups to establish priorities. The CAC will consider the needs of extremely low-income, low-income, moderate-income, and middle income families; renters and owners; persons who are elderly, disabled, persons with HIV/AIDS and their families; single persons, large families,

public housing residents, families on the public housing or section 8 tenant-based waiting list, and homeless; consider specific problems such as cost-burden, severe cost-burden, substandard housing and overcrowding.

D. COMMUNITY DEVELOPMENT LOAN COMMITTEE

Review of loans by the Community Development Loan Committee shall be another means of obtaining citizen participation, particularly by persons who are low income and persons who live in ~~predominately low-mod income census blocks, target areas.~~ There shall be ~~nine~~ 7 persons residing in Auburn appointed according to the City of Auburn Board and Committee Appointment Process by the City Council to the Community Development Loan Committee with interests and backgrounds in understanding the needs of low-income persons and special needs populations, affordable housing, real estate development, and real estate finance., two of which are low mod income persons, two who own property in target areas, and two who have a background in real estate finance. Names of persons wishing to serve may be submitted to the City ~~Council~~ Clerk by soliciting involvement from a) clients who have participated in one of the Community Development Programs, b) persons living in federally subsidized housing, or c) persons who live in ~~one of the target areas~~ a predominately low-mod income census block.

E. OTHER PUBLIC PARTICIPATION

Community Development staff shall solicit input from citizens who may be affected by Community Development projects to give them an opportunity to express their views concerning problems, suggestions and alternatives to the proposed projects. A public notice will announce the availability of City documents and may include:

- amount of Community Development Block Grant funding to be received;
- eligible activities;
- general program requirements;
- previous years' use of funds;
- projected use of funds;
- time schedule for submitting the Consolidated Plan;
- amount of funds that will benefit very low, low, and low-moderate income persons; and plans to minimize displacement of persons and to assist persons.

F. CITY WEBSITE AND SOCIAL MEDIA NETWORKING

The City of Auburn's website will provide up-to-date information on the Community Development and HOME Investment Partnerships Programs. Meeting notices, the draft and adopted Consolidated Plan, Annual Action Plans, Consolidated Annual Performance and Evaluation Reports, various adopted guidelines and policies, and the Citizen Participation Plan will be available.

In order to reach a broader more diverse audience, during the 5-year planning process the Community Development Department will also utilize an internet social networking site to provide important information on the Consolidated Plan and funding resources.

G. PUBLIC HEARINGS

Public hearings shall be held by the City Council and shall serve as additional forums for citizens to convey their views on community development and housing needs, and to respond to proposed budget. ~~At least 10 days prior to public hearings, a notice shall be placed in the newspaper announcing the public hearing~~Public Hearings will be announced with the Council Agendas released by the City Clerk. The City Council will consider comments or views of citizens received in writing or orally at the public hearing, Public hearing will be held at Auburn Hall, a location that accommodates persons with disabilities. Public hearing shall be held as follows:

- 1) **Consolidated Plan** - A public hearing will be held prior to adoption of the Consolidated Plan. A draft Consolidated Plan will be available to the public 30 days prior to adoption for public comment. Copies will be available free of charge. The comment period shall be reduced to 5 days for the PY2020 Consolidated Plan in accordance with HUD's authority to grant waivers and alternative requirements under the CARES Act.
- 2) ~~Consolidated~~ **Annual Action Plan** - A public hearing will be held prior to adoption of each ~~Consolidated~~ Annual Action Plan. A draft Annual Action Plan will be available 30 days prior to adoption for public comment. Copies will be available free of charge. The comment period shall be reduced to 5 days for the PY2020 Annual Action Plan, and CDBG-CV funds in accordance with HUD's authority to grant waivers and alternative requirements under the CARES Act.
- 3) **Amendments** - A public hearing will be held prior to adoption of any substantial amendments to the Consolidated Plan and Annual Action Plans. A substantial program amendment description will be available 14 days prior to adoption for public comment. Copies will be available free of charge. The comment period shall be reduced to 5 days for amendments of the PY2019 Annual Action Plan, PY2020 Consolidated and Annual Action Plan, and CDBG-CV funds in accordance with HUD's authority to grant waivers and alternative requirements under the CARES Act.
- 4) **Consolidated Annual Performance and Evaluation Report** - A public hearing will be held prior to submission of the Consolidated Annual Performance and Evaluation Report. The report will be available ~~30-15~~ 14 days prior to submission for public comment. Copies will be available free of charge.

H. CONSIDERATION OF COMMENTS

A summary of comments will be attached to the appropriate document and submitted to the City Council before an action is taken. The City Council shall consider comments of the CAC or others prior to final adoption of the Consolidated Plan, Annual Action Plan, or Consolidated Annual Performance and Evaluation Report.

I. RESPONSE TO PROPOSALS/COMMENTS

A staff member of the Community Development Department will respond to citizen comments or proposals. For every written proposal or comment, there will be a written response with reasons stated for whatever action the City has taken on the proposal. Oral proposals will receive oral responses, though they may be in writing.

5. SPECIAL CONSIDERATIONS

A. ACCOMMODATIONS

Arrangements will be made for non-English-speaking persons and persons with special needs for mobility, hearing and visual impairments, or the homebound. Please contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance.

B. TECHNICAL ASSISTANCE

Staff will provide direct assistance to low-income persons or their representative when forming proposals for Community Development activities. The level and type of assistance will be determined by Community Development staff and may not necessarily include the provision of funds to any person, group, or agency.

Staff will provide direct assistance to low income persons in their effort to progress through the various program processes. For the Rehabilitation Program, assistance will include preparing a loan application, submitting financial information, providing advice for soliciting bids, or upon request securing bids for a property owner, comparing and evaluating bids for conformance to required work, assisting to schedule rehabilitation work, managing the escrow account, performing inspections to ensure quality work, acting as liaison between the contractor and property owner for complaints and resolving a variety of other problems. For the homebuyer programs, assistance will include preparing a loan application, submitting financial information, providing pre-qualification for housing affordability, credit counseling, and guiding the home purchase.

Staff will provide counseling to tenants who are in jeopardy of being displaced because of a federally funded project and provide relocation assistance to those who are being displaced. Tenants will be assisted when required to file relocation claim forms and to secure comparable housing that is decent, safe and sanitary.

Staff will make a credit counseling referral to low-income households to assist them become homeowners.

6. COMPLAINTS AND GRIEVANCES

Citizens who have objections or complaints about the Community Development or HOME Programs may submit a written complaint to:

Community Development Department
City of Auburn
60 Court Street
Auburn, ME 04210
Attention: Community Development Manager

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Manager and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

7. AMENDMENTS TO CONSOLIDATED PLAN

Auburn will amend its Consolidated Plan whenever it makes one of the following decisions

- to change a goal, priority, or activity of the Consolidated Plan;
- to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously covered in the Consolidated Annual Action Plan; or
- to change the purpose, scope, location, or beneficiaries of an activity included in the Consolidated Annual Action Plan.

a) Minor Amendment

A minor amendment will be approved by the City Manager.

b) Substantial Amendment

A substantial amendment must be authorized by the City Council and submitted to the U. S. Department of Housing and Urban Development. A substantial amendment is defined as a change that exceeds ~~10%~~15% of the amount of annual ~~Community Development~~CDBG or HOME Program budget (which includes the annual allocation, reprogrammed funds and program income) for the year in which the amendment is being considered. A public notice of the change will be published 30 days before adoption of an amendment by the City Council. An additional public hearing for a program amendment will be held in advance of a City Council vote. The comment period shall be reduced to 5 days for amendments of the PY2019 Annual Action Plan, PY2020 Consolidated and Annual Action Plan, and CDBG-CV funds in accordance with HUD's authority to grant waivers and alternative requirements under the CARES Act.

Holly C. Lasagna, Ward One
Timothy B. MacLeod, Ward Two
Stephen G. Milks, Ward Three
Brian S. Carrier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
Katherine E. Boss, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 49-05042020

Title: 2020-2024 Citizen Participation Plan

ORDERED, that the City Council hereby adopts the 2020-2024 Citizen Participation Plan as recommended by Community Development staff.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020 **Order:** 50-05042020

Author: Zachary Lenhert

Subject: CDBG Annual Action Plan and Citizen Participation Plan amendments

Information: The Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law makes available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). Grantees have been advised to amend their plans as soon as possible by adding CDBG-CV allocations as an available resource for the current program year (PY2019). Auburn has been allocated \$334,985. Costs must be related to the current pandemic.

The proposed amendment focuses on three areas of pandemic response:

1. Food security
2. Economic development
3. Public services.

City Budgetary Impacts: None

Staff Recommended Action: Council adopts CDBG-CV amendment to the PY2019 Annual Action Plan

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Caudito".

Attachments: Proposed amendment to the PY2019 Annual Action Plan



City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6600

Proposed Amendment to PY2019 Annual Action Plan

The recently enacted CARES Act provides an additional \$334,985 allocation of CDBG funds to the City of Auburn, the Citizen’s Advisory Committee identified areas of need where CDBG funds could have the greatest impact to residents and small businesses. These funds will be included in the Community Development PY2019 Annual Action Plan as an amendment.

A summary of the programs to be offered is provided below. The Auburn Citizen’s Advisory Committee reviewed the amendment at their April 21 meeting and recommended approval. The Auburn City Council was presented with a summary of the proposed amendment at their April 27th workshop.

Program	Description	Allocation
Food Security	Senior Center Kitchen, PAL Center, Farmer Market vouchers for low/mod.	\$134,985
Public Service	Grants to local public services responding to pandemic	\$50,000
Economic Development	Grants to low/mod microenterprises affected by pandemic-targeted to gaps in PPP	\$100,000
Administration	Salary and benefits of staff performing general admin duties related to CARES Act funds	\$50,000
Total		\$334,985

The Food Security Program is designed to increase Auburn’s capacity to provide food to its most vulnerable residents who have been affected by the COVID-19 pandemic.

The Small Business and Microenterprise Assistance Programs will make forgivable loans available for microenterprise and economic development programs. Businesses may apply on the City’s Economic and Community Development web page. Specific programs are being developed to assist local business.

Public Service Assistance Program will make grants available to nonprofit public service providers that have experienced unexpected costs due to their pandemic response.

The income limits associated with microenterprise assistance and job creation/retention by businesses utilizing the programs are noted below:

2020 Income Limits – Auburn								
AMI by Household Size								
# in household	1	2	3	4	5	6	7	8
80% AMI	\$39,150	\$44,750	\$50,350	\$55,900	\$60,400	\$64,850	\$69,350	\$73,800



City of Auburn, Maine

Community Development

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6600

Summary of Available CDBG-CV Assistance

www.auburnmaine.gov

Food Security Program – The City intends to make \$134,985 of CDBG-CV funds available to increase its capacity to provide food to its most vulnerable residents who have been affected by the COVID-19 pandemic. The Senior Community Center, in coordination with the PAL Center, have been preparing and distributing meals to residents in need during this crisis. The primary limitation of the activity is refrigeration capacity. Recent power outages have also caused food to go to waste. Funds will be designated for increased refrigeration capacity and back-up generator for the Senior Community Center. Remaining funds may be used to provide vouchers for the Farmer’s Market to income eligible households.

Small Business and Microenterprise Assistance – The City intends to make \$100,000 of CDBG-CV funds available to provide forgivable loans to Auburn small businesses and microenterprises that have been affected by the COVID-19 pandemic. The programs will provide needed working capital, operating expenses, and equipment costs to Auburn businesses who have experienced income losses or additional expenses due to a widespread emergency. Businesses or microenterprises must create or retain at least one job made available to low- to moderate-income individuals to be eligible. Assistance may not duplicate funds received through other federal, state, or local programs, such as the Payroll Protection Program.

Public Service Assistance Program – The City intends to make \$50,000 of CDBG-CV funds available to provide grants to eligible public service providers who have been affected by the COVID-19 pandemic. The program will assist essential public service providers to cover expenses of pandemic related costs. Eligible costs include but are not limited to purchase of PPE, equipment purchases, payroll of extra staff, etc.

Materials and program guidelines will be posted on the web page as they are developed. Economic and Community Development Department staff are working to develop application materials, underwriting criteria, staffing, and the processes to review and act upon applications expediently, while continuing to meet federal regulatory requirements. Loans and grants are contingent upon the availability of funds.

Administration – The City intends to designate \$50,000 of CDBG-CV funds to cover costs related to administration of CDBG-CV funds. Costs would include salary and benefits of staff performing general admin duties related to CDBG-CV funds, as well as commercial underwriting fees and other external admin costs.

Holly C. Lasagna, Ward One
Timothy B. MacLeod, Ward Two
Stephen G. Milks, Ward Three
Brian S. Carrier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
Katherine E. Boss, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 50-05042020

Title: PY2019 Annual Action Plan Amendment CDBG-CV

ORDERED, that the City Council hereby adopts the proposed amendment to the PY2019 Annual Action Plan as recommended by Community Development staff.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: May 4, 2020

Order: 51-05042020

Author: Sue Clements-Dallaire, City Clerk

Subject: Scheduling the School Budget Validation Referendum Election to be held on July 14, 2020

Information:

Title M.R.S.A. 20-A, Section 2307 requires Municipalities to conduct a School Budget Validation Referendum Election each year. The election is normally held in June to coincide with State Primary and/or Referendum elections. The State Primary Election was originally scheduled for June 9, 2020, however due to the Covid-19 pandemic, that election will now be held on July 14, 2020.

City Budgetary Impacts: There is a cost savings by holding this election on the same date as the State Election.

Staff Recommended Action: Recommend passage of this order.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Coakley".

Attachments: Order 51-05042020

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 51-05042020

ORDERED, that the City Council hereby sets the date for the School Budget Validation Referendum Election to be held on Tuesday, July 14, 2020 to coincide with the State Primary and Referendum Election.



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 4, 2020

Order: 52-05042020

Author: Sue Clements-Dallaire, City Clerk

Subject: School Budget Referendum Ballot – Additional Question

Information: State law provides the language for the School Budget Validation Referendum ballot as noted below.

Title 20-A §1486 (F) states that the article to be voted on must be in the following form:

(1) "Do you favor approving the (name of regional school unit) budget for the upcoming school year that was adopted at the latest (name of regional school unit) budget meeting? Yes or No"

In addition, the School Department has asked that we add a second question which would be a non-binding, advisory question (below):

I find the school budget for the upcoming school year that was adopted by the City Council to be:
TOO HIGH ACCEPTABLE TOO LOW

This question has appeared on the School Budget ballots in the past, not only in Auburn, but many other municipalities have included this question on their ballot.

City Budgetary Impacts: None

Staff Recommended Action: Motion to approve a second non-binding, advisory question to the ballot as requested by the School Department.

Previous Meetings and History: Last approved on 4/22/2019 for the 2019 School Budget Election

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Order 52-05042020

Holly C. Lasagna, Ward One
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Stephen G. Milks, Ward Three
Brian S. Carrier, Ward Four



Leroy G. Walker, Ward Five
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Katherine E. Boss, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 52-05042020

ORDER AUTHORIZING THE CITY CLERK TO ADD A SECOND, NON-BINDING ADVISORY QUESTION TO THE SCHOOL BUDGET VALIDATION REFERENDUM BALLOT

ORDERED, that the City Council hereby authorizes the City Clerk to add a second, non-binding advisory question to the School Budget Validation Referendum ballot as follows:

I find the school budget for the upcoming school year that was adopted by the City Council to be:

- TOO HIGH*
- ACCEPTABLE*
- TOO LOW*



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 4, 2020

Subject: Executive Session

Information: To discuss an economic development matter, pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
 - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
 - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
 - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.
- This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.