

Brownfields Assessment Program

Request for Qualifications (RFQ) for Qualified Environmental Professional (QEP)

October 7, 2025

1.0 Introduction

GPCOG recently received a \$500,000 EPA Brownfields Assessment grant. These funds will support a full range of public outreach and assessment activities associated with the redevelopment of sites. These resources are aligned to support the following priorities in our region:

- Redevelopment that supports the economic viability of the Portland Peninsula, Westbrook Downtown, Sebago Lake Region, and the entirety of Cumberland County.
- Remove barriers to redevelopment of commercial properties.
- There is opportunity to convert Brownfield sites to affordable housing and more resilient mixed-use structures to address the challenges of homelessness and housing insecurity.
- Brownfields sites that advance the goals of the region's Comprehensive Economic Development Strategy.

GPCOG is seeking one or more firms to serve as our Qualified Environmental Professional (QEP) for the Brownfields program. Our QEP will serve as our Brownfields partner to ensure that assessments are conducted in accordance with State and Federal regulations. Although we anticipate selecting one or more firms, there is no minimum guarantee of work.

2.0 Submission

Submissions must be made by email **ONLY**. Submissions will **NOT** be accepted in hand, by mail, or by fax. Candidates must submit one (1) electronic copy, as a single .pdf file emailed to ediesl@gpcog.org with the subject line "{Your QEP Name} Brownfields-QEP Services." Responses must be submitted by 5:00 PM on Friday, October 31, 2025.

3.0 Timeline

The following timeline is approximate and subject to revision:

RFQ released: October 7, 2025
Questions submitted: October 16, 2025
Responses Due: October 31, 2025
Interviews with finalists: November 4, 2025
Selection: November 7, 2025

4.0 Scope of Work for Qualified Environmental Professional (QEP)

Selected firms will perform one or more of the following tasks per project site in compliance with applicable terms and conditions of the funding source(s) being used. It is our intent to use the same QEP to perform all required work at each site.

Public Outreach

1. **Community Outreach:** QEP will discuss the benefits of the Brownfields program at up to two Brownfields 101 workshops per year that are organized by GPCOG staff.
2. **Marketing:** QEP will be available to meet one-on-one with property owners, developers, and municipal officials to communicate the benefits and risks of participation, including a general site walk.
3. **Federal Requirements:** Assist with community engagement and public comment as needed.

Assessment Activities

4. **Phase I:** Pending MaineDEP and EPA approval as well as execution of a site access agreement, QEP will conduct a Phase I environmental assessment in accordance with ASTM International standard E1527-21. Draft reports will be reviewed for comment by GPCOG, EPA, and the Maine Department of Environmental Protection (MEDEP), and the

property owner before the Consultant prepares a final submission with copies for each party.

5. **Phase II:** To implement Phase II, QEP will perform the following tasks:

- Prepare Scope of Work with cost estimate for GPCOG review and approval
- Prepare a Site Specific Quality Assurance Project Plan (SSQAPP) to include proposed sampling and analysis strategy for review and approval by GPCOG, Brownfields Team, MEDEP, and EPA
- Obtain required permits for work at the site
- Fulfill Section 106 review
- Obtain Dig Safe Clearance
- Obtain services of necessary subcontractors
- Conduct necessary environmental assessment and sampling procedures appropriate for a site in accordance with ASTM guidance
- Submit draft reports for review and comment by GPCOG, EPA, MEDEP, and the property owner
- Prepare final reports with copies for GPCOG, EPA, MEDEP, and the property owner
- Preparation of an Analysis of Brownfields Cleanup Alternatives (ABCA).
- Help to secure site access agreements

6. **Communications:** QEP will be available as needed to communicate Phase I and Phase II results with property owners, developers, and municipal officials.

Planning

7. **Reuse Planning:** Although not in the scope of work, for the highest priority sites, there may be opportunity for the QEP to facilitate a reuse planning process at the site, neighborhood, or corridor level to include community engagement, design, and engineering services.
8. **Remediation Planning:** Although not in the scope of work, for the highest priority sites, there may be opportunity for the QEP to develop a plan for remediation consistent with the Voluntary Response Action Program (VRAP) and/or an Analysis of Brownfields Cleanup Alternatives (ABCA).

Reporting

9. The QEP will prepare the work package of each assessment site for the EPA's Assessment, Cleanup and Redevelopment Exchange System (ACRES) database, and update as necessary.

5.0 Deliverables

Depending on the program, QEP will deliver the following reports to GPCOG in both digital and hard copy format, as applicable:

- Site Eligibility Determination Forms associated with Phase I, Phase II, and sites
- Phase I Environmental Assessment Report
- Site Specific Quality Assurance Project Plan
- Phase II Environmental Assessment Report
- Laboratory data associated with Phase II's in Electronic Data Deliverable (EDD) format to the MEDEP
- Spatial data to be recorded in CAD or ArcGIS and provided to GPCOG and MEDEP
- PowerPoint presentations associated with 1, 2, and 6
- ACRES profile for each Brownfields site assigned to QEP

6.0 GPCOG Scope of Work

Founded in 1969, GPCOG is a not for profit, public agency established, owned, and governed by member communities who join on a voluntary basis. Located in the historic City of Portland, GPCOG boasts a distinguished history of service to 25 municipalities in Maine's most populated and diverse region, stretching from Casco Bay in the east to Sebago Lake in the west.

As a federally designated Economic Development District (EDD) and Metropolitan Planning Organization (MPO), GPCOG's budget is funded through a combination of member dues, service fees, and state and federal grants. Through its professional staff of 35, GPCOG offers a range of programs and services in the following areas: Transportation and Land Use Planning, Economic and Community Development, GIS/Mapping, Cooperative Purchasing, Revolving Loan Fund for businesses, Regional Corridor Planning, and Energy Planning as Maine's only Department of Energy Clean Cities Program.

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GPCOG will administer and manage the Brownfields Assessment Program, including the following tasks:

- Maintaining an inventory of potential redevelopment sites in Cumberland County
- Coordinating public outreach for the program
- Organizing initial meetings and site walks for potential Brownfields sites
- Identifying and selecting Brownfields assessment sites
- Financial underwriting, closing, and servicing of cleanup grants and loans
- EPA quarterly reporting

7.0 QEP Selection

GPCOG will select one or more QEP's based on the following criteria:

- Responsiveness to the RFQ
- Experience and qualifications to perform all services outlined
- Knowledge of the GPCOG service area and experience with Brownfields sites
- Ability to communicate findings to the public
- Ability to work effectively and coordinate activities with GPCOG and other interested parties
- Solid working relationships with State and Federal partners
- References
- Cost competitiveness

The evaluation of qualifications shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation.

8.0 Responses

Responses to this RFQ should contain the following elements.

Qualifications

- Summary statement of the firm's qualifications and capabilities, including nature, size, locations, and areas of expertise
- Technical approach to Brownfields assessment and cleanup projects

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- Three sample work products, such as an ABCA or reuse plan
- Principal staff person(s) who will be committed to this project and their professional qualifications, including oversight of cleanup at Brownfields sites
- Description of relevant individual and firm experience, including prior work in the GPCOG service area. Please provide three project examples with references
- Proof of Insurance

Costs and Fees

The cost proposal must clearly contain the following elements:

- Names and hourly rates for key staff members expected to work on the contract
- Overhead rate and fee
- Rate sheet for subcontractors, along with markup
- Breakout of Enrollment, Marketing, and Tasks outlined in Section 5.0 on a per project basis

9.0 Terms and Conditions

Preparation of a response to this RFQ is at the sole expense of the bidder. GPCOG reserves the right to reject any and all responses. Upon selection, GPCOG will execute a contract with selected QEP(s), subject to, but not limited to, the following terms and conditions:

Payment: Payment for services will be made on a reimbursement basis subject to the following limits:

- **Public Outreach:** Tasks 1 and 2 will be reimbursed on an hourly basis
- **Assessment:** Tasks 3, 4, 5, and 6 will be paid on a per project basis, subject to negotiation
- **Insurance:** QEP must maintain adequate insurance coverage, including general liability, professional liability, and workers compensation, in an amount not less than \$1,000,000

Ownership of Work: All rights, titles to and ownership of the data, material, and documentation resulting from the contract will remain with GPCOG, its member towns, property owners, and/or EPA.

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Conflict of Interest: QEP must disclose potential conflicts of interest associated with sites that might be assigned to them prior to the award of work. In no instance may the QEP represent both the developer and GPCOG on the same project at the same time. In addition, QEPs may not serve as the developer's consultant on any project subject to a GPCOG cleanup award for which the QEP also served as the assessment consultant.

State and Federal Laws: QEP's and their subcontractors must comply with any and all applicable laws, statutes, ordinances, rules, regulations, and/or requirements of federal, state, and local governments and agencies thereof, which relate to or in any manner affect the performance of this agreement.

Terms and Conditions: QEP's will adhere to the terms and conditions in EPA's Cooperative Agreements with GPCOG.

10.0 Questions

All questions regarding this RFP should be submitted in writing to Erica Diesl by Thursday, October 16, 2025.

Erica Diesl, Community Development Project Manager
Greater Portland Council of Governments
970 Baxter Boulevard, Second Floor
Portland, ME 04103

Tel: (207) 303-8276
Email: ediesl@gpcog.org

Brownfields Assessment Program

Question Answers from the RFQ for Qualified Environmental Professional (QEP)
October 21, 2025

The following questions were submitted during the question timeframe.

1. **Can GPCOG please provide the Brownfields Assessment Grant Application that was submitted to EPA?**

The Brownfields Assessment Grant Application is at the end of this document.

2. **Can GPCOG please provide weight or points for the selection criteria listed in Section 7?**

There are a total of **70 possible points**. GPCOG will select one or more QEP's based on the following criteria:

- Responsiveness to the RFQ **(1-10)**
- Experience and qualifications to perform all services outlined **(1-10)**
- Knowledge of the GPCOG service area and experience with Brownfields sites **(1-10)**
- Ability to communicate findings to the public **(1-10)**
- Ability to work effectively and coordinate activities with GPCOG and other interested parties **(1-10)**
- Solid working relationships with State and Federal partners **(1-10)**
- References **(1-5)**
- Cost competitiveness **(1-5)**

3. **Per Section 8, the cost proposal must clearly contain the "Breakout of Enrollment, Marketing, and Tasks outlined in Section 5.0 on a per project basis." Can GPCOG please confirm that the cost proposal should include typical costs per project for each item in the bullet list provided in Section 5.0 to satisfy this portion of the request?**

Confirmed. A typical cost per project is acceptable.



1. Applicant Identification:

Greater Portland Council of Governments
970 Baxter Boulevard, Suite 201
Portland, ME 04013

2. Website URL: <https://www.gpcog.org>

3. Funding Requested:

- a. Assessment Grant Type:** Community-wide
- b. Federal Funds Requested:** \$500,000.00

4. Location: In Cumberland County, Maine, GPCOG serves the cities of Portland, South Portland, and Westbrook, and 23 towns including Bridgton, Cape Elizabeth, Casco, Chebeague Island, Cumberland, Durham, Falmouth, Freeport, Frye Island, Gorham, Gray, Harrison, Long Island, Naples, New Gloucester, North Yarmouth, Pownal, Raymond, Scarborough, Sebago, Standish, Windham, and Yarmouth.

5. Target Area and Priority Site Information:

Target Area 1: Portland Peninsula (Census tracts 23005000100, 23005000200, 23005000300, 23005000500, 23005000600, 23005001000, 23005001100, 23005001200, 23005001300)

Priority Sites #1-4: Street addresses confidential. Priority sites are located in Census Tracts 23005000300, 23005000500, and 23005000600 in Portland, Maine 04101 and 04102

Target Area 2: Westbrook Downtown/Riverwalk (Census tracts 23005002700, 23005002600, 23005002800, and 23005002900)

Priority Site #1: Westbrook Riverwalk (Tax Map 32 Lots 72, 105A, 108, 223; Tax Map 39 Lot 31, Westbrook, Maine)

Priority Site #2: Sappi Paper Mill Campus, 300 Warren Avenue, Westbrook, ME 04072

6. Contacts:

a. Project Director:

Paul Johnson, Senior Economic Development Manager
Greater Portland Council of Governments
970 Baxter Boulevard, Suite 201
Portland, ME 04103
Phone: (207) 749-4888
Fax: (207) 774-7149
pjohnson@gpcog.org

b. Chief Executive:

Kristina Egan, Executive Director
Greater Portland Council of Governments
970 Baxter Boulevard, Suite 201
Portland, ME 04103
Phone: (207)774-9891 x214
Fax: (207)774-7149
kegan@gpcog.org

7. **Population:** Total population of the GPCOG region is 335,092 (2020 Decennial Census). Population of the target area communities are as follows:
- City of Portland: 69,104
 - City of Westbrook: 20,564

8. **Other Factors:**

Other Factors	Page #
Community population is 15,000 or less.	No
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	No
The priority brownfield site(s) is impacted by mine-scarred land.	No
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1, 2
The priority site(s) is in a federally designated flood plain.	1, 2, 3
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	No
The reuse of the priority site(s) will incorporate energy efficiency measures	No
The proposed project will improve local climate adaptation/mitigation capacity and resilience to protect residents and community investments.	3
At least 30% or more of the overall project budget will be spent on eligible reuse/areawide planning activities, as described in Section I.B., for priority site(s) within the target area(s).	No
The target area(s) is impacted by a coal-fired power plant that has recently closed (2014 or later) or is closing.	No

9. **Letter from the State or Tribal Environmental Authority:** A letter from the Maine Department of Environmental Protection acknowledging that GPCOG plans to conduct

assessment activities and is planning to apply for FY2025 federal brownfields grant funds is attached.

10. Releasing Copies of Applications: not applicable.



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

September 6, 2024

Greater Portland Council of Governments
Attn: Paul Johnson
970 Baxter Blvd.
Portland, ME 04103

Dear Paul Johnson:

The Maine Department of Environmental Protection (Department) acknowledges that the Greater Portland Council of Governments (GPCOG) plans to conduct assessments of brownfields sites and is applying for a FY25 Environmental Protection Agency (EPA) Brownfields Assessment Grant.

Paul Johnson of GPCOG has developed an application requesting federal Brownfields Site Assessment Grant funding to assess Brownfields sites in GPCOG's service area.

If GPCOG receives funding, the Department will assign project management staff to conduct eligibility determinations and provide review and comment on all assessments, workplans, quality assurance plans, and health and safety plans. For sites where cleanup is pursued, the Department's Voluntary Response Action Program (VRAP) staff will provide review and comment on investigation reports and remedial workplans, and will provide oversight, as necessary, of their contractor's work at the properties. Upon successful completion of remedial activities at a property, the VRAP will provide protections from Department enforcement actions by issuing a Commissioner's Certificate of Completion.

Please feel free to call me directly at (207) 215-8597 should you have any questions regarding this letter.

Sincerely,

Christopher Redmond
Department Brownfields Coordinator
Voluntary Response Action Program Manager
Bureau of Remediation and Waste Management, Division of Remediation
Maine Department of Environmental Protection

cc: Dorrie Parr, EPA Brownfields Region 1

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

GPCOG Brownfield Assessment Grant Narrative

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields:

i. Overview of Brownfield Challenges and Description of Target Area:

The Greater Portland Council of Governments (GPCOG) serves 24 communities in Cumberland County, Maine and the town of Durham, in Androscoggin County. These 25 municipalities comprise 335,092 people – nearly one-quarter of Maine’s total population (2020 Decennial Census). Historically, Greater Portland served as a trade gateway and a center for shipbuilding and manufacturing. Six rail lines once hauled lumber, grain, meat, milk, and forest products from rural areas. On the waterfront lobster, cod, haddock, and other fish from nearby waters were processed at facilities perched atop the city’s wharves and piers. During World War II, Portland served as a home base for the North Atlantic fleet, supporting the war in Europe, while 30,000 civilians built Liberty Ships, locomotives, and railcars. These heavy industrial uses required rail and fossil fuel infrastructure, which has left behind a legacy of vacant contaminated commercial and industrial sites. There are at least 100 brownfields currently identified in the region. There is opportunity to convert these brownfield sites to affordable housing and more resilient mixed-use structures, but with building costs up 22% in the last 5 years (Turner Building Cost Index, 2024 Q1 Forecast), and costs projected to continue escalating at a higher-than-average rate (CBRE Construction Cost Index, 8/16/2023), the expense of assessing and remediating brownfield sites is cost-prohibitive to communities without funding assistance. And yet, **the need to assess, clean-up, and redevelop these sites is urgent.**

Recently, the State of Maine released a [Housing Production Needs Study](#) indicating the GPCOG region will need 24,000 new homes by 2030 to meet community and workforce demands for housing. Development pressure is directing new development of these homes to the outskirts of the region (Gray population increased 14% vs 3% for Portland) due to affordability concerns in Portland that are exacerbated by unknowns associated with brownfields sites (available developable lots). Additionally, the number of people who are housing-insecure or homeless in the region has increased dramatically in the last eight years (data indicates that homelessness in Portland has increased by over 65% from 2015 to 2023). The creation of new affordable housing and mixed-use developments in the urban core is essential to addressing homelessness, housing insecurity, and sustainability challenges. Brownfields assessment and redevelopment is an opportunity to directly address these challenges in particular the target areas of the Portland Peninsula and the City of Westbrook by removing the environmental unknowns that have prohibited redevelopment in these areas.

TARGET AREA #1: The Portland Peninsula: The State’s remediation site list recognizes 30 known open remediation sites and over 50 identified brownfield sites on the Portland Peninsula with at least 8 awaiting assessment, the result of historical industrial uses as well as ash and demolition debris left behind by the Great Fire of 1866, which destroyed 1,800 buildings. Debris from the fire was used to backfill the southern section of the Back Cove, expanding neighborhoods on the northern side of the peninsula. Thus, urban fill in this area contains harmful contaminants (metals, petroleum, and hazardous related compounds) mixed with demolition debris, asphalt, and ash. Low lying areas on the northern and southern sides of the peninsula are in flood zones adjacent to bodies of water and this area of Portland is frequently flooded during coastal storms and high tides.

TARGET AREA #2: The City of Westbrook: The State’s remediation site list recognizes 7 known open remediation sites and 15 identified brownfield sites in Westbrook. For years, people primarily associated Westbrook with the dank smell of paper production, but with the gradual conversion of the Sappi Paper Mill from paper production to new uses, the City has been working to revitalize the community. Downtown Westbrook includes the downtown business district, mill yard, and adjacent residential neighborhoods along a stretch of the Presumpscot River. The area has been developed since the early 1700’s with various mills and manufacturing and has experienced fires and flooding that contributed to the spread of contamination and debris.

ii. Description of the Priority Brownfields Sites:

Priority Site ID	Census Tract CEJST Class	Size	Description: Environmental Concerns, Reason for Priority
Target Area #1: Portland Peninsula			
Number of Sites: Maine's Remediation Site list identifies 30 known open remediation sites on the Portland Peninsula; 8 are Brownfield sites awaiting assessment/cleanup resources.			
Environmental Concerns: 100+ year history of industrial use, including rail, commercial shipping, manufacturing, lumberyards, and city fleet operations. This area was also impacted by the Great Fire of 1866. Nearby assessments have found high concentrations of arsenic, lead, other metals coal, cinders, ash, demolition debris, petroleum, hazardous substances and related compounds.			
Priority Site #1: Bayside	23005000600 Disadvantaged	.7 acres	Known brownfield site, 25,000 sqft blighted/vacant building. REASON FOR PRIORITY: Planned mixed-use development with 100+ units of housing and office space.
Priority Site #2: Bayside	23005000600 Disadvantaged	.34 acres	Known brownfield site located on backfilled land. Infill development of 4-5 stories would require steel pilings. REASON FOR PRIORITY: 50 affordable housing units.
Priority Site #3: Downtown	23005000300 Disadvantaged	.56 acres	Historic building (100,000 sqft vacant office space) and parking lot. Urban fill, fire debris, lead paint, asbestos. REASON FOR PRIORITY: 38 units of affordable housing and rehab/renovation of historic property.
Priority Site #4: East Bayside	23005000500 Disadvantaged	3.3 acres	Known brownfield sites, flood zone. Currently three low-to-moderate income housing buildings in disrepair (totaling 13,000 sqft) and parking lots. REASON FOR PRIORITY: Master redevelopment plan would double housing units and include 1 st floor mixed uses while remediating vacant land.
Target Area #2: West Westbrook			
Number of Sites: Maine's Remediation Site list identifies 7 known open remediation sites in Westbrook; 3 are Brownfield sites awaiting assessment resources.			
Environmental Concerns: History of industrial uses along the Presumpscot River. Assessments of river-adjacent properties have revealed PCB levels exceeding hazardous waste regulations. Arsenic, lead, and benzo(a)pyrene exceeding thresholds have also been found in this area.			
Priority Site #1: River Walk West	23005002902 Not Disadvantaged	~1.5 acre	Three (3) downtown city parking lots along the Presumpscot River. Nearby assessments indicate high levels of contamination, requiring remediation. REASON FOR PRIORITY: City issuing RFPs for housing, mixed-use development, and extension of a river walk as part of revitalization plans.
Priority Site #2: Mill Parcel	23005002600 Not Disadvantaged	~3 acres	Known brownfield sites in/around Sappi Paper Mill campus. Underutilized parking lots, vacant land, and abandoned buildings. REASON FOR PRIORITY: City downtown revitalization work in collaboration with Sappi has potential for housing and mixed-use development, and the creation of greenspace.

iii. Identifying Additional Sites: GPCOG has assembled a Brownfield Advisory Group (BAG) which will continue as part of this grant to help identify and prioritize Brownfield sites in the region and provide guidance in areas such as future land use, housing and community development, public health and safety, and environmental justice. Members include representatives from municipalities, financial institutions, housing authorities, public health agencies, educational institutions, chambers of commerce, nonprofits, and other community-based organizations (CBOs). All meetings of the Group will be noticed and open to the public. With administrative support

from GPCOG, the group will update its Prioritized Regional Brownfield Site Inventory. The group will prioritize the list by scoring sites on criteria including likelihood of contamination; potential for housing or mixed-use development; proximity to sensitive locations; consistency with climate change adaptation/resiliency goals; and location in an underserved and/or CEJST disadvantaged community. The resulting prioritized site inventory will be used to identify additional sites should grant funds remain after addressing the target areas/priority sites described in 1.a.ii., above.

b. Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans: In Portland, the City's Comprehensive Plan [*Portland's Plan 2030*](#) (2017) calls for increased housing and mixed-use development along transit corridors and near transit hubs, with a focus on reinforcing the city center on the peninsula. In recent years, the City relocated its fleet services off-peninsula, freeing up large lots downtown for housing and economic development. With a severe housing shortage, the redevelopment of these brownfield sites has become increasingly urgent. The reuse of the four priority sites will create housing and mixed-use development in line with the Comprehensive Plan's goals of creating complete, walkable neighborhoods. Further, as 3 of the 4 priority sites are in flood zones, they will be developed in conjunction with resiliency strategies to reduce impacts of flooding in the area. This is consistent with the stated goal of encouraging "housing that is resilient in the face of climate change, severe weather events, and storm surges, especially in vulnerable low-lying areas." One of the four priority projects will preserve a historic property, consistent with the City's goal of encouraging "rehabilitation of existing historic buildings and materials."

The [*City of Westbrook 2012 Comprehensive Plan*](#) outlines a vision for the city's downtown business district, mill yard, and adjacent residential neighborhoods to enhance the sense of community and contribution to the city's recreational, education, and economic visibility. Mini parks connected by sidewalks, improved streetscapes, and the city's Riverwalk will make the area more walkable and support increased residential density. Both priority sites identified are consistent with this vision, helping to boost residential density downtown and create jobs while improving the pedestrian experience and maximizing public use of public spaces.

ii. Outcomes and Benefits of Reuse Strategy: Reuse of sites in the target areas will remove blighted properties and create affordable housing and mixed-use development in complete neighborhoods that can be navigated via multimodal transportation. This will enhance the sense of community and connection, attract further investment, promote entrepreneurship, create good-paying jobs, and reduce poverty and unemployment in the region. It will also make living and working closer to home more viable and attractive to residents and newly arrived young professionals, a demographic highly sought after and very much needed in a rapidly aging state. Bringing more people into the urban city centers also helps prevent sprawl and preserve open space while improving health and equity throughout the region by reducing congestion and air pollution, increasing physical activity, and improving access to essential services. Our Brownfields Program will also align with the region's strategic focus on recovery and resilience, which is supported by directing housing, transit, and broadband investments into areas capable of supporting equitable new growth, as well as Portland's "High Water Mark Initiative" to bring future developments into climate resiliency by 2050. Site selection into the Brownfields program includes compliance with these above initiatives as a threshold criterion for participation.

c. Strategy for Leveraging Resources; i. Resources Needed for Site Reuse:

The four Portland Peninsula priority sites are under development by entities experienced at pulling together capital stacks including private investment dollars, financing, municipal funding, and other governmental sources, grants, and loans. The two Westbrook sites are under development in collaboration with the City, who will work with developers to secure capital stacks. Portland and Westbrook both utilize Tax Increment Financing (TIF) funds and TIF districts to incentivize affordable housing development. They can enter into Credit Enhancing Agreements (CEAs) with affordable housing developers whereby a portion of future tax revenue is returned to the developer, decreasing expenses. CEAs also help affordable housing developers to access state funds, as projects with CEAs score higher on the Maine State Housing Authority's funding application. At least one priority site will be able to use historic preservation credits, and 5 of the projects will be eligible for Low Income Housing Tax Credits. These funding sources combine to make the projects possible, but many of these sources are only

available for construction activities – not predevelopment costs such as assessing and remediating sites to prepare them for development. This is why the brownfields assessment funds are essential: they catalyze development, stimulating additional funds to support further assessment, remediation, and construction. Local affordable housing developer AVESTA explains that assessment funding for a 40-unit affordable housing project helps leverage \$5M to \$15M in private investment. Finally, GPCOG was awarded \$3.9 million in supplemental Brownfields revolving loan funds in 2022. At present, 95% of the funds are available to assist projects that receive assessment funds with remediation, and approximately \$175K are available in our closed RLF to assist in assessment/cleanup, helping them get to the finish line.

ii. Use of Existing Infrastructure: The target areas in Westbrook and Portland are already developed. As a result, cleanup and redevelopment of these sites will reuse existing infrastructure instead of building additional roads, sewers, water, natural gas, telecommunications, and internet. Both target areas have direct connections to existing road infrastructure as well as air and rail service. GPCOG has been working with regional transit providers to make the system easier to use and viable for more riders. High speed internet availability and plans to further strengthen broadband capability make the target areas attractive for residents, high tech and other businesses.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need; i. The Community's Need for the Funding:

Portland and Westbrook are central to the region's urban core – ideal locations for expanded housing and mixed-use development. Unfortunately, both municipalities are struggling to maintain core constituent services while keeping property taxes affordable for low-income residents, particularly those who are older and on fixed incomes. Because the state of Maine does not allow municipalities to impose local option taxes, property taxes are the primary revenue source for providing services such as police, fire, EMS, trash and recycling, and plowing as well as operating and maintaining facilities and programs including public schools, parks, emergency shelters, and general assistance. Portland spends more on General Assistance (GA) than any other city or town in the state and, as the state's largest service center community, has the largest numbers of people experiencing homelessness due to high housing costs (over 90th percentile per CEJST) and low-income populations (over 75th percentile per CEJST). Westbrook is also struggling to maintain core services with limited revenues, and a disadvantaged population (66th percentile low income per CEJST). To accommodate rising labor rates and new hires – particularly in the public school system – Westbrook's FY24 budget increased property taxes by 8.8%, an amount that more than one city councilor acknowledged would create hardship for its disadvantaged populations. Together, the cities have over 30 known brownfield sites at the assessment stage awaiting resources, and not enough funding to address them. As the regional planning agency, GPCOG helps its member communities to address the region's key challenges, but GPCOG receives limited member dues (only \$2 per capita) and must rely on funding from other sources to execute its mission. As a result, GPCOG has no budget to conduct environmental assessments and no mechanism to generate additional revenue. The region does not have adequate resources to assess Brownfields without support from GPCOG's program, which is currently on hold due to lack of assessment funding.

ii. Threats to Sensitive Populations: (1) **Health or Welfare of Sensitive Populations:** The Portland target area contains four tracts of CEJST disadvantaged communities including >90th percentile people of color and >80th percentile low income in Portland and over 65th percentile in Westbrook. The abundance of Brownfields sites within the target areas has perpetuated a cycle of low wages and poverty, contributing to food insecurity and disinvestment in safe and affordable housing. In a 2015 Workforce Housing Demand study GPCOG found that, of the new housing constructed from 2010-2014, just 29% was affordable to families earning the median income. This has dropped to 17% in 2021 (2022 Housing Choice Progress Report) as demand for market rate units increased substantially. Housing prices have continued to rise as demand outpaces supply. GPCOG communities are focusing on increasing housing supply with a goal of adding over 8,000 affordable units in next five years. Brownfields create opportunities for affordable housing. Without Brownfields funding, the region will struggle to achieve this affordable housing goal.

The poverty and minority rates in the target areas are also significantly higher than State and national rates. According to EPA EJScreen data, there are high concentrations of air, water, waste, and toxics sites in the target areas. By contrast, North Deering, Portland's wealthiest neighborhood, which is 99% white, contains none. This

data shows the disproportionate impact of Brownfields on our sensitive low-income and immigrant citizens (i.e., New Mainers) and bears out the concerns expressed in Objective 6.1 of the FY 2022-2026 EPA Strategic Plan, that “fenceline communities, often with environmental justice concerns, bear a disproportionate risk of exposure” to toxins. Brownfields funds will help identify, characterize, and lead to the remediation of property that exposes these populations to environmental health risks. This will improve health outcomes for the sensitive populations mentioned above and provide safe, clean neighborhoods where all residents can thrive. This will clear the way for beneficial redevelopment to help accomplish Goal 6 of the EPA's Strategic Plan: Safeguard and Revitalize Communities.

(2) Greater than Normal Incidence of Disease and Adverse Health Conditions: Industry and decades of building activity have left behind a legacy of contamination in air, soil and water. Cancer is the leading cause of death in Cumberland County. According to EPA’s EJScreen tool, areas in or near the target areas are at significantly higher cancer risk, ranging from the 70th to 100th percentile compared to the state. Both Portland and Westbrook Target areas have areas with high incidences of asthma and lead paint. The presence of Brownfields can exacerbate adverse health effects in children (especially lead poisoning) as well as increased air pollutants in unsafe housing (lead/mold) is known to increase risk of asthma. Brownfields funds will help identify and lead to the removal of these toxic substances in the target area that contribute to increased cancer risk, asthma and adverse impacts from lead paint.

Specific information from EJ Screen for priority Sites:

Portland Peninsula Priority Sites 1, 2, 3 & 4 are located in an area that ranks above the 75th percentile for numerous Environmental Burdens compared to both state and national levels, including: Nitrogen Dioxide (95th percentile state/76th percentile national), Diesel Particulate Matter (99th/83rd); Traffic Proximity (98th/79th), Lead Paint (88th/85th), RMP Facility Proximity (96th/87th), Hazardous Waste Proximity (98th/80th), and Drinking Water Non-Compliance (85th/89th). As a result of these environmental burdens, populations in proximity to these sites have a stronger prevalence of asthma than both state and national averages (69th percentile state/90th percentile national) and an elevated number of persons with disabilities (59th/75th). There is also a higher prevalence of households with limited English proficiency (95th/77th), and of low income households (67th/62nd).

Westbrook Priority Sites 1 & 2 are above state and national averages for multiple Environmental Burdens, including: Traffic Proximity (93rd percentile state/67th percental national), Lead Paint (73rd/72nd), Superfund Proximity (87th/64th), RMP Facility Proximity (87th/72nd), Hazardous Waste Proximity (94th/83rd), Underground Storage Tanks (85th/59th), and Drinking Water Non-Compliance (85th/89th). Socioeconomic Indicators for this area indicate a higher prevalence of households with limited English proficiency (85th percentile state/61st percentile national), and Health Indicators show elevated numbers of people with Low Life Expectancy (57th percentile state/55th percentile national) and Asthma (57th/87th). Compared to national averages, the area also has higher levels of Heart Disease (62nd percentile) and Cancer (58th percentile).

(3) Environmental Justice: (a) Identification of Environmental Justice Issues: The health of communities of color is disproportionately impacted by environmental issues. According to EPA’s EJScreen, neighborhoods in and adjacent to the target areas range from the 60th to 100th percentile in population of people of color for Maine and over 65th percentile for low income, meaning they are disproportionately affected by environmental factors in these areas. Often built on soils containing debris and ash, housing options in the Portland priority areas expose residents, many of whom are immigrants or refugees, to the highest average soil concentration of lead in the City, more than four times the EPA standard. Lead inhibits learning in young children, who may ingest soil, dust or paint chips; EPA’s EJScreen EJ Index Lead Paint Indicator shows the target areas range from the 73rd to 85th percentile for Maine. Brownfields funds will help identify and lead to the removal of lead, reducing exposure, and reducing adverse impacts on children. In target area #1, the Portland Peninsula, all four priority sites are in disadvantaged census tracts per CEJST. And in target area #2, Westbrook, although the two priority sites are not in disadvantaged census tracts, they abut a disadvantaged census tract (23005002700).

(b) Advancing Environmental Justice: The priority sites in both target areas have all been identified for projects that will add affordable housing. New affordable housing units, established in urban areas where car ownership

is not required, will help ensure that low- and middle-income individuals and families will be able to live in these urban areas where they can access essential services such as education, medicine, and healthy food without the burden of greater transportation costs incurred when they are forced to move to outlying areas. Four priority sites are located in a disadvantaged census tract per CEJST, making it highly likely that residents in that disadvantaged census tract will benefit from the reuse strategies – through the removal of hazardous toxins from the environment and the creation of new affordable housing options in the community. Remediating and redeveloping brownfield sites that impede private investment will mitigate health risks for populations disproportionately impacted, attract new commercial and residential development, and create more jobs. This will attract younger workers while improving access to good jobs for existing residents. While new businesses and younger workers move in, GPCOG will remain vigilant of the risks of unintended displacement. Current community members and local businesses that currently operate in these areas will be included and meaningfully engaged in every step of the process, ensuring that any redevelopment directly benefits them first and foremost. Together, partners and stakeholders will consider and implement anti-displacement strategies.

b. Community Engagement

i. Project Involvement and ii. Project Roles: GPCOG recognizes the importance of partnerships and collaboration throughout the Brownfields Process. We will involve the community throughout every aspect of this project from assessment to cleanup/redevelopment. The Brownfields Advisory Group (BAG) representing municipalities, financial institutions, housing authorities, public health agencies, education, business, nonprofits, CBOs will provide guidance and support to GPCOG’s Brownfields Assessment and RLF Programs. The following project partners will be on the BAG and have an important role in the decision-making process of the Brownfields Program.

Organization/ Group	Entity’s Mission	Point of Contact (name, email & phone)	Specific involvement in the project or assistance provided
Maine Immigrant Welcome Center (CBO)	Serves as a hub of collaboration that strengthens the immigrant community through language acquisition, economic integration and civic engagement.	Stella Hernandez 207-517-3401 stella@welcomeimmigrant.org Business Hub Director	Consult on equitable use of target sites as well as help identify appropriate partners for redevelopment.
AVESTA Housing (CBO)	To improve lives and strengthen communities by providing and promoting affordable housing for people in need.	Nate Howes 207-232-1021 nhowes@avestahousing.org	Contact for redevelopment sites; outreach to businesses, residents, property owners, developers; attend meetings
Portland Housing Authority (CBO)	Provide affordable housing and services that improve quality of life, build community, and promote personal success	Brian Frost 207-221-8001 bfrost@porthouse.org	Help identify sites for redevelopment; do outreach to businesses; residents, property owners, developers; and attend meetings
Greater Portland Chamber of Commerce	To support the success of its members and the Greater Portland Region's prosperity	Quincy Hentzel 207-233-9151 qhentzel@portlandregion.com	Contact for redevelopment sites, outreach to businesses, residents, property owners, developers; attend community meetings
Westbrook Economic Development Department	To improve the quality of life and standard of living for its citizens	Daniel Stevenson 207-591-8101 dstevenson@westbrook.me.us	Help identify sites for redevelopment; do outreach to businesses; residents, property owners, developers; and attend meetings
Portland Housing &	To cultivate a healthy and vibrant economic climate,	Nancy Martin (207) 756-8019	Help identify sites for redevelopment; do outreach to businesses; residents,

Economic Development Department	including the working waterfront, as well as fostering housing development opportunities	nmartin@portland-maine.gov	property owners, developers; and attend meetings
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iii. Incorporating Community Input: In addition to establishing the Brownfields Advisory Group (BAG), GPCOG will host and attend public meetings and produce fliers and technical guides in English and other languages. Contact information will be displayed prominently on all notices, presentations, reports, and web sites, and a community feedback form will be placed on the GPCOG Brownfields website. Meetings will be held in convenient locations for the affected communities, accessible by public transit, and at a time when working residents can attend. Input from the community will be solicited directly at each public meeting, and used to help focus assessment, remediation planning, and redevelopment efforts. All comments and feedback received from the community will be formally responded to by program staff, and carefully considered as part of the decision-making process. The results of the community input process will be shared with attendees, the BAG, and the public at large, demonstrating alignment with local values and priorities. GPCOG will keep stakeholders updated on the Brownfields Program through a combination of press releases, website postings, fliers, e-newsletters, and social media.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Description of Tasks/Activities and Outputs

Task 1 - Cooperative Agreement Oversight
i. Project Implementation - EPA-funded activities: Procuring the services of a Qualified Environmental Professional (QEP) in accordance with federal and state procurement requirements, including 2 CFR 200, 1500, and 40 CFR 33, quarterly EPA reporting in ACRES, MBE/WBE reporting, funding drawdown, 2 staff attending one Brownfields conference - Non-EPA grant resources: N/A
ii. Anticipated Project Schedule: QEP Hired Fall 2025; Quarterly Reporting: Fall 2025 through Fall 2029 (ongoing)
iii. Task/Activity Lead: Paul Johnson and Joshua Kochis (GPCOG) with QEP assistance
iv. Outputs: Request for Qualifications; QEP Contract, ACRES/Quarterly Reports; MBE/WBE Reports, Attendance at Brownfield Conference
Task 2 – Outreach, Engagement, Inventory, and Site Selection
i. Project Implementation - EPA-funded activities: Establishing a Brownfield Advisory Group (BAG); quarterly BAG meetings; development of comprehensive site inventory list (see 1.a.iii. for full description of BAG and method for identifying additional sites); public meetings. - Non-EPA grant resources: In-kind time of BAG members, in-kind meeting space
ii. Anticipated Project Schedule: Fall 2025 through Fall 2029 (ongoing)
iii. Task/Activity Lead: Paul Johnson & Emmy Ham (GPCOG) with QEP assistance
iv. Outputs: Site inventory including database and maps; meeting materials and minutes from quarterly BAG meetings and at least four (4) additional community meetings; marketing materials; website and social media content.
Task 3 – Phase I and II Environmental Site Assessments
i. Project Implementation - EPA-funded activities: Phase I ESAs for priority sites, all completed in accordance with ASTM 1527-21/EPA’s “All Appropriate Inquiry” (AAI) rule. Also, QAPPs and Phase II ESAs for priority sites in accordance with ASTM 1903-19/MDEP regulations. - Non-EPA grant resources: N/A
ii. Anticipated Project Schedule: Spring 2026 through Fall 2029
iii. Task/Activity Lead: QEP w/ support from Paul Johnson (GPCOG)

iv. Outputs: EPA eligibility documents, MDEP petroleum eligibility determinations, five (5) Phase I ESAs, six (6) QAPPS and six (6) Phase II ESAs
Task 4 – Remediation & Reuse Planning
i. Project Implementation
- EPA-funded activities: Analysis of Brownfields Cleanup Alternatives (ABCAs) and Reuse Plans for priority sites; ABCAs conducted in accordance with MDEP and EPA guidelines. - Non-EPA grant resources: N/A
ii. Anticipated Project Schedule: Fall/winter 2026 through Fall 2029, (ongoing)
iii. Task/Activity Lead: QEP with support from Paul Johnson (GPCOG)
iv. Outputs: Target of 6 ABCAs and 6 Reuse Plans

b. Cost Estimates

Budget Categories		Project Tasks (\$)				Total
		Cooperative Agreement Oversight	Outreach, Inventory, Selection	Phase I & II Assessments	Remediation & Reuse Planning	
Direct Costs	Personnel	\$ 31,650	\$ 30,050	\$ 1700	\$ 2450	\$ 65,850
	Fringe Benefits	6,400	6,100	350	500	13,350
	Travel	6,000	1,800	0	0	7,800
	Supplies	500	2,000	500	250	3,250
	Contractual	19,500	20,000	277,500	51,000	368,000
Total Direct Costs		\$ 64,050	\$ 59,950	\$ 280,050	\$ 54,200	\$ 458,250
Total Ind. Costs		20,050	19,050	1,100	1,550	41,750
TOTAL BUDGET		\$ 84,100	\$ 79,000	\$ 281,150	\$ 55,750	\$ 500,000

Cost Explanations with Costs Per Unit as appropriate (and Rounded to nearest \$50)

TASK 1: Cooperative Agreement Oversight:

- *Personnel*: 4 employees - 610 total hours at an average rate of \$51.85/hour = \$31,650
- *Fringe Benefits*: \$31,630 @ 20.3% = \$6,400
- *Travel*: 1,800 miles at \$0.67/mile (\$1,206) + conference costs (airfare, hotel, meals – pricing based on previous year's expenses and current airfare/hotel rates) for 2 staff (\$4,794) = \$6000
- *Supplies*: copies, postage (pricing based previous experience) = \$500
- *Contractual*: QEP 130 hours at going rate of \$150/hour = \$19,500
- *Indirect Expense*: @ 52.75% of personnel and fringe benefits = \$20,050

TASK 2: Outreach, Engagement, Inventory and Site Selection:

- *Personnel*: 5 employees - 660 total hours at an average rate of \$45.58/hour = \$30,050
- *Fringe Benefits*: \$30,080 @ 20.3% = \$6,100
- *Travel*: 2,700 miles at \$0.67/mi = \$1,800
- *Supplies*: copies, postage, advertising (based on past experience) = \$2,000
- *Contractual*: QEP 133 hours at going rate of \$150/hour = \$20,000
- *Indirect Expense*: @ 52.75% of personnel and fringe benefits = \$19,050

TASK 3: Phase I & II Environmental Site Assessments:

- *Personnel*: 1 employee - 35 hours at \$49/hour = \$1,700
- *Fringe Benefits*: \$1,715 @ 20.3% = \$350
- *Supplies*: copies, postage (based on past experience) = \$500
- *Contractual*: QEP expenses for five (5) Phase I ESA @ going rate of \$7,500 each and six (6) Phase II ESA at going rate of \$40,000 = \$277,500
- *Indirect Expense*: @ 52.75% of personnel and fringe benefits = \$1,100

TASK 4: Remediation and Reuse Planning:

- *Personnel:* 1 employee - 50 hours at \$49/hour = \$2,450
- *Fringe Benefits:* \$2,450 @ 20.3% = \$500
- *Supplies:* copies, postage, noticing (based on past experience) = \$250
- *Contractual:* QEP expenses for six (6) reuse plans at going rate of \$8,500 each = \$51,000
- *Indirect Expense:* @ 52.75% of personnel and fringe benefits = \$1,550

c. Plan to Measure and Evaluate Environmental Progress and Results

All program outputs and outcomes will be documented and communicated to the EPA as part of GPCOG's quarterly progress reports and ACRES information updates, and to the region at large through GPCOG's project task obligations. As part of our EPA Work Plan, GPCOG will develop a detailed project timeline that will incorporate all task expectations, project outputs, and staffing considerations to guide project progress. This timeline will be shared with the EPA and QEP and reviewed during BAG meetings to aid in communicating the project vision and tracking results. Through our tracking system, GPCOG will confirm that our progress and results are consistent with our EPA Work Plan.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

i. Organizational Capacity and ii. Organizational Structure: GPCOG has the knowledge, experience, and capacity to implement and manage the FY25 Brownfields Assessment Grant successfully. GPCOG's total budget for FY24 is \$5,223,772; approximately 83% is grants and state and federal contracts that are consistently and successfully managed. GPCOG is the federally designated Metropolitan Planning Organization for the greater Portland area, managing over \$20,000,000 in federal funds annually in this role. GPCOG has received federal funding through the EPA, Federal Transit Administration, Federal Highway Administration, HUD, EDA, Department of Energy, Department of Transportation, and USDA, and has not had any adverse audit findings. As planning needs in the region have become more sophisticated, GPCOG has responded by raising the level of technical skills required of its staff and adding expertise as needed. Management of the program, its finances and compliance are the responsibility of two members of the senior management team, reporting directly to the Executive Director. Senior management team members report to the Executive Director weekly and convene weekly to address agency management and strategy.

iii. Description of Key Staff:

Kristina Egan, Executive Director, will provide strategic direction for GPCOG's program. She was previously the Director of the Massachusetts Smart Growth Alliance, successfully securing \$30 million to clean up properties for redevelopment. Kristina has an MA in international relations and international economics from Johns Hopkins and a BA in history from Wesleyan.

Paul Johnson, Economic Development Director, has over 21 years experience and is a key part of the expanded economic development team at GPCOG. Paul actively engages GPCOG's contacts – municipal staff, elected officials, and local developers – to promote the brownfields program. He has managed GPCOG's current Brownfields RLF since 2022 and will be the project manager for this Assessment grant.

Joshua Kochis, CPA, Finance Director, will continue maintain financial records, process invoices and payments, manage vendor contracts and grant agreements and provide general administrative oversight. Josh has over 12 years of local government auditing and accounting experience. He received a BS in Accounting from the Univ. of Maine and is a ME Certified Public Accountant.

Emmy Ham, Community Engagement Manager & Civil Rights, manages GPCOG's community outreach and engagement efforts. Emily works with project teams across the organization to implement best practices of engagement with members of the public, community groups and organizations.

iv. Acquiring Additional Resources: Upon receipt of the grant, GPCOG will solicit proposals for and hire QEPs. This process will be conducted in accordance with GPCOG's procurement policies utilizing a competitive bid process consistent with Uniform Guidance 2 CFR §200.317 through §200.326, and 2 CFR §1500. GPCOG considers MBE/WBE status during the RFP evaluation process in accordance with EPA requirements at 40 CFR §33.

RFPs will be advertised locally and on our website to ensure equitable local competition. GPCOG also encourages our QEP and Brownfields developers to utilize local contractors during assessment, cleanup, and redevelopment.

b. Past Performance and Accomplishments; i. Currently Has or Previously Received an EPA Brownfields Grant: (1) Accomplishments: GPCOG has received Brownfields Area-wide Planning, Assessment, and Revolving Loan Fund grants since 2009. These funds were used to identify community needs, assess 47 high priority sites across the region, leveraging more than \$35.6M in direct cleanup and redevelopment, and an estimated \$100M in additional redevelopment. ACRES has been continuously updated through each grant and accurately reflects GPCOG's accomplishments. The FY25 GPCOG Brownfields Program will continue to identify brownfield sites, assess the extent and degree of contamination, and conduct remediation and reuse planning.

(2) Compliance with Grant Requirements:

FY 2016 Hazardous Substances/Petroleum Brownfields Assessment Grant (BF00A00234) – Grant Period: 10/1/2016-9/30/2019. *Funds Expenditure:* \$0 grant funds remaining at end of grant period. *Compliance with Grant Requirements:* GPCOG complied with all quarterly reporting, MBE/WBE disclosures, financial status reports, ACRES updates, and progress monitoring. *Compliance with Work Plan:* 8 Phase I ESAs and 12 Phase II ESAs were completed. \$35.6M in leveraged funds has been generated to date.

FY 2018 Brownfields Hazardous Substances/Petroleum Brownfields Assessment Grant (BF00A00467) – Grant Period: 10/1/2018-9/30/2021. *Funds Expenditure:* \$0 grant funds remaining at end of grant period. *Compliance with Grant Requirements:* GPCOG complied with all quarterly reporting, MBE/WBE disclosures, financial status reports, ACRES updates, and progress monitoring. *Compliance with Work Plan:* 1 Phase I ESA and 13 Phase II ESAs were completed. \$5.6M in leveraged funds has been generated to date.

FY 2023 Brownfields Revolving Loan Fund Grant (4B-00A00907-0) – Grant Period: 7/1/2022-9/30/2027. *Funds Expenditure:* 5% of funds are committed in loans; 26% have been granted as subawards. *Compliance with Grant Requirements:* GPCOG has complied with all quarterly reporting, MBE/WBE disclosures, financial status reports, and progress monitoring.

GPCOG Brownfields Assessment Threshold Criteria FY25

1. APPLICANT ELIGIBILITY

- a. The Greater Portland Council of Governments (GPCOG) is an IRS 501(c)(1) council of governments established pursuant to state law. It serves as a regional planning commission, federally designated economic development district (EDA) and metropolitan planning organization (FHWA/FTA), and quasi-municipal multipurpose agency. As such, GPCOG is an entity eligible to apply for this EPA Brownfields Assessments grant. GPCOG was formed in 1969 pursuant to Maine statute. Copies of GPCOG's Articles of Incorporation, bylaws, and the relevant state statute are included as documentation of our eligibility. GPCOG cannot lobby the federal government.
- b. GPCOG is not exempt from Federal taxation under section 501c(4) of the Internal Revenue Code

2. COMMUNITY INVOLVEMENT

GPCOG utilizes a multifaceted approach to ensure a broad cross-section of residents are engaged in the inventory, assessment, and redevelopment planning process. GPCOG will host informational workshops, meet with municipal boards, attend/host public meetings, and produce fliers and technical guides in English and other languages for the neighborhood or community they are intended to reach. Meetings will be held in convenient locations to the affected communities, accessible by public transit, and at a time when they can be attended by working residents. We will utilize a hybrid meeting approach allowing in person and online attendance as appropriate to provide greater flexibility for attendees and attract a wider audience. Further, GPCOG will also schedule and hold one-on-one or small conversations with stakeholders as needed.

GPCOG will provide stakeholders with updates on the Brownfields Program through a combination of press releases, website postings, placement of fliers at area establishments, e-newsletters, and social media. All meetings of the Brownfields Advisory Group which comprises representatives from municipalities, financial institutions, housing authorities, public health agencies, educational institutions, chambers of commerce, nonprofits, and CBOs, will be noticed and open to the public. In addition, a dedicated Brownfields page on the GPCOG website highlights educational resources, engagement opportunities, and ongoing work.

Input from the community will be solicited directly at each public meeting. In addition, contact information will be displayed prominently on all notices, presentations, reports, and web sites to invite community input. A community feedback form also will be placed on the GPCOG Brownfields website that can serve to directly provide input by the community. All comments and feedback received from the community will be formally responded to by program staff.

3. EXPENDITURE OF EXISTING GRANT FUNDS

GPCOG does not have an open EPA Brownfields Assessment Grant or Multipurpose Grant.

4. CONTRACTORS AND NAMED SUBRECIPIENTS

GPCOG has included no named procurement contractors, consultants, or subrecipients in this application and hereby acknowledges its obligation to comply with applicable procurement

GPCOG Brownfields Assessment Threshold Criteria FY25

requirements in 2 CFR part 200 and Appendix A of EPA's Subaward Policy after any cooperative agreement is awarded.

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5375
State of Maine

Title 13, Chapter 81

Certificate of Organization of a Corporation, under Chapter Fifty-four
of the Revised Statutes, and Amendments thereto.

The undersigned, officers of a corporation duly organized at 192 Middle Street
city Portland State of Maine, on the 15th day of
April A.D. 1969, hereby certify as follows:

The name of said corporation is The Council of Governments of the Greater Portland Region

The purposes of said corporation are _____

1. The Council of Governments of the Greater Portland Region is a voluntary organization of local governments whose purpose is to foster cooperative effort in considering problems, articulating policies and developing plans that involve more than one community. This organization desires to:
 - A. Serve as a mutual forum to identify, discuss, study, and bring into focus regional challenges and opportunities.
 - B. Provide organizational machinery to enable effective communication and coordination among governments and agencies.
 - C. Serve as a vehicle for the collection and exchange of information.
 - D. Maintain liaison with members, governmental units, and groups or organizations concerned with regional issues and opportunities.
 - E. Act as spokesman where membership directs that role.
2. To carry out the above purposes, the Council
 - A. May acquire funds and property and receive services by subscription, assessment, gift and grant from the Federal or State governments, or from any instrumentality of the same, from the governments of the Greater Portland Region, and from any private corporation, association or individual.
 - B. May hold, manage, invest, and reinvest the same and disburse the same for the above stated purposes and for any purpose connected with the promotion of good municipal government, the betterment of the public and the promotion of social welfare and may own, hold, buy, sell, lease, pledge, mortgage and acquire all kind of property, real and personal, necessary or incidental to carrying on any of the above purposes.
3. In carrying out the above purposes, the Council shall act as an instrumentality of the local governments which are or become members thereof and shall exercise its powers only in accordance with the By-Laws adopted by its members.

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Said corporation is located in the city of Portland County of Cumberland State of Maine.

The number of officers is four and their names are as follows:

President Dorothy I. Merrill

Vice-President Greta M. Brown

Secretary or Clerk Sidney W. Thaxter

Treasurer Esther L. Googins

Directors or Trustees Dorothy I. Merrill, Greta M. Brown, Nathelene F. Walker,

Wilma M. Peterson, Clara P. Devine, Jacquelin T. Libby and Elizabeth F. Pond

Witness our hands this 15th day of April A.D. 19 69

Dorothy I. Merrill President

Esther L. Googins Treasurer

Dorothy I. Merrill
Greta M. Brown
Nathelene F. Walker
Wilma M. Peterson
Clara P. Devine
Jacquelin T. Libby
Elizabeth F. Pond

Directors

--or--

Trustees

680

STATE OF MAINE

Cumberland

ss.

April 15 A.D. 1969

Then personally appeared the within named Dorothy I. Merrill, Greta M. Brown,
Nathelene F. Walker, Wilma M. Peterson, Clara P. Devine, Jacquelan T. Libby and
Elizabeth F. Pond and Esther L. Googins

and severally made oath to the foregoing certificate by them signed, that the same is true.

Before me,

Sidney W. Taylor
Justice of the Peace

STATE OF MAINE

ATTORNEY GENERAL'S OFFICE April 17, A.D. 1969

I hereby certify that I have examined the foregoing certificate, and the same is properly drawn and
signed, and is conformable to the constitution and laws of the State.

Robert L. Lewis
ASSISTANT ATTORNEY GENERAL

APR 18 1969

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 1 H. 54 M. and recorded in

BOOK 3081 PAGE 678 *Sidney W. Taylor* Register

A TRUE COPY OF RECORD

Attest, *Sidney W. Taylor*

SECRETARY

BYLAWS
OF THE
GREATER PORTLAND
COUNCIL OF GOVERNMENTS

May, 2020

BYLAWS
of the Greater Portland Council of Governments

ARTICLE I

NAME

The name of this organization shall be the GREATER PORTLAND COUNCIL OF GOVERNMENTS (also known as GPCOG). Its principal place of business shall be 970 Baxter Boulevard, Portland, Maine 04103.

ARTICLE II

AREA SERVED

The area served by GPCOG shall be that geographic area within the designated regional planning and development district, known as the Greater Portland Council of Governments region, established by State statute.

ARTICLE III

PURPOSE

The purpose of this organization shall be to strengthen local self government while combining total resources for meeting regional challenges beyond individual capacities in accordance with the laws of the State of Maine. The organization shall:

1. serve as a mutual forum to identify, discuss, study and bring into focus regional challenges and opportunities and serve as a liaison with members, governmental units, and groups or organizations;
2. provide an organizational structure for the collection and exchange of information to enable effective communication and coordination among governments and agencies;
3. exercise such powers as are exercised or capable of exercise separately or jointly by its member governments and are necessary or desirable for dealing with problems of regional and local concern.

ARTICLE IV

MEMBERSHIP

Section 1. Eligibility for Membership.

Full membership will be open to the County of Cumberland and to any municipality within the Greater Portland Council of Governments region.

Associate membership shall be open to school districts and quasi-governmental agencies and associations and non-profit organizations supportive of and compatible with the Council's purpose upon application and approval by a majority vote of the Executive Committee.

Section 2. Dues Assessment.

Dues will be proposed annually by the Executive Committee and approved by the General Assembly.

Section 3. Membership Application/Withdrawal.

Application for membership or withdrawal from the GPCOG shall be made by formal resolution adopted by the governing body requesting consideration. The General Assembly may vote to suspend any member for failure to pay its annual dues assessment of the GPCOG.

ARTICLE V

GENERAL ASSEMBLY

Section 1. Duties and Functions.

The General Assembly is the policy making body of the GPCOG and shall include representatives of all GPCOG member municipalities and Cumberland County. Its duties and functions include:

1. election of officers and representatives to the Executive Committee;
2. adoption of the annual GPCOG budget and the dues assessment for all full members;
3. adoption and amendment of GPCOG Bylaws;
4. Establishment of policy guidelines for the Executive Committee and policy changes necessary to accommodate changes in the GPCOG region.

Section 2. Representatives.

Member municipalities with less than 10,000 population, as determined by the last Decennial Census, shall have two (2) representatives. Municipalities with populations greater than 10,000, as determined by the last Decennial Census, shall have an additional representative for each

10,000 increment in population. At least one (1) representative for each municipality shall be a municipal officer. The other representative(s) shall be either a municipal officer or a designee elected by a majority vote of the municipal officers. "Municipal officer" is defined as the selectmen or members of the town council for a town, or the mayor and city councilors of a city. Member counties shall have no more than two (2) representatives, at least one of which must be an elected commissioner. Each associate member shall be entitled to one (1) non-voting representative.

Section 3. Alternate Representatives.

The member's governing body shall appoint an alternate representative who may vote only in the official representative's absence.

Section 4. Meetings of the General Assembly.

- a. **Annual Meetings.** The General Assembly shall meet at least annually prior to June 25th at a time and place determined by the President and with fifteen days notice to each representative.
- b. **Special Meetings.** Special meetings may be called by the President, by a majority vote of the Executive Committee, or by request of 25 percent of the official representatives. Notice of a special meeting shall be mailed at least 15 days prior to the date of the meeting and addressed to the head elected official and representatives of each member of the GPCOG.

Section 5. Power to vote.

Each official representative shall be entitled to one (1) vote.

Section 6. Quorum.

Twenty-five percent of the official representatives shall be present to constitute a quorum.

ARTICLE VI

EXECUTIVE COMMITTEE

Section 1. Duties and Functions.

The Executive Committee is the policy implementing body of the GPCOG. Its duties and functions include, but are not limited to, the authority to:

1. act on behalf of the General Assembly in the conduct of business of the GPCOG;

2. appoint, fix the salary of, and remove the Executive Director taking into consideration evaluations made by the Portland Area Comprehensive Transportation System (PACTS) Policy Committee, which must include input from PACTS Policy Committee member municipalities which are not members of GPCOG, as set out in Article VIII, Section 6;
3. propose an annual budget and annual dues assessment to the General Assembly;
4. approve regional policies, studies and plans where required;
5. receive, hold and disburse funds and enter into necessary contracts for the GPCOG; provide for an annual audit;
6. render advice and technical assistance at the request of members in accordance with GPCOG policies;
7. set fees for services and seek and accept contributions and grants;
8. exercise such municipal powers as may be delegated to GPCOG by any of its members;
9. create and dissolve standing and temporary committees, and special task forces;
10. create and dissolve special funds and periodically review the operations budget, investments and financial matters;
11. propose to the General Assembly, as provided for in Article VII, Section I, nine (9) to eleven (11) representatives to serve as the Executive Committee, three (3) of whom shall be the Officers.

Section 2. Representatives.

Each member of the Executive Committee shall be a representative of a member municipality or County of Cumberland to the General Assembly. The Executive Committee shall include a mix of elected municipal officers and senior municipal staff, the majority of which shall be elected municipal officers and shall reflect a geographic balance and diversity of the GPCOG membership.

Composition of the Executive Committee shall fairly represent a balance between Committee members representing municipalities that are members of the PACTS Policy Committee and municipalities which are not members of the PACTS Policy Committee.

Section 3. Meetings of the Executive Committee.

The Executive Committee shall meet a minimum of eight (8) times per year or at the call of the President, at the direction of the General Assembly, or upon request of one-third of the members of the Committee. The Executive Director shall give notice of the business

to be conducted and the time and place of the meetings to each member of the Committee at least seven (7) days prior to the meeting.

Section 4. Power to vote.

Each official representative or their alternate shall be entitled to one (1) vote.

Section 5. Quorum.

A majority of the Executive Committee representatives shall be present to constitute a quorum.

ARTICLE VII

OFFICERS AND STAFF

Section 1. Election of Officers.

The elected officers of the GPCOG shall consist of a President, a First Vice President and a Second Vice President/Treasurer. All officers shall be the designated municipal representative to the Executive Committee from their municipality.

A Nominating Committee comprised of a minimum of three (3) representatives of the General Assembly will be appointed by the President to recommend at the annual meeting of the General Assembly a slate of officers and members of the Executive Committee that reflects a geographic balance of the GPCOG membership. Further nominations from the floor may be made at the annual meeting; however, consent to serve shall be obtained from all nominees before nominations are made.

All officers will be elected at the annual meeting of the GPCOG General Assembly and will serve for a term of one (1) year or until their successors are elected. No individual shall hold the office of President of GPCOG for more than two (2) consecutive years. A majority vote of General Assembly quorum will elect.

The Executive Committee may fill vacancies in offices occurring between annual elections if it determines that such action is necessary and convenient to GPCOG.

Section 2. Duties.

The President will preside over the General Assembly, and Executive Committee during his or her term of office, propose to the Executive Committee for approval appointments to committees and task forces needed to effectively conduct the business of the GPCOG, work with the Executive Director of the GPCOG to facilitate smooth agency operation, and coordinate the annual evaluation of the Executive Director.

The First Vice President will preside over meetings in the absence of the President, and will assist the President in carrying out his or her responsibilities during the term of office.

The Second Vice President/Treasurer will preside over meetings in the absence of the President and the First Vice President in carrying out his or her responsibilities during the term of office.

All officers shall have, in addition to the duties enumerated here, such additional duties as are commonly incidental to their respective offices, and such duties as the General Assembly and Executive Committee shall, from time to time, designate in accordance with these Bylaws.

Section 3. Staff.

The staff of the GPCOG will include an Executive Director, who will staff and be responsible to the Executive Committee, and other administrative and technical staff as recommended by the Executive Committee and approved by the General Assembly. Staff will serve in the capacity of Clerk of the Corporation. The Clerk shall see that a complete record of the corporation's activities is properly kept and maintained, and that the annual report of these activities is prepared for the General Assembly and distributed annually to each member government and associate member. The Finance Director shall see that complete financial records are properly kept and maintained, and that a financial report is prepared for the General Assembly and distributed annually to each member government and associate member. Staff members will have no voting powers in GPCOG affairs.

ARTICLE VIII

Portland Area Comprehensive Transportation System (PACTS) Policy Committee

Section 1. Standing Committee Established; Purpose.

Pursuant to Article VI, Section 1 (9) the GPCOG Executive Committee has established a standing committee for the purpose of exercising the duties and responsibilities of the Portland Area's Metropolitan Planning Organization, established by federal law and designated by the Governor of Maine, called the Portland Area Comprehensive Transportation System (PACTS) Policy Committee.

This Article VIII implements an "Agreement for Merger and Integration of PACTS and GPCOG" dated January 23, 2020 and is intended to integrate PACTS within GPCOG without interfering with PACTS's discharge of its duties and responsibilities as the Portland region's Metropolitan Planning Organization.

Section 2. Membership.

PACTS Policy Committee membership will be established by the PACTS Policy Committee pursuant to 23 U.S. Code Section 134.

Section 3. Autonomy within GPCOG.

The PACTS Policy Committee is established as a standing, permanent committee within GPCOG with full and exclusive authority over all matters relating to PACTS's responsibilities as the region's MPO, including the PACTS budget.

Section 4. Duties and functions.

The PACTS Policy Committee will perform all duties and functions required by federal law as the region's Metropolitan Planning Organization.

The PACTS Policy Committee will have full authority to establish subcommittees, working groups and other organizational structures, as well as operating procedures and guidelines, in the exercise of its authority under this Article.

Section 5. Staffing.

The PACTS Policy Committee will be staffed by GPCOG in a manner that adequately enables the PACTS Policy Committee to discharge its duties and functions.

Section 6. Participation in management of the GPCOG Executive Director.

The PACTS Policy Committee will have a formal role in the GPCOG Executive Committee's hiring, evaluation and firing of the GPCOG Executive Director. This participation must include a formalized process to include a representation of municipal PACTS Policy Committee members which are not members of GPCOG.

ARTICLE IX

All documents to be executed by the corporation, including deeds, leases, promissory notes, or other instruments, except checks, shall be executed by the President, or the President's designee who may be the Executive Director, on behalf of the corporation. All checks issued by the corporation shall be executed by either the Executive Director, the Finance Director, the Personnel Administrator or other appropriate staff as may be necessary to fulfill the obligations of GPCOG and as designated by the Executive Director.

ARTICLE X

No official representative or officer shall receive any pay, compensation or benefit from the corporation, directly or indirectly, for being a member or performing any duties. This bylaw does not prohibit the reimbursement of incidental expenses necessarily incurred in the business of the organization. Nor shall it prohibit the employment of persons, including official representatives to perform duties for the organization and receive compensation therefor, upon proper authorization of the Executive Committee.

ARTICLE XI

FISCAL YEAR

The GPCOG fiscal year will be from July 1 through June 30.

ARTICLE XII

BYLAWS REVIEW

These Bylaws may be amended by a two-thirds vote of the quorum present and voting at the annual or special meeting of the General Assembly, provided a written notice shall be sent to each member at least 15 days prior to the meeting.

ARTICLE XIII

DISSOLUTION

In the event the corporation shall be dissolved, none of the assets of the corporation shall inure to the benefit of any officer, director or individual. The corporation shall pay all of the expenses and debts of the corporation and then distribute remaining assets, if any, among the members and to any other organizations described in Section 501(c)(3) of the tax code, if any, which have a legal right to corporation assets.

ARTICLE XIV

PARLIAMENTARY PROCEDURE

The parliamentary authority shall be the current edition of Robert's Rules of Order Newly Revised for all matters not covered in these Bylaws.

Adopted by majority vote of the General Assembly at the Annual Meeting on May 28, 2020 and intended to replace all previously adopted corporation Bylaws.

Such vote attested to by:

Clerk of the Greater Portland Council
of Governments

Date

Amendments:

March 23, 1972

June 1, 1974

April 24, 1980

March, 1991

June, 1995

June, 1996

June, 1998

June, 1999

June, 2002

June, 2012

June, 2014

May, 2020

State Statute Establishing GPCOG

CHAPTER 119

REGIONAL COOPERATION

SUBCHAPTER 1

REGIONAL COUNCILS

ARTICLE 1

GENERAL PROVISIONS

§2301. Declaration of policy

The Legislature recognizes that a high level of cooperation and understanding between the State and its local governments is necessary to achieve common public goals and that coordination through regional councils is a way to achieve improved state and local cooperation. The Legislature further recognizes that regional councils are uniquely qualified to assist in the development of technical capacities of local governments; to develop regional policies, services and solutions to meet local needs; and to serve as a vital link between local governments and the State. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2302. Forms of regional councils

The Legislature recognizes councils of governments and regional planning commissions as forms of regional councils. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2303. Lead agency

1. Department of Agriculture, Conservation and Forestry. The Department of Agriculture, Conservation and Forestry shall serve as the coordinator between regional councils and the State, shall administer state funds supporting regional council tasks and may provide technical assistance to regional councils as appropriate.

[PL 2011, c. 655, Pt. JJ, §11 (AMD); PL 2011, c. 655, Pt. JJ, §41 (AFF); PL 2011, c. 657, Pt. W, §5 (REV).]

2. Rulemaking. The Department of Agriculture, Conservation and Forestry may adopt rules to create standardized contracts and administrative and audit requirements for state funds received by regional councils.

[PL 2011, c. 655, Pt. JJ, §11 (AMD); PL 2011, c. 655, Pt. JJ, §41 (AFF); PL 2011, c. 657, Pt. W, §5 (REV).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2011, c. 655, Pt. JJ, §11 (AMD). PL 2011, c. 655, Pt. JJ, §41 (AFF). PL 2011, c. 657, Pt. W, §5 (REV).

§2304. Tax status

Regional councils established in accordance with this Title are tax-exempt institutions which are exempt only from income and sales taxes. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2305. Construction

This subchapter must be liberally construed toward the end of enabling councils to implement municipal programs and services on behalf of member municipalities, while avoiding the creation of special districts or other legal or administrative entities to accomplish these purposes. Programs and services may include, but are not limited to, programs and services for transit, solid waste, household hazardous waste, economic development, code enforcement, general financial and administrative activities and joint purchasing. [PL 2007, c. 215, §1 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2007, c. 215, §1 (AMD).

ARTICLE 2

COUNCILS OF GOVERNMENTS

§2311. Establishment

The municipal officers of any 2 or more municipalities by appropriate action may enter into an agreement, between or among those municipalities, for the establishment of a regional council of governments. [PL 1995, c. 233, Pt. C, §2 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1995, c. 233, §C2 (AMD).

§2312. Contents of agreement

The agreement must provide for representation, but at least 1/2 of the representatives of each member must be municipal officers. The agreement must specify the organization, the method of withdrawal, the method of terminating the agreement and the grounds for suspension of member municipalities. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2313. Powers and duties

1. Powers. The council may:

A. Study any governmental needs and opportunities common to 2 or more members of the council that it considers appropriate, including, but not limited to, matters affecting health, safety, welfare, education, economic conditions and regional development; [PL 2007, c. 215, §2 (AMD).]

B. Promote cooperative arrangements and coordinate action among its members, including, but not limited to, arrangements and actions with respect to transit services, joint purchasing, solid waste management and household waste management; [PL 2007, c. 215, §2 (AMD).]

C. Make recommendations for review and action to its members and other public agencies that perform functions within the region; and [PL 2007, c. 215, §2 (AMD).]

D. Prepare and maintain a comprehensive regional plan. [PL 2007, c. 215, §2 (NEW).]
[PL 2007, c. 215, §2 (AMD).]

2. Authority. The council, on behalf of one or more member municipalities and upon appropriate action of the legislative bodies of one or more member municipalities, may exercise any power, privilege or authority capable of exercise by a member municipality and necessary or desirable for dealing with problems of local or regional concern, except essential legislative powers, taxing authority or eminent domain power. This authority is in addition to any other authority granted to municipalities by the general laws and includes, but is not limited to, the formation of transit, solid waste and other services operations.

[PL 2007, c. 215, §3 (AMD).]

3. Standing committee. The council, by appropriate action of the legislative bodies of the member municipalities, may establish a standing committee to prepare and maintain a comprehensive regional plan.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Transfer. Where a regional planning commission has been established under article 3, the member municipalities, by appropriate action, may provide for the transfer of all assets, liabilities, rights and obligations of the commission to the council and provide for the dissolution of the commission.

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 1989, c. 502, Pt. A, §113 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1989, c. 502, §A113 (AMD). PL 2007, c. 215, §§2, 3 (AMD).

§2314. Bylaws

The council shall adopt bylaws designating the officers of the council and providing for the conduct of its business. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2315. Staff

The council may employ any staff and consult and retain any experts that it considers necessary. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2316. Finances; annual report

1. Expenses. The legislative bodies of the member governments may appropriate funds under their home rule authority to meet the expenses of the council. Services of personnel, use of equipment and office space and other necessary services may be accepted from members as part of their financial support.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Funds. The council may accept funds, grants, gifts and services from:

A. The Federal Government; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The State or its departments, agencies or instrumentalities; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Any other governmental unit, whether participating in the council or not; and [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. Private and civic sources. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Report. The council shall make an annual report of its activities to the member governments. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Borrowing. To accomplish the purposes of this subchapter and for paying any indebtedness and any necessary expenses and liabilities incurred for those purposes, the council may borrow money and issue therefor its negotiable notes having any terms and provisions that the governing body of the council determines. The council may contract with one or more member municipalities for the receipt of funds to accomplish any of the purposes authorized by this article and may incur indebtedness in anticipation of the receipt of these funds by issuing its negotiable notes payable in not more than one year. The notes may be renewed from time to time by the issue of other notes, provided that no notes may be issued or renewed in an amount which at the time of issuance or renewal exceeds the amount of funds remaining to be paid under contracts with one or more member municipalities.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5. Guarantees. Notwithstanding any law, charter, ordinance or limitation to the contrary, any one or more member municipalities of a regional council may guarantee notes or other indebtedness or obligations of the regional council.

[PL 2007, c. 215, §4 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1991, c. 512 (AMD). PL 2007, c. 215, §4 (AMD).

ARTICLE 3

REGIONAL PLANNING COMMISSIONS

§2321. Establishment; purposes

1. Establishment. Any 7 or more municipalities or unorganized territory townships, all of which are within one regional planning and development district and within one subdistrict if any, by vote of their municipal officers, may join together to form a regional planning commission.

A. If 4 to 6 municipalities desire to form a regional planning commission, each proposed member municipality must receive the consent of the commissioners of the county in which the municipality is located.

(1) Upon receiving a request for the formation of a regional planning commission under this paragraph, the county commissioners shall notify all proposed member municipalities and any regional planning commission in the county of the request and shall hold a public hearing on the request.

(2) The county commissioners shall grant a request by a municipality to join in the formation of a regional planning commission composed of 4 to 6 municipalities if that formation furthers the purposes of this chapter. [PL 1989, c. 202 (NEW).]

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 1989, c. 202 (AMD); PL 1989, c. 508, §2 (AMD).]

2. Purposes. The purposes of a regional planning commission are to:

A. Promote cooperative efforts toward regional development; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Prepare and maintain a comprehensive regional plan.

(1) The public must be given an adequate opportunity to be heard in the preparation of a comprehensive plan; [PL 2007, c. 215, §5 (AMD).]

C. Coordinate with state and federal planning and development programs; [PL 2007, c. 215, §5 (AMD).]

D. Provide planning assistance and advisory services to municipalities; and [PL 2007, c. 215, §5 (AMD).]

E. Provide programs and services to municipalities. [PL 2007, c. 215, §5 (NEW).]

[PL 2007, c. 215, §5 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1989, c. 202 (AMD). PL 1989, c. 508, §2 (AMD). PL 2007, c. 215, §5 (AMD).

§2322. Incorporation; powers

Regional planning commissions shall be incorporated under Title 13, chapter 81, and possess all the powers of a corporation organized without capital stock, except as limited by this article. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2323. Representation

The municipal members of the commission's governing body shall consist of representatives of each member municipality or township appointed by the municipal officers. [PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 1989, c. 508, §3 (AMD).]

1. Municipal representatives. Municipalities or townships with a population of less than 10,000, as determined by the last Federal Decennial Census, shall have 2 representatives. Municipalities with populations greater than 10,000, as determined by the last Federal Decennial Census, shall have 2 representatives and an additional representative for each 10,000 increment in population, or fraction exceeding 1/2 of that number, over 10,000.

At least one representative for each municipality or township regardless of size must be a municipal officer or a designee elected by a majority vote of the municipal officers. This designee serves at the will of the municipal officers. All other representatives shall serve for terms of 2 years and may be removed by the municipal officers for cause after notice and hearing. A permanent vacancy shall be filled for the unexpired term in the same manner as a regular appointment.

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 1989, c. 508, §3 (AMD).]

2. County representatives. A regional planning commission, in its bylaws, shall make available voting membership to any county within its regional planning and development district or subdistrict as provided in section 1201. Each member county shall have 2 representatives, to be appointed by vote of the county commissioners.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Alternates. The commission, by bylaw, may provide for one alternate representative for each member municipality, township or county.

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 1989, c. 508, §3 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1989, c. 508, §3 (AMD).

§2324. Bylaws; records

The commission shall adopt bylaws, not inconsistent with this article, designating the officers of the commission and providing for the conduct of its business. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

The minutes of the proceedings of the commission must be filed in the commission's office. These minutes are a public record. Copies of the minutes must be posted on a publicly accessible site on the Internet and be provided to the municipal officers and the planning board of each member municipality upon request. [PL 2007, c. 215, §6 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2007, c. 215, §6 (AMD).

§2325. Finances

1. Budget; member contributions. The commission shall prepare an annual budget and shall determine on an equitable basis the contribution of each member toward the support of the commission. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Funds. The commission may accept funds, grants, gifts and services from:

A. The Federal Government; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The State or its departments, agencies or instrumentalities; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Any other governmental unit, whether a member or not; and [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. Private and civic sources. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Prohibition. No department, agency or instrumentality of the State may provide any funds, grants, gifts or services to any commission which does not provide the results of any financial audit of any of its operations, including those of its subsidiary corporations, to any of its constituent municipalities.

[PL 1987, c. 884, Pt. C, §§3 and 6 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1987, c. 884, §§C3,C6 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2326. Staff services

To avoid duplication of staffs for various regional bodies assisted by the Federal Government, a commission may provide basic administrative, research and planning services for any regional development and planning bodies established in this State. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

SUBCHAPTER 2

REGIONAL PLANNING AND DEVELOPMENT DISTRICTS

§2341. Regional planning and development districts

1. Districts. The Governor may designate regional planning and development districts and subdistricts for the purpose of coordinating policies, plans and programs among and within the various levels of government affecting the development of those districts or subdistricts.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Revisions. The Governor, after consulting with the Department of Economic and Community Development, regional councils and the officers of the municipalities and counties involved, may revise the district boundaries to reflect changing conditions or otherwise to fulfill the purposes of this subchapter.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Agreements. The Governor may enter into agreements on behalf of the State with the governor of an adjoining state or, with the consent of the United States Congress, with the premier of an adjoining province of Canada to establish interstate or international regional planning or development districts.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD).

§2342. Planning and program review

1. Review authority. The Governor may designate a regional council as the authorized agency to receive, review and comment on federal projects and plans affecting regional planning, coordination and development, those significant local and state projects that exceed \$200,000 in total cost and those state projects involving more than one municipality.

A. When 2 or more contiguous regional councils are affected, and the Department of Economic and Community Development determines that:

(1) A project clearly concerns the jurisdictional area of only one regional council, that council is the authorized review agency; or

(2) A project clearly concerns the jurisdictional area of 2 or more councils, joint receipt and review and comment is required. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. When the Department of Economic and Community Development determines that a project clearly concerns both incorporated and unincorporated areas within a district, joint receipt and review and comment by the affected regional council or councils and the Maine Land Use Planning Commission is required. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 2011, c. 682, §38 (REV).]

C. All regional planning councils must complete the review under this subsection within 30 days after receiving the project information unless the requesting agency agrees to extend this period. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD); PL 2011, c. 682, §38 (REV).]

2. Planning review of federal program grant application. All applications for federal program grants affecting regional planning, coordination and development, including programs under Section 204 of the United States Demonstration Cities and Metropolitan Development Act of 1966, Public Law 89-754, and the United States Intergovernmental Cooperation Act of 1968, Public Law 90-577, and the objectives set forth in the United States Office of Management and Budget Circular A-95, shall be

submitted to the regional council for review and comment. Subsection 5 applies to these grant applications.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Planning review of state agency long-term plans. Each state department, commission, board or agency shall submit to the regional council, for review and comment, all long-term comprehensive plans that will have a significant regional effect within the council's jurisdiction. The regional council shall complete its review within 30 days after receiving the long-term comprehensive plan. When 2 or more regional councils coexist within a district, subsection 1 applies.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Planning review of local government and special district plans and programs. Each municipality, watershed district and soil conservation district, all or part of which lies within the jurisdictional area of the regional council, shall submit to the council, for comment and recommendation, its long-term comprehensive plans or any matter which in the council's judgment has a substantial effect on regional development, including, but not limited to, plans for land use.

A. No action may be taken to institute any such plan or part of a plan until 30 days after all the relevant information has been submitted to the regional council for review and comment. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The council shall notify each municipality or special district, which may be affected by the plans, of:

(1) The general nature of the plan;

(2) The date of submission; and

(3) The identity of the unit submitting the plans. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The council may conduct a hearing on the submitted plans if it considers the hearing to be in the best interest of the region. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5. Review of applications for state-aid programs. Within each planning and development district or subdistrict in which a regional council has been organized, the governing body of each governmental unit and special district shall submit to the regional council for review any applications to state agencies for loans or grants-in-aid before the application is made. The regional council shall determine whether or not the proposed application is properly coordinated with other existing or proposed projects within the district, as well as any district plans or policies where they exist. In making this determination, the council shall inform both the applicant agency and the granting authority of its opinion within 30 days.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

6. Referral of proposals for interlocal agreements or formation of special purpose districts. Before any 2 or more municipalities may join together through an interlocal agreement or the formation of a special purpose district under the Maine Revised Statutes or any special act for purposes of jointly developing or operating physical facilities and services for the performance of municipal or regional

functions, the municipalities shall submit the proposal to the regional council or councils within whose areas of jurisdiction the municipalities are located. The council or councils, within 30 days, shall render an advisory report of the regional significance of the proposal, unless the referring municipalities agree to extend this period.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

7. Notice to regional council to establish or change land use zones. When a municipality proposes to establish or change a land use zone or any regulation affecting the use of a zone, any portion of which is within 500 feet of the boundary of another municipality located within the jurisdiction of a regional council, the municipality shall give written notice to the council of its public hearing to be held in relation to that establishment or change. The council shall study the proposal and shall report its findings and recommendations to the municipality at or before the public hearing. Failure to submit the council's advisory report at or before the hearing constitutes approval.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

8. Local assistance. Regional councils may provide local assistance as provided in this subsection.

A. The council may make recommendations on the basis of its plans and studies to local planning boards or to the municipal officers of any member and to any county, state or federal authorities. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. A municipal planning board may use any part of the regional planning studies which pertain to the municipality in its own comprehensive plan. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The council may assist any of its members in solving a local planning problem. All or part of the cost of local assistance may be paid by any of its members. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

9. Comprehensive plans to comply with standards. Any comprehensive plans developed pursuant to this subchapter shall comply with the provisions of subpart 6-A.

[PL 1989, c. 878, Pt. C, §46 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1989, c. 878, §C46 (AMD). PL 2011, c. 682, §38 (REV).

§2343. Regional quality of place investment strategies

(REPEALED)

SECTION HISTORY

PL 2009, c. 483, §3 (NEW). PL 2011, c. 655, Pt. EE, §19 (RP). PL 2011, c. 655, Pt. EE, §30 (AFF).

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