



Lake Auburn Watershed Protection Commission

September 14, 2022

Resolution of the Lake Auburn Watershed Protection Commission Regarding:

City of Auburn Proposed Revisions to the Lake Auburn Watershed Zoning Ordinance

The following resolution was adopted on the 14nd day of September, 2022 by the Commissioners of the Lake Auburn Watershed Protection Commission (the "Commission") by a vote of 5 yes, 2 no, 1 abstention at the Commission's regularly scheduled meeting on September 14, 2022:

WHEREAS, in 1993, the Lake Auburn Watershed Protection Commission ("Commission") was formed with the principal purpose to maintain safe and healthful environmental conditions within the Lake Auburn Watershed, to prevent and control water pollution and to protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed, and

WHEREAS, the Commission has the authority to take legal action to enforce the laws and ordinances relative to the watershed and drinking water pollution, to such extent as is required to protect the watershed or waters of Lake Auburn in order to maintain its purity and the exemption from filtration requirements under the surface water treatment rules adopted under the Safe Drinking Water Act; and

WHEREAS, Lake Auburn is the public drinking water supply for water consumers in the City of Auburn and also (pursuant to Chapter 153 of the Laws of 1899) is the public drinking water supply for the City of Lewiston; and

WHEREAS, the United States Environmental Protection Agency, pursuant to the Safe Drinking Water Act, promulgated rules in June of 1989 calling for the filtration of all surface water supplies that cannot meet stringent criteria with respect to purity; and

WHEREAS, the 2010 City of Auburn Comprehensive Plan; Chapter 1(A), provides Goals, Objectives and Strategies with regard to natural resources, with Goal A.1 expressing the public's desire to: "Maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid the need for costly treatment;" and

WHEREAS, the Auburn Water District has adopted a by-law regarding the land located within the Lake Auburn Watershed Overlay District, which provides that, “These zoning and land use policies, and the enforcement of them, are deemed to provide sufficient protection for the water supply from the adverse effects of human activities in the watershed,” which conclusion is premised on the existing development standards, restrictions, and definitions presently applicable to the underlying zoning districts within the Lake Auburn Watershed Overlay District, which existing standards are a critical component of the Commission’s efforts to protect and preserve the water quality of Lake Auburn; and

WHEREAS, the City of Auburn is currently in the process of considering adopting revisions to the septic Ordinance as currently outlined in the Lake Auburn Watershed Zoning Ordinance that was adopted in July 1974; as a result of recommendations made from *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022; and

WHEREAS, the Commission has approved a Scope of Services for Comprehensive Environmental Incorporated (CEI) to evaluate the conclusions drawn from FB Environmental Report and Technical Memorandum as they pertain to development and water quality impacts on Lake Auburn; and

WHEREAS, the CEI report will be completed within a month of notice to proceed; and

WHEREAS, the evaluation of results of CEI conclusions may have an impact on the recommendations of the Commission to the City of Auburn regarding the City of Auburns decision to approve the revised Septic Ordinance

WHEREAS, the City of Auburn may be planning to approve the revised Septic Ordinance in late September/early October, and

WHEREAS, the CEI evaluation and vetting their conclusions may not be completed by late September/early October, and

NOW THEREFORE, the Lake Auburn Watershed Protection Commission hereby RESOLVES that the City of Auburn’s proposed revisions to the existing Lake Auburn Watershed Zoning Ordinances should not be amended until such time as Comprehensive Environmental Incorporated (CEI) has completed a peer review of *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022. The Commission also resolves that time be allowed for proper vetting of the

information supplied. The Commission further Resolves that this Resolution shall be forwarded to the Auburn City Council, the Auburn Water District, and the City of Auburn Planning Board.


Rick Lachapelle
LAWPC Commission Vice Chair

9/15/22
Date