

Lake Auburn Watershed Protection Commission

Regular Meeting Minutes

Wednesday, November 9, 2022

Location: Androscoggin Valley Council of Governments (AVCOG), Auburn, Maine

Time: Meeting began at 3:35 PM

Recording: The meeting was video recorded, a link to the video is on the Commission website.

Commissioners Present: Evan Cyr, Alan Holbrook, Mary Ann Brenchick, Amy Landry, Dan Bilodeau, Glen Holmes and Camille Parrish

Commissioners Absent: Dan Dube, Rick Lachapelle

Others Present: Michael Broadbent Commission Secretary, Erica Kidd Watershed Manager, Carolyn Houtz Education and Outreach Coordinator, Tracy Roy Commission Treasurer

Agenda Item 1: Approve the Minutes of the regular Commission meeting held, 9/14/2022

Vote 1 On a motion by Commissioner Holmes and seconded Commissioner Parrish to approve the minutes as presented.

Passed 7-0

Agenda Item 2: Consent Agenda

Vote 2 On a motion by Commissioner Holmes and seconded by Commissioner Brenchick to accept the Consent Agenda Items.

Passed 7-0

Agenda Item 3: Draft 2023 Budget-*Tracy Roy*

Tracy went over the draft 2023 Commission Budget, there were a couple of items that were either higher or lower than previous years but overall, the budget is fairly flat. Legal fees to the Commission are up, forestry revenue is down and the Commission is planning to purchase a new boat.

Vote 3 On a motion by Commissioner Brenchick and seconded by Commissioner Landry to accept the 2023 budget as presented.

Passed 6-1

Agenda Item 4: Public Comment

Agenda Item 5: Staff Report

Mike Broadbent- Reported that the DOT project on Route 4 is now complete, our work on gates and the site is finished as well. There was one incident that did occur during construction that resulted in a vehicle losing control and going into the wetland on the outlet side of the lake. There was a release of motor oil that AWSD worked to clean-up and remediate. There was also a vehicle that went off Lakeshore Drive and into the lake. Nobody was injured and there was minimal impact because the vehicle did not suffer any damage before entering the water. No remediation or clean-up was required.

Erica Kidd- No additional items at this time.

Agenda Item 6: Old Business

- A. Water quality testing overview-** Erica provided the Commissioners with a water quality overview of the types and frequency of testing staff currently conducts. Included in the overview were maps of sample stations and historical data that is collected. The sampling plan that we used was developed in 2013 but has evolved as necessary over the last 10 years.
- B. LAWPC-held properties and acquisition prioritization-** Erica brought a map of the water shed showing the different properties owned by the Commission. This includes Life estates, conservation easements and properties owned out-right by the Commission. Erica also went over the prioritization list of how-to rate the importance of properties. While this prioritization schedule is used but it is not clear whether or not it was ever adopted. Discussions on how to perpetually protect these properties was had and was suggested as a future agenda item.

Agenda Item 7: New Business

- A. Assign or hire a Clerk-** Commissioner Cyr made a request that the Commission Consider hiring a Clerk. These positions have been absent for several months and has passed the burden of responsibilities on the Commission Presidents. There was discussion on developing the responsibilities of Clerk and what this position should be doing. Commissioner Cyr will work with the Watershed Manager to develop a job responsibility for the position.
- B. CDM Smith final draft of peer review of Gracelawn studies-** Erica gave an over view of the final draft that incorporated the Commissioners comments. CDM developed several suggested boundary lines based off the available groundwater data in this area. To best determine where the watershed boundary should be located additional groundwater testing must be conducted.
Public comment- Steven Beal, was not prepared to comment on this report as he had not yet had time to develop comments. Mr. Beal discussed the initial boundary that

was adopted by the City of Auburn that was later repealed based on a citizen's petition. So, at this time the watershed boundary is back to its original delineation.

Bruce Rioux, Mr. Rioux pointed out that the report states that there is a potential impact on ground water flow depending on what occurs in this area as far as development is concerned. This concerns him as a resident and asked what it would take to determine what types of development could change groundwater flow.

Commissioner comments- Commissioner Cyr asked AWD Trustee representative, Dan Bilodeau, what has AWD adopted at this time? Commissioner Cyr reported that since the City removed 148 acres from the watershed that the City later repealed that decision and has put the watershed boundary back to its original location. Commissioner Bilodeau reported that AWD had adopted the first revised Watershed boundary, but that it had not yet repealed that decision or re-instated the original boundary as the bi-law amendment process is on hold pending litigation. Commissioner Bilodeau then reported that the district had adopted a policy to adopt whatever watershed boundary suggestions the City presents.

Vote 4 **On a motion by Commissioner Holmes and seconded by Commissioner Landry to support adoption of the CDM Smith recommended conservative boundary contingent on feedback conformation from the Maine Drinking Water Program that the conservative boundary would not have a negative impact on the filtration waivers for Lewiston and Auburn.**

Passed 7-0

Mike was instructed to contact AWD and LWD to seek a review by the DWP on the individual waivers from filtration.

C. CEI draft peer review of FB Environmental Study- Erica gave a brake down on the scope of the CEI study and a break down on the draft report which was presented in three separate documents. CEI agreed with several recommendations made by FB Environmental; The lake is at a tipping point and there is no economical or environmental buildout of the watershed. They found that the buildout analyses ignore any buildout in the ag zone. CEI also gave several alternative recommendations to both the watershed boundary change and the septic or revisions proposed by the City.

Public Comment- Steven Beal reported on the actions that have already taken place on the planning board level in regards to the revised septic standards. Bruce Rioux, read that CEI agreed with Fb Environmental on the statement that there is no net environment, economic or social benefit supporting development in the watershed. Bruce feels that it is the job of the watershed commission to support and up-hold this. Ryan Smith, had a clarifying question on the availability of maps showing where the buildable lots are that will be affected by the

proposed changes. He asked for more information on the CEI recommendations and who these improvements will benefit.

Discussions, Commissioners and staff agreed that the report was clunky the way that it was presented in three parts. Questions on clarification on CEI's 36" of separation. Questions on if CEI had a recommendation for a zone change that would restrict development rather than using the septic ordinance. The Commissioners would like to schedule a presentation of the report with CEI and would like to know when the report can be finalized.

Commissioners Holmes and Bilodeau had to leave at 5:30pm

D. Adoption of modified Robert's Rules- Evan and Rick sent to the Commissioners a revised set of Roberts rules to be adopted by the Commission. They request feed back on those from the other Commissioners. The Commission needs to define the roles of officers along with adoption of rules of order.

There was consensus to hold a December 7, 2022 meeting for a presentation and discussion with CEI. Erica will set this up and report back to the Commissioners on the schedule.

Vote 5 On a motion by Commissioner Brenchick and seconded by Commissioner Holbrook to adjourn the meeting

Passed 5-0

A true record, attest;



Michael Broadbent
LAWPC Secretary