

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

May 17, 2010

6:00 P.M.

• 5:00 pm – Finance Committee Meeting

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

a. May 4, 2010 – Comprehensive Plan Informational Meeting

3. COMMUNICATIONS

a. Time Warner – Channel Negotiations

4. REPORTS

a. Pine Tree Landfill Complaint Report – April 2010

b. Library Trustees Minutes – 3/10/2010

c. Finance Committee Meeting Minutes – 5/3/2010

d. Pool Trustees Minutes – 4/13/2010

e. Planning & Development Committee Minutes – 5/5/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. Application for Renewal of Victualers License received from MWP Enterprises d/b/a Nealley's Corner Store at 1230 Kennebec Road
(continued)

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. SAD #22 Warrant – Budget Validation Referendum Election – 6/8/2010

b. Notice of Primary/Referendum Election – 6/8/2010

NOTE: The Council will take a 5-minute recess at 8:00 pm.

3. UNFINISHED BUSINESS

- a. Landfill Update
- b. Manager Review/Contract
- c. Tree Board – Forest Management Recommendation
– Vision for Dorothea Dix Park

4. NEW BUSINESS

- a. BAT Fare Increase Proposal
- b. Environmental Services – Marina Project – Finance and Planning & Development Committee Recommendations
- c. Paper Trade Case – Request for Council Support
- d. Sale of Lot 7 – Business Park
- e. Application for Renewal of Victualer's License received from Warren Caruso d/b/a Dana's Grill at Dockside, 100 Marina Road
- f. 2011 Budget
 - 1. Recreation
 - 2. Pool
 - 3. Debt Service

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

**TOWN COUNCIL
COMPREHENSIVE PLAN INFORMATIONAL MEETING
MINUTES**

MAY 4, 2010

A special meeting of the Hampden Town Council was held on Tuesday, May 4, 2010 for the purpose of accepting public comment and questions regarding the proposed 2010 Comprehensive Plan. Councilor Brann called the meeting to order at 6:15 p.m.

Attendance: Councilor Thomas Brann
Councilor Janet Hughes
Economic Development Director Dean Bennett
Town Planner Bob Osborne

There were no members of the public present at the meeting and by unanimous consent, the meeting was adjourned at 6:16 p.m.



Denise Hodsdon
Town Clerk

4-3-a



PO Box 8180
Portland, ME 04104

Dear Town/City Manager,

I am writing to you as part of our ongoing efforts to keep you apprised of developments affecting Time Warner Cable customers in your community.

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The agreements with the programmers/broadcasters on the attached list are due to expire soon and we may be required to cease carriage of one or more of these services/stations in the near future. Conversely, there are also times when we will include the addition of new channels within these ads.

Again, this is a routine notice and we are confident agreements will be reached with these networks. Enclosed is a copy of the ad that will run in the local daily paper; the notice can also be found on our website at: <http://www.timewarnercable.com/newengland/support/policies/channelchange.html>

These ads are placed in the first and third Wednesday of each month. This information is also located on the back of the customer bill.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Melinda Poore
Melinda.poore@twcable.com
Ph: (207)253-2217

Mike Edgecomb
Michael.edgecomb@twcable.com
Ph: (207) 594-2249 x2181

Shelley Winchenbach
Shelley.winchenbach@twcable.com
Ph: (207) 594-2249 x2177



Time Warner Cable - New England Division's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future.

E!	Indie Plex	TruTV
Style	Lifetime	Weather Channel
Erotic Pleasure	Movie Plex	WBGR
Networks	Retro Plex	WFFF
Encore	Starz!	WVNY
Encore Action	Starz Cinema	WGBR
Encore HD	Starz Comedy	
Encore Love	Starz Comedy HD	
Encore Mystery	Starz Edge	
Encore WAM	Starz Edge HD	
Encore Westerns	Starz In Black	
Fox Reality	Starz Kids & Family	
I-LIFE (Inspiration	Starz Kids & Family	
Networks)	HD	

Please note, some channels listed may not be available in your service area. Please consult for local listings for more details at www.timewarnercable.com/newengland.

The following programming changes are scheduled to take place:

Fox Movie Channel will move from our Digital Tier to our Movie Tier effective June 30.

Fine Living Channel will change its name to "The Cooking Channel" effective May 31.

FUEL will be removed from our Digital Plus line up on/after June 5.

We will be adding the following programming to the Movie Tier:

Vutopia On-Demand

Also, A & E On-Demand will be removed from channel line ups with all content moving to Primetime On-Demand



Customers can visit our web site at www.timewarnercable.com/newengland to obtain more details on the above notice.

Time Warner Cable, 118 Johnson Road, Portland, Maine 04102

May 6, 2010

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

**RE: Pine Tree Landfill
Monthly Report of Landfill Complaints**

Dear Susan:

During the Month of April 2010, one complaint was received pertaining to Pine Tree Landfill. The source of the complaint was determined to be fugitive odors being generated from the wood fines being utilized as a soft layer beneath the final cover.

If you should require any additional information, please feel free to contact me at 862-4200, ext. 245.

Sincerely,



Tom Gilbert
Environmental Compliance Manager
Pine Tree Landfill

CC: Cyndi Darling, MDEP
Wayne Boyd, Casella Waste Systems, Inc.
Don Meagher, Casella Waste Systems, Inc.
Toni King, Casella Waste Systems, Inc.

PINE TREE LANDFILL
-LANDFILL COMPLAINT RECORD FORM-
 APRIL 2010

Date of Complaint	Time of Day	Nature of Complaint	Complaint Originating From	Real-time Complaint?	Winds From What Direction & Speed	Site Downwind From Landfill?	Call of Site Visit Made By	Potential Source of Odor	Landfill Odor Confirmed?	Caller/Responder Comments
Real-time Complaints for the Month:										
	None									
Non-Real-time Complaints for the Month:										
Mobile Complaints for the Month:										
04/03/10	9:00 PM	Odor	Interstate 95	Yes	Not Recorded	NA	Wayne Boyd	Wood Fines	Yes	Fugitive odor from wood fines being used for construction soft layer under final cover

Month Total Complaints: 1

Number of Complaints Confirmed to be Landfill: 1

Number of Complaints Not Confirmed as Originating from Landfill or Possibly from Other Sources: 0

Note:

A "Real-time Complaint" is a complaint called in within the first 30 minutes of detecting the odor to allow for proper response.

A "Non-Real-time Complaint" is a complaint called in after 30 minutes or more have passed since first detecting the presence of odor and does not allow for proper response time (the odor may no longer be present).

A "Mobile Complaint" is a complaint called in as detecting odor on a roadway and not at a particular residence.

EDYTHE L. DYER COMMUNITY LIBRARY

BOARD OF TRUSTEES' MEETING

MINUTES

MARCH 10, 2010

Call to order: A regular meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on March 10, 2010. The meeting convened at 7:36 am, Chair Don Desmarais presiding, Debbie Lozito recording secretary.

Members present: Debbie Lozito (ex officio), Don Desmarais, Richard Jenkins, John Skehan, Cheri Condon, Mary Ann Bjorn, Yvonne Lambert, Tony Mourkas, Mark Russell, Dave Barrett

Members absent: Ruth Stearns, Judy Beebe, Fred Jones

Approval of minutes: Motion made and seconded to approve the minutes of the January 13, 2010 and the corrected December 9, 1009 minutes. Motion carried.

Library reports:

Fees and fines

Morgan Stanley Smith Barney

Circulation

Director

Cheri Condon distributed a draft of a library disaster policy. Policy discussion be on the agenda at the May meeting.

Nominating committee: Mark Russell representing the nominating committee offered a slate of officers for the Annual meeting in May. The slate is: Don Desmarais—chair, John Skehan—vice-chair, and Mark Russell—treasurer.

The next meeting is scheduled for May 12.

Adjournment: The meeting was adjourned at 8:25 a. m.

Debbie Lozito



Recording Secretary

FINANCE COMMITTEE MINUTES
May 3, 2010

Attending:

- Councilor Jean Lawlis
- Councilor William Shakespeare
- Councilor Thomas Brann
- Councilor Shannon Cox
- Councilor Andre Cushing
- Councilor Janet Hughes
- Town Mgr. Sue Lessard
- Public Safety Dir. Joseph Rogers

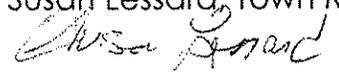
The meeting was opened at 6 p.m. by Andre Cushing.

1. Minutes of 4/20/2010 meeting were reviewed and approved. Motion by Shannon Cox, seconded by Jean Lawlis, vote – unanimous.
2. Warrants were reviewed by the Committee and signed by Finance Committee members.
3. Old Business – None
4. New Business
 - a. Public Safety Request
 The Public Safety Director discussed with the Committee some ideas that he and the Town Manager had reviewed for the purpose of possibly retaining a police officer that currently works a part time schedule for the Town, but which the Town has invested training funds in through academy attendance. The idea of a rate per hour differential for this 'permanent part time' position was put forward as a way of making the position more attractive since it does not have any benefits attached because it is a part time position. Motion by Tom Brann, seconded by William Shakespeare to authorize the Town Manager and Public Safety Director to consider a 'premium' wage for the 30 hour per week part time police officer position as an incentive to retain a person that the town has expended training funds on. Vote 6-0.
5. Public Comments – None
6. Committee Member Comments –
 - a. Councilor Hughes indicated that she had had feedback from some contractors about the 'unsuitable soils' change order for the school project that amounted to nearly a million dollars. The Committee requested that the Town Manager set up a meeting with the Council and the School Board/ engineering firm to discuss the unsuitable soils change order as well as the other items that were removed from Phase I and are now being done in Phase II.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Susan Lessard, Town Manager



Luca Host Pool

Board Meeting Minutes ~ 4/13/10

A-4-L

Cedena McAvoy brought the meeting to order at 7:00 pm.

Those present: Cedena McAvoy, Karen Brooks, Pat Foley, Jim Feverston, Norm Stern, David Hawkins, Greg Hawkins, John Weinmann, Darcey Peakall, and Julie Macleod. Not present: Mary Ellen Conner

Lisa Maelstrom, Fundraising Consultant, was the guest speaker of the evening. She spoke about capital campaigns, annual fundraising and smaller fundraising ideas. She passed out a questionnaire when considering fundraising, i.e.: corporate sponsorship, hiring a professional fundraiser, what else is going on around the community, capital campaign vs annual fundraiser, and timelines.

The secretary's minutes were accepted as presented.

The Director's Report:

- ~ The number of participants in January was up 318 people and daily receipts were down \$1,422 compared to last year.
- ~ The pool rental income was down \$465 compared to last year.
- ~ The monthly fuel usage went down by 568 gallons compared to last year. March temperatures were warmer than usual.

John made changes to the draft of the investment policy. The board will review the second draft by the May meeting.

The treasurer's report was accepted as presented.

Darcey submitted a bill to the pool board for \$160.00 for scholarship reimbursement, for session III swim lessons. A motion was made for Jim to pay Darcey \$160.00 from the Susan Abraham Scholarship Fund. The motion was passed 7-0.

Darcey reported that Committee On Committees is working on a Pool Advisory Handbook. Once completed, the board will have a copy to review at a future meeting.

Cedena and Jim requested that the board take time to review the comprehensive plan on the town's website by the next meeting.

The nominating committee, composed of Karen & Norm, proposed their list of officers for next years pool board.

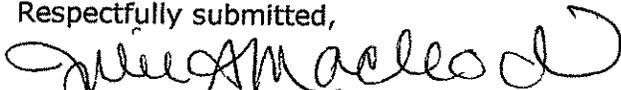
Co-chairman: Cedena McAvoy and Greg Hawkins

Secretary: Mary Ellen Connor

Treasurer: Jim Feverston.

Meeting adjourned at 8:17pm.

Respectfully submitted,


Julie A. Macleod

Planning and Development Committee
Minutes of May 5th, 2010
6:00 PM
Town Office

Attendees: Janet Hughes, Chair
Jean Lawlis
William Shakespeare
Andre Cushing

Staff: Dean L. Bennett
Bob Osborne

1. Approval of April 5th Minutes

Approved by Majority

2. Old Business

- a. Sign Ordinance Provisions

Committee agreed to table discussion until next meeting.

- b. Shoreland Zoning Update

Planner Osborne informed Committee it would be ready at the next meeting.

- c. Marina Update

CEDD stated he had received two prices for the environmental work to be done on the Marina project. S.W. Cole and Moyse Environmental Services have submitted proposals.

Committee Action: Committee voted to approve proposal from Moyse Environmental in the amount of \$ 2,900 and forward to the Finance Committee with recommendation for funding.

d. Survey Update

CEDD advised Committee that consultants were on the ground doing interviews and anticipated the initial report in early June. Overall, they have found businesses cooperative and appreciative of the opportunity.

3. New Business

a. Private Windmills

In response to memo forwarded by CEO stating concern for a lack of regulations pertaining to private windmills, the Committee took the following action.

Committee Action: Committee request of CEO to research the issue and submit recommendation a future meeting.

b. LIDAR

CEDD explained Lidar and its benefits and application to the Committee requesting consideration of funding in the amount of \$ 3,700 to ensure the entire town of Hampden was mapped under the process.

Committee Action: Committee directed two alternatives. If the decision is of a timely nature, the request should be forwarded to Finance Committee for approval of funding. If time permitted, Committee would like Gretchen Heldmann GIS/IT to prepare a presentation for next meeting.

c. Consideration of Nickerson Offer on Lot 7/Business Park.

Committee Action: Committee motioned and approved to accept offer of \$ 71,500 for Lot 7 from Andy Nickerson dba Wights Sporting Goods. Committee requested to forward offer to Council with recommendation to accept.

4. Public Comments:

None

5. Committee Member Comments:

Committee requested agenda item to discuss the impact of regulations on existing businesses at the next meeting.

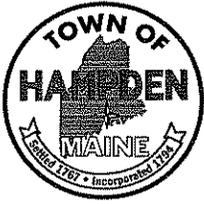
Item Bank:

Action

Target Date

Darc'y Main Boyington

Future Meeting



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/3/2010

Public Hearing: Yes No

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: MWP Enterprises
d/b/a Nealley's Corner Store Martin Panther
Business Name Individual

ADDRESS: 1230 Kennebec Rd. PHONE: 949-1001

MAP/LOT: Map 1, Lot 31 DATE: 4/20/2010

DEPARTMENT REPORT:

Inspected on April 20, 2010 and found the hood system to be
inadequate. I spoke with Martin Panther and explained
to him that he will no longer be able to Fry Foods that
create grease-laden vapors until the hood system is
brought up to code. My recommendation is for the Council
to approve his Victualer's license with the condition that
he does not Fry food until he is able to update
the hood system.

DATE: 4-20-10

BY: [Signature]
Title: CODE ENFORCEMENT OFFICER

BY: [Signature]
Title: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 4/20/10 PHONE NUMBER: 207-949-1001
NAME(S): MWP Enterprises
ADDRESS: 1230 Kennebec Rd
NAME OF BUSINESS: Nealeys Corner Store
LOCATION OF BUSINESS: Hampden Me
SIGNATURE: [Signature]

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Code Enforcement Officer

Fire Inspector/Building Inspector

*All sewer user fees and personal property taxes are paid in full to date.

[Signature]
Tax Collector

[Signature]
Town Treasurer

Please return completed form to: **Town Clerk**
Town of Hampden
106 Western Avenue
Hampden, ME 04444

LICENSE FEE: \$125.00 Date Received/Fee Paid: 4/20/2010 \$125.00
(Fee Includes Notice of Public Hearing)

C-2-a

**WARRANT AND NOTICE OF ELECTION
CALLING MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 22
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. §1486)**

TO: David Greenier, a resident of Maine School Administrative District No. 22 composed of the Towns of Hampden, Newburgh and Winterport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within Maine School Administrative District No. 22, namely, the Towns of Hampden, Newburgh and Winterport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following warrant and notice of election:

**TOWN OF HAMPDEN
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Penobscot ss.

State of Maine

TO: Devon Patterson, Resident of Hampden: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF HAMPDEN:

You are hereby notified that the District budget validation referendum election will be held at Municipal Building, 106 Western Avenue in the Town of Hampden on Tuesday, June 8, 2010 for the purpose of determining the following referendum questions:

- Question 1: Do you favor approving the Maine School Administrative District No. 22 budget for the upcoming school year that was adopted at the latest District budget meeting?
- Question 2: Do you wish to continue the budget validation referendum process in Maine School Administrative District No. 22 for an additional three years?

INFORMATIONAL NOTE ON QUESTION 2:

A "YES" vote will require Maine School Administrative District No. 22 to continue to conduct a referendum to validate its annual school budget for the next three years.

A "NO" vote will discontinue the budget validation referendum for at least three years and provide instead that the annual school budget shall be finally adopted at a meeting of the voters of Maine School Administrative District No. 22.

The polls must be opened at 8:00 a.m. and closed at 8:00 p.m.

RETURN

Penobscot County, ss.

State of Maine

TO: The Board of Directors of Maine School Administrative District No. 22

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of the Town of Hampden, an attested copy of this warrant and notice of election, directing the municipal officers of said municipality to call the District budget validation referendum at said time and place and for the purposes therein stated.



David Greenier
Resident of Maine School
Administrative District No. 22

RETURN

Penobscot County, ss.

State of Maine

TO: The municipal officers of the Town of Hampden

I certify that I have notified the voters of the Town of Hampden of the time and place of the District budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at the Town of Hampden: _____, 2010

Devon Patterson, Resident,
Town of Hampden, Maine

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 5, 2010 at Hampden, Maine.

<u>Kelley A. Rosemore</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>

A majority of the Board of Directors of Maine School Administrative District No. 22

A true copy of the Warrant and Notice of Election, attest: [Signature]
David Greenier, Resident
of Maine School Administrative
District No. 22

Countersigned this _____ day of _____, 2010 at Hampden, Maine.

A majority of the municipal officers of the Town of Hampden

A true copy of the Warrant and Notice of Election, attest: _____

C-2-b

State of Maine
Notice of Primary and Referendum Election
Tuesday, June 8, 2010

Municipality Hampden Voting District _____

Voting Place Name Municipal Bldg. Community Room Voting Place Location 106 Western Avenue

Polls Open at 8:00 A.M.

Polls Close at 8:00 P.M.

Absentee Ballot Processing (check all that apply):

Processed by: Clerk (Centrally) Warden (At polls)

Date/Time of Processing (check all that apply):

Day Before Election Day (6/7/10) *

1-Hour Inspection Time Period: 9:00 am

Time Processing Begins: 10:00 am

During Election Day (6/8) Processing Time(s): 9:00 am; 11:00 am; 1:00 pm; 3:00 pm; 5:00 pm; and 8:00 pm

Only after 8 p.m. on Election Day (6/8)

Federal and State Offices To Be Voted On:

County Offices (Please list):

Governor
Representative to Congress, District 2
State Senator, District 33
State Representative, District 39

Judge of Probate
County Treasurer
Register of Deeds
Sheriff
District Attorney

Questions To Be Voted On:

Question 1: People's Veto

Do you want to reject the new law that lowers Maine's income tax and replaces that revenue by making changes to the sales tax?

Question 2: Bond Issue

Do you favor a \$26,500,000 bond issue that will create jobs through investment in an off-shore wind energy demonstration site and related manufacturing to advance Maine's energy independence from imported foreign oil, that will leverage \$24,500,000 in federal and other funds and for energy improvements at campuses of the University of Maine System, Maine Community College System and Maine Maritime Academy in order to make facilities more efficient and less costly to operate?

Question 3: Bond Issue

Do you favor a \$47,800,000 bond issue to create jobs in Maine through improvements to highways, railroads and marine facilities, including port and harbor structures, and specifying the allocation of \$4,000,000 of the transportation bond approved by voters in November 2009 to be used for capital rail purposes?

Question 4: Bond Issue

Do you favor a \$23,750,000 bond issue to provide capital investment to stimulate economic development and job creation by making investments under the Communities for Maine's Future Program and in historic properties; providing funding for research and development investments awarded through a competitive process; providing funds for disbursements to qualifying small businesses; and providing grants for food processing for fishing, agricultural, dairy and lumbering businesses within the State and redevelopment projects at the Brunswick Naval Air Station that will make the State eligible for over \$39,000,000 in federal and other matching funds?

Question 5: Bond Issue

Do you favor a \$10,250,000 bond issue to improve water quality, support drinking water programs and the construction of wastewater treatment facilities and to assist farmers in the development of environmentally sound water sources that will leverage \$33,250,000 in federal and other funds?

A True Copy
Attested

Denise R. Johnson
(Signature of Municipal Clerk)

Date 5/12/2010

* Clerk has read and will comply with the Uniform Guidelines for Securing Ballots and Other Materials.

dh
Clerk initials

05/2010

MEMORANDUM

To: Hampden Town Council
Susan Lessard, Town Manager
Council Services Committee

From: Hampden Tree Board: Jim Feverston, Lance Case, Chris Packard, Shelby Wright
and Larry Bruen
Gretchen Heldmann, Intern Forester and staff to the Tree Board

RE: Forest Management Recommendations

In early summer 2008, the Hampden Tree Board was asked by the former Community Services Committee of the Council (now the Council Services Committee) to join with representatives of the Friends of Dorothea Dix Park to examine the park for potential recreational improvements and to make recommendations for the highest and best use of Dorothea Dix Park as a recreational and permanent green space for the citizens of Hampden.

Board members have extensively reviewed the recent forest management plan for the parcel developed by Prentiss and Carlisle and met jointly with Friends of Dorothea Dix Park representatives, town staff members and Council Services Committee members to establish a vision for the park. Additionally, Tree Board members together with town staff conducted GPS tracking activities to determine exact locations of existing trails and landmarks and walked the entire park both separately and together with the aforementioned community members.

Our recommendations are predicated on the fundamental premise that Dorothea Dix Park will be retained and developed as a public recreation area consistent with ecologically sound learning forest concepts. Additionally, we propose to increase access and promote a safer public environment for a variety of enhanced uses with the goal of making the park a more welcoming, attractive and useable encounter with nature. Speaking as private citizens of Hampden as well as members of the Tree Board, we recommend accomplishing the following activities to achieve our shared vision and goals with regards to forest health improvement in the park.

- 1) Forest health improvement by way of thinning of trees in the park should occur within the next twelve months at such time as is necessary to cause the least amount of disruption to the forest floor. Thinning is highly desirable and necessary at this point to retain a healthy and safe forest environment. A light cutting footprint should be used following trails jointly identified by Tree Board members, town staff, Council Services Committee members and friends of the park to the extent that it is operationally possible to follow the desired routes.

This cutting method will also help assure that erosion and other damage to the forest floor is kept to a minimum.

- 2) Thin the front 20 percent of the park closest to Route 1A leaving only the best quality crop and specimen trees. This will leave approximately 20 percent of trees remaining in this area. Much of the thinning could be accomplished from the under story. Some work will need to be done to shape and prune the remaining trees. The area should then be planted with grass and maintained to provide an open, attractive and inviting formal park setting. Trees should be maintained and replaced as needed to provide the desired canopy coverage.
- 3) The second section of the park would commence at the back edge of the newly expanded front section and continue to the west edge of a wetland area located approximately in the center of the park. We recommend removing about 30 percent of the forest to leave a forest dominated by hardwoods. The softwood trees are dead and dying and should be removed, as they are falling over anyway and create a safety hazard. However, some wildlife trees should be preserved, and have been jointly selected and identified with paint and flagging. Sections of the existing trail may need to be relocated to abate current and foreseeable erosion issues.
- 4) The wetland should be undisturbed to the maximum extent possible. A natural buffer of a minimum of 75 feet should be maintained around the wetland; 75 feet is the minimum recommended for many state and federal regulations.
- 5) The section of the park east of the wetlands to the open mowed grass field should be sufficiently thinned to maintain a healthy predominately oak forest. Softwoods in this area should be heavily thinned in order to accomplish that goal. Native understory shrub plant materials and grasses should be added to this area in the future to compete with the invasive understory plants present in the park such as Japanese barberry and honeysuckle.
- 6) The field towards the back of the park should be used as the temporary staging area for forest thinning and tree removal operations.
- 7) The last section of the park from the east edge of the field to the river should be thinned only to the level necessary to maintain a healthy mix of both hard and softwoods. Strict adherence to shoreland zoning cutting restrictions and setbacks should be observed. These setbacks have already been marked in this area with flagging.
- 8) The trees in the bluff area should be thinned and pruned to provide safe river vista viewing areas. However, every effort should be made to preserve the healthy majestic pine trees in this entire section.

- 9) Honeysuckle and barberry are invasive plant materials and can overrun areas of the forest where sufficient light comes through the canopy. This problem currently exists in some areas of the forest. We recommend adopting an ongoing strategy of systematic abatement that includes both a manual hand removal of the invasives, and/or a minimal application of a commercial herbicide. The chemical should be applied to the remaining exposed stem areas only to inhibit future growth while significantly reducing the amount of chemical applied in the surrounding forest floor. Another option that has been mentioned uses a fire control method for barberry, based on new research from the University of Connecticut. Mechanical methods of removal are not preferred because they will only ensure the invasives remain, as these methods break up root balls into multiple new seed sources as well as scatter existing seed further around. Unwanted growth of invasive plant material is of critical concern to board members. Such growth can significantly reduce the recreational enjoyment of the under story as well as crowd out native Maine species.

- 10) Drainage issues leading to erosion and sedimentation problems exist within and throughout the park. Remediation of these areas should be included in the operational forest health improvement plan and completed at the same time some sections of existing trails are relocated and possible new trails established.

- 11) Hampden Public Safety and the department of Public Works were consulted regarding trail widths and composition. Emergency evacuation of patrons and ongoing park maintenance and debris removal will need to be accomplished by use of park trails. The Director of Hampden Public Safety has stated that trails do not need to accommodate vehicles, as any rescue in the park would be conducted as any other wildland rescue operation. Regular park trail widths should be wide enough to accommodate maintenance operations.

It is a pleasure to assist the Town in planning activities and developing solutions and recommendations for park improvements. It is the expressed desire of this board and its staff to continue to provide support and specific implementation strategies and recommendations for the preservation and ongoing development of this treasured community asset.

Sincerely,

Hampden Tree Board members: Jim Feverston, Lance Case, Chris Packard, Shelby Wright, and Larry Bruen
Gretchen Heldmann, Intern Forester and staff to the Tree Board

Tree Board Vision for Dorothea Dix Park

Dorothea Dix Park will be developed as a safe, inviting, passive recreation town park with a natural character. The area will be maintained following healthy forest management practices as recommended by the Hampden Tree Board. Forest management recommendations will promote forest development, maintain and enhance wildlife habitats, and control invasive species.

The front half of the park and more open areas of the park will be available and maintained for light recreation such as picnicking and playground areas, but not for formal organized recreation or motorized recreation. The rest of the park will be maintained as a safe and healthy forest which will foster various soft nature recreational experiences such as hiking, trail running, bird watching, and nature study. The development of the park will provide increased educational opportunities surrounding the natural ecosystems and the historic value of the park.

In honor of Dorothea Dix's mission in life, some high quality areas of the park will be developed in such a way as to be accessible to individuals with physical and/or mental challenges.

C-4-a

MEMO

To: To Whom It May Concern

From: BAT Community Connector

Date: April 26, 2010

Subject: Proposed Fare Increase & Service Reductions

BAT Community Connector is considering fare increases and service reductions outlined in the attached Public Notice. As required by the policy governing changes to fares and service (also attached) the BAT Community Connector seeks your input. The comment period ends May 31, 2010 at 4:00pm.

Contact Information:

Bus Superintendent
481 Maine Ave.
Bangor, ME. 04401

email: joe.mcneil@bangormaine.gov

tel. 207-992-4671

PUBLIC NOTICE

Proposed Fare Increase & Service Reductions – BAT Community Connector

Pursuant to FTA C.90301A, the City of Bangor, operator of BAT Community Connector, is seeking public input on proposed fare increases, and service reductions.

BAT is considering fare increases as follows:

The full-fare cash fare will increase from \$1.00 to \$1.25

The ½ price cash fare will increase from 50¢ to 60¢

The 5-ride strip of tickets will increase from \$4.00 to \$5.00

The monthly pass will increase from \$40 to \$45

BAT is also considering service reductions as follows:

Elimination of Saturday service on the Mall Hopper route.

Elimination of holiday service, on Bangor routes, on 6 public holidays, Martin Luther King Jr. Day, President's Day, Patriot Day, Columbus Day, Veteran's Day and the Friday after Thanksgiving Day.

If approved, these changes would become effective July 1, 2010

Anyone wishing to comment or express their concerns should contact BAT.

Contact Information:

Bus Superintendent
481 Maine Avenue
Bangor Maine 04401

Email joe.mcneil@bangormaine.gov

Tel. (207) 992-4671

The comment period will end May 31, 2010 at 4 p.m.

PUBLIC COMMENT PROCESS FOR FARE AND SERVICE CHANGES

Pursuant to FTA C. 90301A, the City of Bangor: operator of BAT – Community Connector, has adopted the following policy governing public participation leading up to increases in basic fare structure and major service reductions;

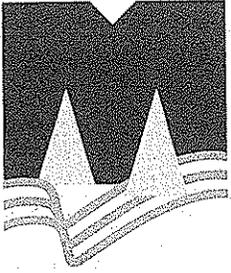
1. Intent to increase basic fare structure and/or significantly reduce bus service will be announced by public notice in the Bangor Daily News, at least 60 days before the changes are to take place.
2. The public notice will include a description of the intended changes, and a provisional implementation date.
3. Notices will also be posted on the buses, and at the downtown hub.
4. Notices will be mailed to persons and organizations in the database of transportation stakeholders maintained by the Bangor Area Comprehensive Transportation System (BACTS)
5. A 30-day public comment period will follow the announcement.
6. If sufficient public comment is received, or a request for a Public Meeting is made, a Public Meeting will be held at the end of the public comment period.
7. At the public meeting, a presentation will be made to describe the proposed changes and the reasons for them. Then, anyone wishing to make a comment will be invited to do so. The comments may be in written form. After all comments have been heard (or accepted, if in written form), the facilitator will explain the next steps in the process (Steps 8-11).
8. The proposed changes will be reviewed in the light of issues and concerns raised in the public comments. All public comments will be responded to.
9. Form of response: a report comprising all the comments and responses will be sent to all those persons providing a mailing address. The report will include the final decision on the proposed changes. The same report will be posted on the BACTS website <http://www.bactsmmpo.org/>
10. A record of each public comment, and the response made, will be maintained.
11. A public notice will be published in the Bangor Daily News to inform the public of the final decision on the proposed changes, and notices will also be posted on the buses and at the downtown hub.

Definitions:

1. Significant reduction in bus service: A reduction in service frequency of one or more bus per hour.
2. Sufficient public comment: Five or more individuals claiming financial hardship, or inconvenience caused by the proposed change(s).

C-4-12

April 27, 2010



MOYSE
ENVIRONMENTAL
SERVICES, INC.
SOIL AND LAND USE
CONSULTING
DAVID MOYSE, PRESIDENT
Soil Scientist and
Site Evaluator
42 Pleasant View Ave.
Bangor, ME 04401
Phone: (207) 945-6179
Fax: (207) 433-7225

Town of Hampden
Attn: Mr. Dean L. Bennett, Director of Community and
Economic Development
106 Western Avenue
Hampden, Maine 04444

RE: Proposal – ESF Completion Assistance
Land Acquisition Project, NPS Financial Assistance
Town of Hampden and Hamlin’s Marina
Turtle Head Cove, Hampden

In response to your recent request, we are pleased to submit this proposal to provide environmental services to assist the Town with their application to the National Park Service for financial assistance. According to the information that you have provided to us to date, the Town is pursuing an exchange of property on the Penobscot River and Turtle Head Cove with Hamlin’s Marina. We understand that the Town currently owns the parcel where the existing public boat launch, parking lot and Hamlin’s Marina is located at the end of Marina Road (formerly Mill Road) in Hampden (see maps attached). This parcel encompasses about 10.4 acres and is almost entirely developed. We also understand that Turtle Head, LLC (a.k.a Hamlin’s Marina) owns the abutting parcel to the southwest that encompasses about 8.5 acres and is almost entirely undeveloped.

Apparently, Hamlin leases the location of their facility, but wishes to own it as they need to expand in response to their business needs. They have been in discussions with the Town for some time about the possibly of this acquisition, hence this proposal. We understand that the subject project is for the two entities to more or less exchange their respective properties with each other, only with the boat launch remaining where it is and still owned by the Town. Hamlin will continue to operate at its current location, but with an expansion in mind that will likely include additional buildings for boat storage and service and a showroom, or related facilities, eliminating the current public parking lot. The Town intends to develop a new parking lot, a pier (possibly with some slips), a public park, possibly one or two small pads for service buildings, walking trails, etc. on the undeveloped parcel. Both parcels, totaling about 19 acres will be our “site” for this investigation.

We understand that funding is being sought by the Town from the National Park Service (NPS) to help make this exchange and new park development possible. The requirements for the application to NPS are outlined in the

Federal Financial Assistance Manual (10-01-2008). According to the Manual, this proposal meets the definition of two project types, "acquisition" and "conversion" (see copies of excerpts attached). The funding is administered through the Land and Water Conservation Fund State Assistance Program within the NPS. The National Environmental Policy Act (NEPA) is the legislative authority that guides this program, and essentially states that federal assistance will not be given to a project that will have any significant environmental impact. Part of the application to NPS includes the completion of an Environmental Screening Form (ESF) and supporting documents. A thorough ESF will provide a recommendation for further environmental investigations of the site, such as an Environmental Assessment (EA) or Environmental Impact Statement (EIS), or that no further action is required and the proposed project qualifies for a Categorical Exclusion. Hopefully, for the Town of Hampden, the ESF will determine that this project will have only minor or no measurable impact on the human environment, and qualifies for the above exclusion.

SCOPE OF SERVICES

Moyse Environmental Services, Inc will work cooperatively with the Town of Hampden to complete the Environmental Screening Form, as outlined on pages 9 through 12 on the attached copy. This effort will include both off-site and on-site investigations. We understand that the Town will be compiling the overall proposal package, including the project's Proposal Description (PD) and its submission to the NPS, and we will be responsible for most of the ESF component in that package. Some sections of the ESF will need to be completed by the Town, as we have discussed, including items related to air quality, noise, socioeconomics and populations. We understand that the Town has considerable information about the site within their records and in their GIS data base, including property history, the location of floodplains and the zoning boundaries, so we assume that will be provided also. We will endeavor to aid the Town with completion of any items that they can handle "in-house" to minimize your cost, as we charge for our services mostly on an hourly rates basis.

Off-Site Resource Review - Moyse Environmental Services will complete an off-site review of published mapping and resource agency records to ensure that there are no anticipated protected resources issues on the site. This review includes available GIS data and correspondence with several regulatory agencies and resource protection agencies that document the presence of valuable natural and man-made features.

The sources of GIS mapping and the agencies include US Fish and Wildlife, Maine Inland Fisheries and Wildlife, Maine Historic Preservation Commission, Maine Indian Tribes, Maine Geological Survey, FEMA, Maine Natural Areas Program, National Wetland Inventory (NWI) and Soil Conservation Service (now the NRCS). We will also review the Town of Hampden's zoning maps. These contacts maintain records of sites that have or may have unique natural features, such as floodplains, sand & gravel aquifers, significant wildlife habitat and areas containing rare or threatened plant or animal species. Sites of archaeological, architectural, historic or scenic value are also documented. A copy of these correspondences and the records review findings will be included as supporting documentation with our submission to the Town.

On-site Resource Identification - Moyses Environmental Services will complete a resource evaluation, identification and GPS mapping of the entire site, focusing on the identification of any resources that need to be noted and the land areas that appear to have development potential. The location of wetlands, streams, vernal pools, wildlife habitat, structures, debris, etc. will be noted and mapped using a survey grade, sub-meter Trimble Global Positioning (GPS) unit. This data will be processed and overlaid on to a base map using CAD. We assume that the Town will provide us with the base plan for our use in CAD, such as the boundary survey completed by CES of Brewer, dated 12-9-09 (see copy attached).

We will provide the Town with a brief summary letter, the ESF and our supporting documents and map. We will provide both a hard copy and in electronic format per the Town's preference, such as a GIS shape file and as a pdf.

SCHEDULE

We will schedule our work once we receive authorization to proceed. We anticipate that we can begin our off-site work within a few days. We will try to proceed with the on-site work immediately, beginning with a site recon, as vernal pool identification season is here now and is limited to only the spring of the year, so we don't want to miss the window to complete that field work. We estimate that overall work will require about a 3 to 4 week period to complete.

BUDGET AND COMPENSATION

We recommend that a budget of approximately \$2,900 be established for our services outlined above. We charge for our services on a units/hourly rates basis. A copy of our Current Rate Schedule and Conditions of Agreement are attached for your reference. If you approve of this proposal, please sign the two copies enclosed and return the white copy for our files. This signed proposal will constitute our agreement for the services outlined herein.

We appreciate the opportunity to submit this proposal. Please contact us if you have any questions or need additional information.

Sincerely,

MOYSE ENVIRONMENTAL SERVICES, INC.



David W. Moyse, CSS, LSE
President

CLIENT ACCEPTANCE OF PROPOSAL:

Signature

Date

Name & Title

Phone #

Mailing Address

CHARGE RATE SCHEDULE

PROJECT MANAGER	\$87.50/Hr.
SOIL SCIENTIST	\$85.00/Hr.
WETLAND SCIENTIST	\$78.00/Hr.
SITE EVALUATOR	\$75.00/Hr.
ENVIRONMENTAL SCIENTIST	\$68.00/Hr.
THIRD-PARTY INSPECTOR	\$58.00/Hr.
CAD/GIS SERVICES	\$50.00/Hr.

GPS USE FEE (1/2 day min. charge) \$150/DAY (8Hrs.)

DIGITAL PHOTO FEE (All projects) \$35

MILEAGE (To and from project site) \$0.55/MILE

MATERIALS COST + 15%
(Flagging, plans, copies, grade stakes, etc.)

SUBCONTRACTS: COST + 10%
· SURVEYOR, ENGINEER, ETC.
· BACKHOE FOR TEST PITS / TEST BORINGS
· LABORATORY TESTING
· ETC.

EFFECTIVE THRU: December 31, 2010

Attachment A

CONDITIONS OF AGREEMENT

Billing and Payment

Moyse Environmental Services, Inc. will submit invoices to the Client on a biweekly basis, or following the completion of a phase of our work (ie. fieldwork, report submission, etc.). **All invoices are due upon receipt.** Failure to pay invoices within 30 days may result in suspension of the work until such time as all overdue payments are made in full. All outstanding balances remaining unpaid after 30 days of the invoice date shall be assessed an additional charge of 1.5% per month. Any costs incurred to collect unpaid balances (attorney, mailings, copying, court fees, filing fees, etc.) will be added to the outstanding balance and the client will be responsible to pay all of these costs in full.

Standard of Practice

Moyse Environmental Services, Inc. will strive to provide our services under this agreement in a manner consistent with the level of care and skill typically performed by members of this profession currently practicing under similar conditions ("standard of practice"). No other warranty or guarantee, expressed or implied, is intended by this agreement.

Assumptions

Several assumptions are made by Moyse Environmental Services, Inc., which are typical for a professional retained to provide similar services. These assumptions include right-of-access to the site has been established by the client prior to our field work; the site plan provided to guide our field work is entirely accurate; the site boundaries/property lines are clearly marked and identifiable on the site and are accurately depicted on the site plan; delays in completing our work due to adverse weather or site conditions; and required information from others, etc. are understood and accepted by the client.

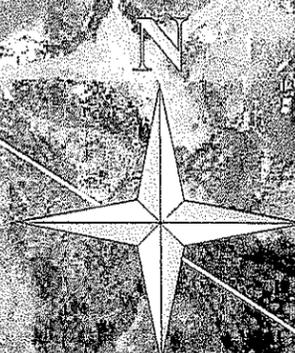
Limitation of Liability

The services provided by Moyse Environmental Services, Inc. are in no way a guarantee of permit approvals, project feasibility or success, proper functioning and longevity of the subject wastewater disposal system, or similar project goals. Moyse Environmental Services' total liability to the Client for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this agreement from any cause or causes shall not exceed the total amount of Our Fee.

Termination

This agreement may be terminated by either party. In the event of termination, Moyse Environmental Services, Inc. will be paid for services performed and expenses incurred up to and including the termination date.

Attachment B



LEGEND
INFRASTRUCTURE

-  Town Roads
-  State Roads
-  Private Roads
-  Unimproved Roads
-  Railroad
-  Pipeline US Government
-  Pipeline ExxonMobil

SITE

Notes:
 Map Prepared by:
 Gretchen Holdiman
 Date of Preparation:
 04 March 2009
 Projection: UTM, Zone 19
 Datum: NAD83
 Sources of Data & Disclaimer:
 For sources of data and
 disclaimer information,
 please see Maps section in text of
 Hampden Comprehensive Plan 2009

Town of Hampden
 106 Western Avenue
 Hampden, ME 04444
 (207)862.4500 x142

**TOWN OF HAMPDEN
 BASE MAP**

**NATIONAL PARK SERVICE
U. S. DEPARTMENT OF THE INTERIOR**

**LAND AND WATER CONSERVATION FUND
STATE ASSISTANCE PROGRAM**



**FEDERAL FINANCIAL ASSISTANCE MANUAL
Volume 69**

Effective Date: October 1, 2008

CHAPTER 4 - PROPOSALS, ENVIRONMENTAL REVIEW/FEDERAL COMPLIANCE

A. Proposal Development and Screening for Environmental Impacts

States are responsible for ensuring, on behalf of the NPS, proposals submitted to the NPS for federal decision, including new applications and amendments for LWCF previously-approved projects such as conversions, temporary non-conforming uses, and public facility exceptions, are developed in accordance with all applicable federal, state and local laws and regulations. This chapter presents the major federal laws and executive orders that govern the way proposals must be developed for federal review and decision. The General Provisions shall be attached to each LWCF grant agreement and amendment. States are encouraged to consult with NPS during the proposal development process for guidance on the compliance requirements in this chapter.

The federal legislation that coordinates the consideration of the potential for impacts to the human environment as a result of a federal action is the National Environmental Policy Act. As described in the next section, the NEPA process coordinates compliance with applicable related federal, state, and local environmental requirements. To facilitate and document this coordination, States must ensure that the LWCF Proposal Description and Environmental Screening Form (PD/ESF) is completed and accompanies each LWCF proposal submitted for federal review and decision.

The PD (proposal description) portion of the PD/ESF identifies and provides descriptive information about the proposal to the federal decision-maker.

The ESF (environmental screening form) portion of the PD/ESF serves as part of the federal administrative record required by NEPA and its implementing regulations which supports a chosen NEPA "pathway" which must be completed before final action can be taken by the NPS. It is intended that States/project sponsors use the PD/ESF as early as possible in the state/local project planning process. The ESF portion of the PD/ESF will administratively document 1) a Categorical Exclusion recommendation or 2) the necessity of further environmental review through an Environmental Assessment (EA) or Environmental Impact Statement (EIS) as necessary. In the latter case, the EA (or EIS) must accompany the State's LWCF proposal submission to the NPS. The ESF can also be used to document previously conducted yet still valid environmental analysis.

Upon the State's submission of the completed proposal with the PD/ESF and the completed environmental documentation as necessary, NPS will undertake an independent review of the final proposal and supporting documentation, and take action as appropriate.

B. National Environmental Policy Act

1. Authorities and guidance. The National Environmental Policy Act (NEPA) of 1969, as amended, is landmark environmental protection legislation establishing as a goal for federal decision-making a balance between use and preservation of natural and cultural resources.

planning process will yield information for use in defining the scope of the LWCF proposal and possible associated environmental impacts.

The LWCF PD/ESF shall be used by all potential LWCF project sponsors and for any LWCF proposal requiring federal action. The PD/ESF is designed for use as a tool during project scoping, planning, and proposal development to document environmental information and consider the LWCF proposal's possible environmental impacts at the time it is discussed, presented, or discovered in the field rather than as a "compliance exercise" after a decision is made and the application for federal assistance is being prepared.

As a result of early project scoping and planning, the State/sponsor develops a final proposal for possible federal assistance or action, including a completed ESF. The scope of the environmental review under NEPA, i.e., the extent of resources that may be affected by the project, depends on the type of LWCF proposal under consideration as follows:

- 
- a. New acquisition projects. The scope of the environmental review shall include the lands to be acquired and the proposed public outdoor recreation uses intended for the property to be completed within three years from the date of acquisition.
 - b. Development projects. The scope of the environmental review shall be the proposal to provide or improve facilities for public outdoor recreation use and associated activities resulting from these improvements.
 - c. Section 6(f)(3) Conversions. Pursuant to 36 CFR 59.3, the scope of the environmental review for Section 6(f)(3) conversions is the entire Section 6(f)(3) park proposed for conversion, including for partial conversions, and lands proposed for replacement including the proposed development for public outdoor recreation use and associated activities. Resources beyond the existing Section 6(f)(3) area are not subject to review unless required by other federal compliance programs.
 - d. Other LWCF proposals. To determine the scope of the environmental review for other types of LWCF proposals, consult your NPS Regional Office LWCF Program Manager.



The scope of the environmental review determines the resources that must be screened for possible environmental impacts resulting from the LWCF proposal.

- 6. NEPA pathway options. The completed PD/ESF will guide the state/project sponsor along the appropriate NEPA pathway to produce the level of environmental analysis and documentation required for the proposed undertaking. The PD/ESF will document and support the NEPA analysis pathway option chosen for the proposal. States are required to include the completed PD/ESF with its formal LWCF proposal submission to the NPS.

The NEPA analysis pathway options available to States are:

- a. Categorical Exclusion for which a record is needed. These Categorical Exclusions (CE) are for federal actions that, under normal circumstances, are not considered major

federal actions and have the potential for minor or no measurable impacts on the human environment. Prior to submitting a proposal to the NPS for federal review and decision, it is the State's responsibility to review the LWCF proposal to determine if the project meets the criteria for a CE determination. If the LWCF proposal meets the criteria for a CE, the State provides sufficient documentation on the PD/ESF to support the CE by indicating that all potential impacts will be minor or less, and NPS agrees with the CE selection, NPS will sign its own CE form signifying the proposal is categorically excluded from further NEPA analysis.

A CE is not applicable if the ESF indicates that the proposal may result in more than minor impacts on resources.

Note in addition to the CE criteria, the State must also consult the list of exceptions to the CE criteria listed in the PD/ESF. These exceptions describe additional circumstances that may be relevant for the proposal and could result in adverse impacts on the human environment and, therefore, preparation of an EA would be required.

- b. Environmental Assessment. An Environmental Assessment (EA) is required when 1) the significance of impacts on any resource is unknown, or 2) the proposed action does not meet the criteria for CE and is not included in the list of actions that normally require an EIS, or 3) the proposed action needs several CE categories to fully describe the action, would involve one or more CE criteria exceptions, or would involve unresolved conflicts concerning the use of resources.

All Section 6(f)(3) conversions require an EA except for the "small conversions" that qualify as a categorical exclusion as specifically defined in Chapter 8.

- (1) EA format: The following basic format for a LWCF EA is recommended. The content of each chapter will vary depending on the type of LWCF proposal under analysis such as new acquisition and development projects, Section 6(f)(3) conversions, and other LWCF proposals described in the PD/ESF. In cases where the State/local sponsor chooses to combine environmental review efforts to meet state and federal requirements (see Section 2 above), the following information must be included in the document in a way that allows the LWCF proposal to be readily discernable, such as in a separate section in the larger, more comprehensive document. The EA must be factual and written in an objective manner and with a neutral tone. The EA should not promote a particular alternative or make a case for the approval of the proposal. The information must be presented without technical jargon and so it can be understood by the interested and affected public.

Chapter 1 – Purpose, Need, Background. This chapter describes the purpose of the EA so that the interested and affected public, including other agencies and decision-makers, understand the type and nature of the proposal that needs a federal LWCF decision. This chapter needs to explain the EA will provide a framework for the NPS to evaluate the environmental consequences of the proposed action on the human environment, and must also include any information to help the interested



LWCF Proposal Description and Environmental Screening Form

The purpose of this Proposal Description and Environmental Screening Form (PD/ESF) is to provide descriptive and environmental information about a variety of Land and Water Conservation Fund (LWCF) state assistance proposals submitted for National Park Service (NPS) review and decision. The completed PD/ESF becomes part of the "federal administrative record" in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations. The PD portion of the form captures administrative and descriptive details enabling the NPS to understand the proposal. The ESF portion is designed for States and/or project sponsors to use while the LWCF proposal is under development. Upon completion, the ESF will indicate the resources that could be impacted by the proposal enabling States and/or project sponsors to more accurately follow an appropriate pathway for NEPA analysis: 1) a recommendation for a Categorical Exclusion (CE), 2) production of an Environmental Assessment (EA), or 3) production of an Environmental Impact Statement (EIS). The ESF should also be used to document any previously conducted yet still viable environmental analysis if used for this federal proposal. The completed PD/ESF must be submitted as part of the State's LWCF proposal to NPS.

Except for the proposals listed below, the PD/ESF must be completed, including the appropriate NEPA document, signed by the State, and submitted with each new federal application for LWCF assistance and amendments for: scope changes that alter or add facilities and/or acres; conversions; public facility exceptions; sheltering outdoor facilities; and changing the original intended use of an area from that which was approved in an earlier LWCF agreement. Consult the LWCF Program Manual (www.nps.gov/lwcf) for detailed guidance for your type of proposal and on how to comply with NEPA.

For the following types of proposals only this Cover Page is required because these types of proposals are administrative in nature and are categorically excluded from further NEPA environmental analysis. NPS will complete the NEPA CE Form. Simply check the applicable box below, and complete and submit only this **Cover Page to NPS along with the other items required for your type of proposal as instructed in the LWCF Program Manual.**

- SCORP planning proposal
- Time extension with no change in project scope or with a reduction in project scope
- To delete work **and** no other work is added back into the project scope
- To change project cost with no change in project scope or with a reduction in project scope
- To make an administrative change that does not change project scope



Name of LWCF Proposal:

Date Submitted to NPS:

Prior LWCF Project Number(s) *List all prior LWCF project numbers and all park names associated with assisted site(s):*

Local or State Project Sponsoring Agency *(recipient or sub-recipient in case of pass-through grants):*

Local or State Sponsor Contact:
Name/Title:

Office/Address:

Phone/Fax:

Email:

Step 6. Environmental Screening Form (ESF)

This portion of the PD/ESF is a working tool used to identify the level of environmental documentation which must accompany the proposal submission to the NPS. By completing the ESF, the project sponsor is providing support for its recommendation in Step 7 that the proposal either:

1. meets criteria to be categorically excluded (CE) from further NEPA review and no additional environmental documentation is necessary; or
2. requires further analysis through an environmental assessment (EA) or an environmental impact statement (EIS).

An ESF alone does not constitute adequate environmental documentation unless a CE is recommended. If an EA is required, the EA process and resulting documents must be included in the proposal submission to the NPS. If an EIS may be required, the State must request NPS guidance on how to proceed.

The scope of the required environmental analysis will vary according to the type of LWCF proposal. For example, the scope for a new LWCF project will differ from the scope for a conversion. Consult the LWCF Manual for guidance on defining the scope or extent of environmental analysis needed for your LWCF proposal. As early as possible in your planning process, consider how your proposal/project may have direct, indirect and cumulative impacts on the human environment for your type of LWCF action so planners have an opportunity to design alternatives to lessen impacts on resources, if appropriate. When used as a planning tool in this way, the ESF responses may change as the proposal is revised until it is ready for submission for federal review. Initiating or completing environmental analysis after a decision has been made is contrary to both the spirit and letter of the law of the NEPA.

The ESF should be completed with input from resource experts and in consultation with relevant local, state, tribal and federal governments, as applicable. The interested and affected public should be notified of the proposal and be invited to participate in scoping out the proposal (see LWCF Manual Chapter 4). At a minimum, a site inspection of the affected area must be conducted by individuals who are familiar with the type of affected resources, possess the ability to identify potential resource impacts, and to know when to seek additional data when needed.

At the time of proposal submission to NPS for federal review, the completed ESF must justify the NEPA pathway that was followed: CE recommendation, production of an EA, or production of an EIS. The resource topics and issues identified on the ESF for this proposal must be presented and analyzed in an attached EA/EIS. Consult the LWCF Manual for further guidance on LWCF and NEPA.

The ESF contains two parts that must be completed:

Part A. Environmental Resources

Part B. Mandatory Criteria

Part A: For each environmental resource topic, choose an impact estimate level (none, negligible, minor, exceeds minor) that describes the degree of potential negative impact for each listed resource that may occur directly, indirectly and cumulatively as a result of federal approval of your proposal. For each impacted resource provide a brief explanation of how the resource might be affected, how the impact level was determined, and why the chosen impact level is appropriate. If an environmental review has already been conducted on your proposal and is still viable, include the citation including any planned mitigation for each applicable resource, and choose an impact level as mitigated. If the resource does not apply to your proposal, mark NA in the first column. Add any relevant resources (see A.24 on the ESF) if not included in the list.

Use a separate sheet to briefly clarify how each resource could be adversely impacted; any direct, indirect, and cumulative impacts that may occur; and any additional data that still needs to be determined. Also explain any planned mitigation already addressed in previous environmental reviews.

Part B: This is a list of mandatory impact criteria that preclude the use of categorical exclusions. If you answer "yes" or "maybe" for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in Part A. Explain all "yes" and "maybe" answers on a separate sheet.

For conversions, complete one ESF for each of the converted and replacement sites.

A. ENVIRONMENTAL RESOURCES Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	Not Applicable- Resource does not exist	No/Negligible Impacts- Exists but no or negligible impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine Degree of Impact EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.					
2. Air quality					
3. Sound (noise impacts)					
4. Water quality/quantity					
5. Stream flow characteristics					
6. Marine/estuarine					
7. Floodplains/wetlands					
8. Land use/ownership patterns; property values; community livability					
9. Circulation, transportation					
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing					
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.					
12. Unique or important wildlife/ wildlife habitat					
13. Unique or important fish/habitat					
14. Introduce or promote invasive species (plant or animal)					
15. Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc. <i>Most conversions exceed minor impacts. See Step 3.B</i>					
16. Accessibility for populations with disabilities					
17. Overall aesthetics, special characteristics/features					
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.					
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure					
20. Minority and low-income populations					
21. Energy resources (geothermal, fossil fuels, etc.)					
22. Other agency or tribal land use plans or policies					
23. Land/structures with history of contamination/hazardous materials even if remediated					
24. Other important environmental resources to address.					

B. MANDATORY CRITERIA If your LWCF proposal is approved, would it...	Yes	No	To be determined
1. Have significant impacts on public health or safety?			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O 11988); and other ecologically significant or critical areas.			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?			
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?			
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?			
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office.(Attach SHPO/THPO Comments)			
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.			
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?			

Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.

- 1.
- 2.
- 3.

The following individuals conducted a site inspection to verify field conditions.

List name of inspector(s), title, agency, and date(s) of inspection.

- 1.
- 2.
- 3.

State may require signature of LWCF sub-recipient applicant here: _____ Date _____

Step 7. Recommended NEPA Pathway and State Appraisal/Waiver Valuation

First, consult the attached list of "Categorical Exclusions (CEs) for Which a Record is Needed." If you find your action in the CE list **and** you have determined in Step 6A that impacts will be minor or less for each applicable environmental resource on the ESF **and** you answered "no" to all of the "Mandatory Criteria" questions in Step 6B, the proposal qualifies for a CE. Complete the following "State LWCF Environmental Recommendations" box indicating the CE recommendation.

If you find your action in the CE list **and** you have determined in Step 6A that impacts will be greater than minor or that more data is needed for any of the resources **and** you answered "no" to all of the "Mandatory Criteria" questions, your environmental review team may choose to do additional analysis to determine the context, duration, and intensity of the impacts of your project or may wish to revise the proposal to minimize impacts to meet the CE criteria. If impacts remain at the greater than minor level, the State/sponsor must prepare an EA for the proposal. Complete the following "State Environmental Recommendations" box indicating the need for an EA.

If you do not find your action in the CE list, regardless of your answers in Step 6, you must prepare an EA or EIS. Complete the following "State Environmental Recommendations" box indicating the need for an EA or EIS.

State NEPA Pathway Recommendation

I certify that a site inspection was conducted for each site involved in this proposal and to the best of my knowledge, the information provided in this LWCF Proposal Description and Environmental Screening Form (PD/ESF) is accurate based on available resource data. All resulting notes, reports and inspector signatures are stored in the state's NEPA file for this proposal and are available upon request. On the basis of the environmental impact information for this LWCF proposal as documented in this LWCF PD/ESF with which I am familiar, I recommend the following LWCF NEPA pathway:

- This proposal qualifies for a Categorical Exclusion (CE).
 - CE Item #:
 - Explanation:
- This proposal requires an Environmental Assessment (EA) which is attached and has been produced by the State/sponsor in accordance with the LWCF Program Manual.
- This proposal may require an Environmental Impact Statement (EIS). NPS guidance is requested per the LWCF Program Manual.

Reproduce this certificate as necessary. Complete for each LWCF appraisal or waiver valuation.

State Appraisal/Waiver Valuation Review

Property address:

Date of appraisal transmittal letter/waiver:

Real property value: \$

Effective date of value:

I certify that: a State-certified Review Appraiser has reviewed the appraisal and has determined that it was prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions.

OR

the State has reviewed and approved a waiver valuation for this property per 49 CFR 24.102(c)(2)(ii).

SLO/ASLO Original Signature: _____ Date: _____
Typed Name, Title, Agency:

C-4-c

SUPPORT OF THE PAPER TRADE CASE

1 / 2010

RESOLUTION #

Reaffirming the Commitment of the Town of Hampden, Maine to the Importance of Manufacturing to the Local Economy and Throughout the United States, Expressing Support for Strong Enforcement of our Trade Laws, and Expressing Support for the Domestic Coated Paper Industry and its Worker who have been Injured by Unfair Trade Practices by Foreign Producers.

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment, and

WHEREAS, over two million manufacturing jobs have been lost since the start of the recession in December of 2007, and well over five million jobs and over 50,000 factories have been lost in the last ten years, and

WHEREAS, in a December 2, 2009, USA Today/Gallup poll, Americans were asked what should be done to create more jobs in the U.S. and the most frequent response was to "keep manufacturing jobs in the U.S.," and

WHEREAS, a strong industrial base is important to our nation's economic and national security, demonstrated by the following: American manufacturing directly employs nearly 12 million Americans and directly supports 8 million additional jobs in other sectors; American manufacturing pays better wages (20 percent on average) than other sectors of the economy; American manufacturers are responsible for two-thirds of research and development investment in the United States; nearly 80 percent of all patents filed come from the manufacturing sector, and

WHEREAS, on September 23, 2009, Appleton Coated LLC, NewPage Corporation, Sappi Fine Paper North America and the United Steelworkers Union initiated a trade investigation with respect to unfair trade practices (dumping and subsidization) conducted by Chinese and Indonesian producers of coated paper, and

WHEREAS, dumping occurs when a foreign producer sells into the domestic market for less than the price that producer charges in its home market or when its U.S. prices are below the cost to produce the product and subsidies are financial assistance from foreign governments that benefit the production, manufacture, or exportation of goods, and

WHEREAS, the United States has in place trade laws that allow domestic industry and its workers to petition for relief from unfair trade practices that create an "unlevel playing field" and lead to plant closures and job loss in communities throughout America, and

WHEREAS, the United States International Trade Commission and the United States Department of Commerce are reviewing the paper case and will make determinations as

to whether dumping and subsidization have occurred and whether domestic producers and its workforce have been materially injured as a result, and

WHEREAS, imports from the subject countries grew by roughly 40 percent in the first six months of 2009, as compared to the same period in 2008, and domestic shipments dropped by roughly 38 percent, and

WHEREAS, Chinese and Indonesian producers have captured almost 30 percent of our market in coated paper products, double the amount from the previous year, and

WHEREAS, since 2002, roughly 60,000 jobs have been lost in the overall paper sector, and

WHEREAS, the paper case affects 6,000 workers whose jobs are at risk from unfair trade competition, and

WHEREAS, both the Chinese and Indonesian governments have longstanding policies to encourage the development of their paper industries and have provided a host of illegal subsidies to paper producers to give them an advantage over domestically produced goods: Now, THEREFORE, be it

RESOLVED BY THE TOWN COUNCIL, FOR THE TOWN OF HAMPDEN THAT--

- (1) a vibrant manufacturing sector is critical to an immediate economic recovery and to the long-term health of the Town of Hampden, and the United States;
- (2) free trade cannot occur unless our trade laws are strictly enforced; and
- (3) our coated paper industry is the most efficient in the world and its workers can compete with any foreign competition that does not enjoy the benefit of illegal government assistance; and
- (4) the United States Department of Commerce and the United States International Trade Commission should hold Chinese and Indonesian producers accountable for unfair trade practices that distort markets, devastate production and employment in the United States, and affect the livelihood of the Town of Hampden and communities throughout the United States.

SIGNATURES

_____	_____
_____	_____
_____	_____
_____	_____

United States Senate

WASHINGTON, DC 20510

November 5, 2009

The Honorable Marilyn R. Abbott, Secretary
United States International Trade Commission
500 E Street, S.W.
Washington, DC 20436

RE: Certain Coated Paper Suitable For High-Quality Print Graphics Using
Sheet-Fed Presses From China and Indonesia, Inv. Nos. 701-TA-471 and 731-
TA-1169-1170 (Preliminary)

Dear Secretary Abbott:

We are writing today in support of the antidumping and countervailing duty petitions filed by two Maine paper producers, NewPage Corporation and Sappi Fine Paper, related to coated printing paper from China and Indonesia.

At one time, NewPage Corporation employed 1,100 people at its mill in Rumford, Maine but today employs only 930. As a result of unfair pricing and large government subsidies to paper producers in China and Indonesia, NewPage Corporation has been forced to lay off workers and idle some of its paper machines at the Rumford mill. A reduction in workers' hours and possible layoffs can only do further damage to Maine's already struggling economy.

In 2006 and 2007, the International Trade Commission (ITC) conducted an investigation on behalf of the NewPage Corporation. This investigation focused on unfair subsidies to the coated free sheet paper industries in China, South Korea, and Indonesia, and well as injurious dumping by producers in those countries. Although the Department of Commerce's investigation showed the unfair dumping and subsidies were occurring, the ITC determined that U.S. manufacturers had not been injured, and therefore provided no remedy. Unfortunately, the Chinese and Indonesians viewed the negative determination as a green light to continue to receive subsidies and dump paper in the U.S. market.

NewPage, Sappi, and other U.S. producers have since filed new petitions focused on coated paper in sheet form - the specific products coming in from China and Indonesia. Our laws authorize the ITC to remedy injurious imports from foreign countries. If the allegations made by the petitioners meet the statutory criteria, it is our hope that the ITC will take all appropriate action to ensure that American businesses and workers are no longer forced to compete against foreign business on an unlevel playing field.

Thank you for your attention to this matter.

Sincerely,


Susan M. Collins
United States Senator


Olympia J. Snowe
United States Senator

Congress of the United States
Washington, DC 20515

October 29, 2009

The Honorable Marilyn R. Abbott, Secretary
United States International Trade Commission
500 E Street, S.W.
Washington, DC 20436

RE: Certain Coated Paper Suitable For High-Quality Print Graphics Using
Sheet-Fed Presses From China and Indonesia, Inv. Nos. 701-TA-471 and
731-TA-1169-1170 (Preliminary)

Dear Secretary Abbott:

We are writing you today on behalf of two Maine producers of coated printing paper, NewPage Corporation and Sappi Fine Paper North America.

NewPage, Sappi, Appleton Coated and the United Steelworkers have joined in filing antidumping and countervailing duty petitions regarding imports of coated printing paper from China and Indonesia. The petitions cover unfair subsidies to the coated printing paper industries in China and Indonesia, as well as injurious dumping by producers in both countries.

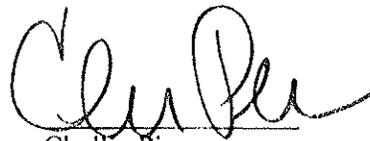
Imports of coated paper from China and Indonesia have increased by 40 percent in the first half of 2009, so that imports from these countries have now captured 30 percent of the domestic market. This has occurred, despite the steep drop in demand for coated papers due to the global economic downturn, because of significant levels of underselling by Chinese and Indonesian producers. As a result, NewPage has been forced to shutter capacity at a plant in Rumford, Maine, as well as in its operations in other states, resulting in thousands of lost jobs. Both NewPage and Sappi have also been forced to take long periods of unscheduled market-related downtime, reducing incomes and adding uncertainty to the future of this industry. The large influx of additional dumped and subsidized imports prompted the filing of these petitions. They focus on coated paper in sheet form, which is the vast bulk of imports from China and Indonesia.

We understand that the International Trade Commission has scheduled a vote in the preliminary phase of these investigations for November 6. We urge the Commission to recognize the significant injury that is being caused by these unfairly traded imports and the vulnerable condition of the domestic industry when it makes that decision.

We also request that you include this letter in the public record in these investigations.


Michael H. Michaud
Member of Congress

Sincerely,


Chellie Pingree
Member of Congress

United States Senate

WASHINGTON, DC 20540

March 31, 2010

The Honorable Timothy F. Geithner
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Mr. Secretary:

We write today to ask that the Department of Treasury list China as a currency manipulator in its April 15th bi-annual exchange rate report to Congress.

In January 2010, senior fellows with the Peterson Institute for International Economics, William R. Cline and John Williamson, estimated the Renminbi (RMB) to be undervalued by a staggering 41 percent relative to the dollar. The tremendous undervaluation of the RMB directly subsidizes exports from China. This direct form of subsidization of exports upends the playing field against American manufacturers and has resulted in the loss of 2.4 million American jobs according to a March 23, 2010 report by the Economic Policy Institute.

Given the severity and widespread use of currency manipulation, we are troubled that no economy has met Treasury's standards necessary to be considered a currency manipulator since 1994. Treasury's justification for its stance, namely that nations with undervalued currencies who appear to be taking steps to enhance exchange rate flexibility are not currency manipulators, allows economically damaging policies to persist. To that point, the aforementioned Cline and Williamson point out that a number of other nations engage in significant undervaluation: Hong Kong (32 percent), Malaysia (31 percent), Taiwan (29 percent), and Singapore (25 percent).

When we consider the substantial adverse impact on American jobs attributable to currency manipulation, the U.S. government should revisit our approach to dealing with the issue of currency manipulation. That is why we support the Currency Exchange Rate Oversight Reform Act of 2010 (S. 3134), which would enhance Treasury's ability to confront this issue. We encourage you to follow the commitment you made in your January 21, 2009 comments to the Senate Finance Committee to act aggressively to address currency manipulation, specifically in relation to China.

Please use the bi-annual report to unambiguously declare these actions for what they are—an unfair competitive advantage utilized by nations to harm the American economy. We must use the tools we have to create an economic atmosphere where our manufacturers can compete and create jobs to grow the U.S. economy.

Thank you for your attention to this issue. We look forward to reviewing your report.

Sincerely,



Robert P. Casey, Jr.
U.S. Senator



Debbie Stabenow
U.S. Senator



Carl Levin
U.S. Senator



Russell D. Feingold
U.S. Senator



Olympia J. Snowe
U.S. Senator



Susan M. Collins
U.S. Senator



FACT SHEET

Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Certain Coated Paper from Indonesia and the People's Republic of China

- On October 14, the Department of Commerce (Commerce) is scheduled to announce its decision to initiate antidumping and countervailing duty investigations on imports of certain coated paper from Indonesia and the People's Republic of China (China).
- Dumping occurs when a foreign company sells a product in the United States at less than normal value. Subsidies are financial assistance from foreign governments that benefit the production, manufacture, or exportation of goods.
- The petitioners for these investigations are: Appleton Coated LLC (WI); NewPage Corporation (OH); S.D. Warren Company d/b/a Sappi Fine Paper North America (MA); and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (PA).
- The products covered by these investigations include certain coated paper and paperboard in sheets suitable for high quality print graphics using sheet-fed presses; coated on one or both sides with kaolin (China or other clay), calcium carbonate, titanium dioxide, and/or other inorganic substances; with or without a binder; having a GE brightness level of 80 or higher ; weighing not more than 340 grams per square meter; whether gloss grade, satin grade, matte grade, dull grade, or any other grade of finish; whether or not surface-colored, surface-decorated, printed (except as described below), embossed, or perforated; and irrespective of dimensions ("Certain Coated Paper").

Certain Coated Paper includes (a) coated free sheet paper and paperboard that meets this scope definition; (b) coated groundwood paper and paperboard produced from bleached chemi-thermo-mechanical pulp ("BCTMP") that meets this scope definition; and (c) any other coated paper that meets this scope definition.

Certain Coated Paper is typically (but not exclusively) used for printing multi-colored graphics for catalogues, books, magazines, envelopes, labels and wraps, greeting cards, and other commercial printing applications requiring high quality print graphics.

Specifically excluded from the scope are imports of paper and paperboard printed with final content printed text or graphics.

- The products covered by these investigations are currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under item numbers: 4810.14.11, 4810.14.1900, 4810.14.2010, 4810.14.2090, 4810.14.5000, 4810.14.6000, 4810.14.70, 4810.19.1100, 4810.19.1900, 4810.19.2010, 4810.19.2090, 4810.22.1000, 4810.22.50, 4810.22.6000, 4810.22.70, 4810.29.1000, 4810.29.5000, 4810.29.6000, 4810.29.70. While the HTSUS subheading is provided for convenience and customs purposes, Commerce's written description of the subject merchandise governs the scope of these investigations.

- In 2008, imports of certain coated paper from Indonesia were valued at an estimated \$44.3 million and imports from China were valued at an estimated \$228.7 million.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determination on or about November 2.
- If the ITC determines that there is a reasonable indication that imports are materially injuring, or threatening material injury to, the domestic industry, the investigations will continue, and Commerce will be scheduled to make its preliminary CVD determinations in December 2009 and its preliminary AD determinations in March 2010.

ALLEGED DUMPING MARGIN:

COUNTRY	MARGIN
INDONESIA	33.00%-41.00%
CHINA	25.70%-135.80%

ALLEGED SUBSIDY RATE:

COUNTRY	NET SUBSIDY
INDONESIA	<i>Above de minimis</i>
CHINA	<i>Above de minimis</i>

* *de minimis* = less than 1% for developed countries; less than 2% for developing countries.

CASE CALENDAR:

EVENT	CVD INVESTIGATION	AD INVESTIGATION
Petitions Filed	September 23, 2009	September 23, 2009
Commerce Initiation Date	October 13, 2009	October 13, 2009
ITC Preliminary Determination*	November 9, 2009	November 9, 2009
Commerce Preliminary Determinations †**	December 17, 2009	March 2, 2010
Commerce Final Determinations†	March 2, 2010	May 17, 2010
ITC Final Determination***	April 16, 2010	June 30, 2010
Issuance of Orders****	April 23, 2010	July 7, 2010

* Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.
 † These deadlines may be extended under the governing statute.

** This will take place only in the event of a preliminary affirmative determination from the ITC.

*** This will take place only in the event of a final affirmative determination by Commerce.

**** This will take place only in the event of final affirmative determinations by both Commerce and the ITC.

IMPORT STATISTICS:

INDONESIA	2006	2007	2008
Quantity (Tons)	65,298	57,361	53,329
Value (1,000 USD)	48,158	43,856	44,250
CHINA			
Quantity (Tons)	303,405	306,387	275,723
Value (1,000 USD)	234,127	243,002	228,697

Source: U.S. International Trade Commission ("ITC") Dataweb available at <http://dataweb.usitc.gov>.

FACT SHEET AND TALKING POINTS

FILING OF ANTIDUMPING AND COUNTERVAILING DUTY PETITIONS ON CERTAIN COATED PAPER FROM CHINA AND INDONESIA

Fact Sheet

On September 23, 2009, three U.S. paper producers and the United Steelworkers, filed antidumping and countervailing duty petitions covering certain coated paper from China and Indonesia. The three producers are Appleton Coated LLC, NewPage Corporation and Sappi Fine Paper North America. The petitions allege that Chinese and Indonesian exporters of the coated paper covered by the petitions are selling in the United States at prices below normal value and that producers in China and Indonesia receive subsidies from the Chinese and Indonesian governments. The petitions also allege that the U.S. industry producing comparable coated paper is being injured as a result of unfairly traded imports from these countries.

The industry seeks to have the United States Department of Commerce and the U.S. International Trade Commission, the agencies responsible for investigating the alleged unfair trade practices, impose duties to offset Chinese government subsidization and below-cost dumping. According to industry data, total imports of coated paper from China and Indonesia, of which the large majority is classified as covered coated paper, have jumped from 131,687 short tons in the first six months of 2008 to 185,422 short tons in the first six months of 2009 -- an increase of nearly 40 percent. During the same period, covered coated paper shipments by domestic manufacturers are estimated to have declined by approximately 38 percent. China and Indonesia together are believed to account for nearly 30 percent of the U.S. market, for the coated paper covered by the petitions, in the first six months of this year, almost double the share they had at the same time last year. Imports from China and Indonesia are underselling U.S. producers and are also steeply discounted relative to other import sources.

The petitions provide information demonstrating that the imports have adversely affected the domestic industry and its workers. The domestic industry has experienced substantial capacity reduction and under-utilization resulting in the loss of thousands of jobs. The petitions show that unfairly traded imports from China and Indonesia are a significant contributor to that underutilization of capacity and resultant job loss.

The cases are expected to take about a year to complete. The U.S. International Trade Commission will make its preliminary determination regarding whether the U.S. industry is being materially injured by unfairly traded Chinese and Indonesian imports by mid-November. The U.S. Department of Commerce will issue their preliminary determinations regarding government subsidies by December 2009 and regarding dumping by March 2010.

Talking Points

- Today three paper producers and the USW filed antidumping and countervailing duty cases covering certain types of coated paper that are being imported into the United States from China and Indonesia.
- The cases were filed with the two U.S. government agencies responsible for investigating these types of unfair trade practices -- the U.S. Department of Commerce and the U. S. International Trade Commission.
- The cases cover two types of unfair trade: dumping and subsidies.
- Dumping occurs when a foreign producer sells into the U.S. market for less than the price that producer charges in the home market or when it sells below the cost to produce the product. If the Department of Commerce finds that there is dumping, and the International Trade Commission finds that the U.S. industry is injured by the dumped imports, duties will be imposed to offset the amount of the dumping found to exist.
- The Department of Commerce will also determine whether producers in China and Indonesia benefit from government subsidies. If the Department of Commerce finds that countervailable subsidies have been provided, and the International Trade Commission finds that the U.S. industry is injured by the subsidized imports, duties will be imposed to offset the amount of the subsidies found to exist.
- Both the Chinese and Indonesian governments have had longstanding policies to encourage the development of their paper industries and have provided a host of subsidies to paper producers to help them grow their businesses. In fact, China is now one of the world's largest producers of coated papers as a result of government subsidies.
- The petitions allege that Chinese producers get low-cost loans from government banks; cheap electricity, coal, and water from Chinese utilities; and special prices for chemicals used in paper production from government-owned chemical companies. Chinese paper producers also benefit from a variety of tax subsidies and receive grants from the central and provincial governments. The Chinese government also undervalues its currency -- the yuan -- which provides a huge windfall to Chinese exporters.
- In Indonesia, we have alleged that Indonesian coated paper producers get timber from government-owned lands at below-market prices, that they have benefited from government loans and debt forgiveness, and receive tax breaks.
- U.S. producers of coated paper have struggled in the face of low-priced imports of coated paper from China and Indonesia. We have seen the market erode because of unfair trade practices and this has forced the closure of quite a few paper making machines and forced U.S. producers to take market-related downtime. The U.S. trade laws, and the petitions we have filed, do not seek to exclude foreign products from our markets. Rather, their purpose is to assure that foreign products are fairly traded in our markets.
- We are hopeful that these cases will restore a level playing field in the market for coated papers.



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

April 9, 2010

Dear Friends,

Thank you all for being here today. I am sorry that I could not join you in person to express my support for Maine workers and my dedication to seeing that Maine manufacturers are no longer facing unfair competition from overseas.

First, I would like to thank the United Steelworkers and the workers and management of the Rumford and Skowhegan mills for the fantastic work that you all do. I am enormously proud to come from a state with such tough and dedicated workers, and to have the honor of representing some of you in Congress. I also want to thank Dan Lawson for his great work on behalf of Maine's workers, and for organizing this event. I would like to commend my friend, Senate President Libby Mitchell, for the leadership she has shown on this issue in the Maine Senate. I would also like to thank my colleagues in Maine's congressional delegation – it has been an honor to work with them this past year on ways to preserve and create jobs in Maine.

For too long Maine's paper mills have been at the mercy of Chinese and Indonesian competitors who have been receiving large subsidies from their governments and dumping their products on our markets – skewing the playing field and hurting Maine workers. Since 2007, Chinese and Indonesian imports have been flowing into the U.S. market in enormous volumes. I know that NewPage has been forced to shutter capacity at a plant in Maine as well as other locations. Both NewPage and Sappi have also reduced operations at other facilities, including at their existing facilities in Maine.

I was proud to have the opportunity in the past year to work with the Maine delegation to confront this issue head-on. Congressman Michaud and I have sent several joint letters on this issue – to Commerce Secretary Gary Locke and the Secretary of the International Trade Commission, Marilyn Abbott – urging them to move forward quickly with investigations into the unfair subsidies to the coated printing paper industries in China and Indonesia, as well as into dumping by producers in both countries, and the ongoing manipulation of currency in China.

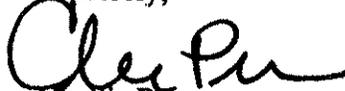
With the ITC's unanimous vote in November, and the Commerce Department's March 2 decision in favor of our American paper manufacturers, I am confident that we are moving in the right direction. With the continued work and advocacy of people like you –



and the more than 800 Mainers who have written personal letters in support of this fight – we will solve this problem and see Maine's paper mills thrive once again.

Thank you again for your dedicated work and your support.

Sincerely,

A handwritten signature in black ink, appearing to read "Chellie Pingree". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Chellie Pingree

Member of Congress

Trade Case Update ~ March 2, 2010

Appleton Coated LLC, NewPage Corporation, Sappi Fine Paper North America and the United Steelworkers Union filed trade cases on September 23, 2009 seeking to end dumping and subsidy practices, involving certain coated paper produced in China and Indonesia, which have devastated production and employment in the United States.

Background

- The cases deal with subsidy and dumping practices of these countries.
- The cases identify broad subsidy benefits that producers in each country enjoy and which should be addressed by the U.S. government.
- Dumping occurs when a foreign producer sells into the U.S. market for less than the price that producer charges in its home market or when its U.S. prices are below the cost to produce the product. The dumping margins identified in the case run as high as 135.8 percent.

U.S. Department of Commerce Preliminary Finding of Improper Subsidies

- The Department of Commerce found that Chinese and Indonesian coated paper producers had received improper subsidies and issued countervailing duty determinations ranging from 3.92 to 17.48 percent. As a result of these determinations, the Department of Commerce will impose tariffs on imports of coated paper to offset the unfair advantage provided by subsidization. This triggers the immediate requirement that importers of the paper from the two countries will have to post bond or cash deposits in an amount equal to the announced margins.

Support of the Trade Cases:

- Senators, Representatives and other public officials from all across the country have contacted the International Trade Commission and the Department of Commerce in strong support of the case. These officials have seen firsthand the devastating impact of the Chinese and Indonesian dumping and subsidy practices, on production and employment in their communities and states. They are regularly hearing from people in their communities about the need to respond to foreign unfair trade practices.
- On February 25, fifteen Senators – Democrats and Republicans -- joined together in a letter to Commerce Secretary Locke asking that his Department act to counter China's currency manipulation which operates as a subsidy to its exporters.

Specific Decision by the Department of Commerce:

The Department of Commerce's decision supports the allegations in the petitions that imports from these two countries are being subsidized. Specifically, in the China investigation the Department of Commerce found that Chinese producers benefitted from preferential lending, preferential income tax programs, tax credits for purchasing domestically-produced equipment, import duty and VAT exemptions for imported capital equipment, research and development tax credits, and preferential provision of electricity. In the Indonesia investigation, the Department of Commerce found that the provision of timber for less than adequate remuneration, government debt forgiveness, and the government of Indonesia's ban on the export of logs, provided countervailable subsidies to coated paper producers in Indonesia.

In addition, with respect to the China investigation, the Department of Commerce noted that it is reviewing the Petitioners' allegation that undervaluation of China's currency provides a subsidy, as well as other new subsidy allegations, which could make a difference in the rates assessed in the final determination.

Next Steps:

- A number of steps will occur as the case proceeds. Each of these steps is vital to ensuring that the unfair trade practices are addressed.
- On April 28th, the Department of Commerce will issue its preliminary determinations in the antidumping duty investigations.
- On an ongoing basis, the government will conduct a further examination, including site visits, to obtain additional facts to guide them in making their final antidumping and countervailing duty determinations.
- In the Fall, the International Trade Commission will conduct a public hearing to hear the arguments of each side as it prepares its final decision as to whether the domestic industry is injured or threatened with injury by reason of imports of Chinese and Indonesian coated paper.

Trade Case Update ~ October 23, 2009

Appleton Coated LLC, NewPage Corporation, Sappi Fine Paper North America and the United Steelworkers Union filed trade cases on September 23, 2009 seeking to end dumping and subsidy practices, involving certain coated paper produced in China and Indonesia, which have devastated production and employment in the United States.

Background

- The cases deal with dumping and subsidy practices of these countries.
- Dumping occurs when a foreign producer sells into the U.S. market for less than the price that producer charges in its home market or when its U.S. prices are below the cost to produce the product. The dumping margins identified in the case run as high as 135.8 percent.
- The case also identifies broad subsidy benefits that producers in each country enjoy and which should also be addressed by the U.S. government.

U.S. Department of Commerce Initiation of Investigation, October 13, 2009

- The Department of Commerce found that sufficient facts had been presented to initiate an investigation of alleged Chinese and Indonesian unfair trade practices. The successful initiation of these trade cases, by the Department of Commerce, is an important step forward in restoring fair trade in coated paper products.

Testimony Before the U.S. International Trade Commission, October, 14, 2009

- Parties on both sides of the case appeared at a staff briefing at the International Trade Commission to support their positions.
 - Parties testifying in support of the trade cases included:
 - Barry R. Nelson, SVP, Sales, NewPage Corporation
 - Jennifer Miller, EVP, Strategic Marketing and Communications, Sappi Fine Paper NA
 - Anne Ayer, VP, Corporate Development and CIO, Sappi Fine Paper NA
 - Greg Savage, VP, Commercial Sales, Appleton Coated LLC
 - Jon Geenen, International VP, United Steelworkers (USW)
 - Jeff Hederick, VP, Strategic Development and Sourcing, Unisource Worldwide, Inc.
 - Don Crew, President, Clampitt Paper
 - Mike Graff, President, Sandy Alexander
 - Jim Sandstrom, President, HM Graphics
 - Law firms: Stewart and Stewart, King & Spalding
 - Parties testifying in opposition of the trade cases included:
 - Terry Hunley, President, Asia Pulp & Paper/Americas
 - Law firm: Winston & Strawn LLP
- During its argument at the ITC staff conference, Asia Pulp and Paper contended that U.S. producers were similarly subsidized by virtue of renewable energy tax incentives. Its claims are misplaced as the incentives are not designed to promote production by the U.S. paper sector, but rather are intended to promote alternative fuel use, primarily from biomass.

Government Support of the Trade Cases:

- Senators, Representatives and other public officials from all across the country have contacted both government agencies in strong support of the case. These officials have seen firsthand the devastating impact of the Chinese and Indonesian dumping and subsidy practices, on production and employment in their communities and states.

Product Change since the Case was Filed on September 23, 2009:

- The product category covered by these cases now includes only coated paper and paperboard in sheets suitable for high quality print graphics using sheet-fed presses, coated on one or both sides and having a GE brightness level of 80 or higher. The government also defined the products covered by the case as those not weighing more than 340 grams per square meter.
- Initially the cases included sheeter rolls; however, product in roll form have now been dropped from the case.

Next Steps:

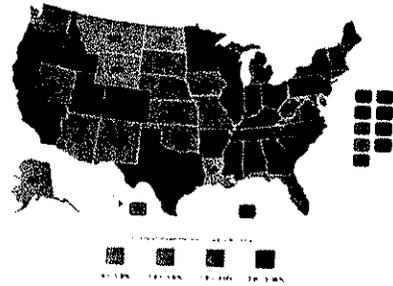
- A number of steps will occur as the case proceeds. Each of these steps is vital to ensuring that the unfair trade practices are addressed.
- On **November 6, 2009**, there will be a preliminary vote by the International Trade Commission (ITC) on whether there is a reasonable indication that the imports, that are being dumped and subsidized, are causing, or are threatening to cause, material injury to the domestic industry.
- On **November 9, 2009**, the ITC will transmit its preliminary determination to the Department of Commerce.
- On **December 17, 2009**, assuming that the ITC makes an affirmative preliminary injury decision, the Department of Commerce will make its preliminary determination on the countervailing duty levels. However, this deadline could be extended by up to 60 days.

Save Jobs

Write the President and Congress
How Much More Can We Take



- Our trade imbalance with China has cost America 2.4 MILLION JOBS since 2001!
- A big reason is that the Chinese Government deliberately sets its money value up to 40% lower than the dollar. This manipulation means they can sell their products up to 40% cheaper in the U.S.
- The stunning damage to jobs can be seen on a special map that shows each state and Congressional District losses. Take a look at: <http://www.americanmanufacturing.org/china-job-loss/>



We Have a Chance to Act NOW

Insist that the President formally label China a "Currency Manipulator"

Urge Congress to Pass Strong Legislation with Penalties

We Have a New Quick and Easy Website Letter Writer

1. **Go to:** <http://www.americanmanufacturing.org/>
2. **Click on:** [*TAKE ACTION: Write to Congress and the President*](#)
3. **Fill in:** Your Name and Address Information in the Form
4. **Click:** "Send Message" an you've sent the message

If You Don't Have Access to a Computer you can fill out the Letter on the Back of this Flyer and AAM will see that the President and Your Congress people get it.

The Alliance for American Manufacturing (AAM) is a non-partisan, non-profit partnership of leading domestic manufacturers and the United Steelworkers. 727 Fifteenth Street, NW, Suite 700, Washington, DC 20005, phone: 202-393-3430, fax: 800-915-4610



Stop Currency Manipulation Save American Jobs



Dear President Obama

Dear Secretary Geithner

Dear Senators _____

Dear Representative _____

I am writing to urge you to support American jobs and manufacturing by backing efforts to hold China accountable for its market-distorting currency manipulation.

China's currency manipulation is a major cause of our growing U.S. trade deficit, which grew by \$186 billion between 2001 and 2008. Most economists believe that China's currency is deliberately undervalued by at least 40 percent. This policy artificially raises the price of our exports to China and gives Chinese goods an outrageous competitive edge in our market and other markets around the globe.

The damage already done by China's unfair trade practices is staggering. According to a report conducted by the Economic Policy Institute (EPI) and the Alliance for American Manufacturing (AAM), since China joined the World Trade Organization in 2001, 2.4 million jobs have been lost or displaced in the U.S. as a result of this massive bilateral trade deficit. Every Congressional district has lost jobs.

Repeated attempts to persuade Beijing to adjust its currency have failed. I urge you to do everything you can to designate China as a currency manipulator in the Administration's semi-annual report to Congress.

I also urge to you support legislation to compel China to honor its bilateral commitments to a level playing field. On March 17, 2010, Senators Schumer (D-NY), Graham (R-SC), and 14 others introduced legislation (S. 3134) to impose reasonable penalties, including temporary tariffs on exports from countries that manipulate their currency to gain an advantage. Similar legislation is pending in the House of Representatives (H.R. 2378).

With each day that passes without action, more jobs are lost in our community and the tipping point of no return for our economy and middle-class America gets closer and closer. Fortunately, it is not too late to act. I am counting on you to take action to preserve our jobs and insist on a level playing field for American workers and businesses.

Sincerely,

Signed: _____

First Name: _____ Last Name: _____

Email Address: _____

Phone Number: _____

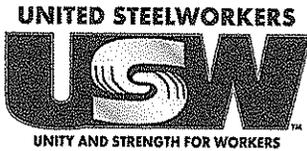
Address: _____

City/State/Zip Code: _____

By checking this box I consent to allowing the Alliance for American Manufacturing (AAM) to send this letter to the President, and Congress electronically on my behalf.

The Alliance for American Manufacturing (AAM) is a non-partisan, non-profit partnership of leading domestic manufacturers and the United Steelworkers. 727 Fifteenth Street, NW, Suite 700, Washington, DC 20005, phone: 202-393-3430, fax: 800-915-4610





APPLETON *Coated*



NewPage®

sappi

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FOR IMMEDIATE RELEASE

U.S. DEPARTMENT OF COMMERCE ANNOUNCES PRELIMINARY DUMPING MARGINS
AGAINST CHINESE AND INDONESIAN COATED PAPER PRODUCERS

IMPOSES PRELIMINARY TARIFFS TO LEVEL THE PLAYING FIELD

WASHINGTON, DC – (April 29, 2010) - Appleton Coated LLC, NewPage Corporation, and Sappi Fine Paper North America – together with the United Steelworkers (USW) -- commended the U.S. Department of Commerce for its preliminary dumping duty determinations against certain coated paper imports from China and Indonesia.

If these preliminary determinations are upheld at the end of the process tariffs will be imposed on imports of certain coated paper to offset the impact of the unfair advantage caused by the dumped products. The determination placed dumping margins on Chinese coated paper ranging from 30.82% to 89.71% with an all China rate of 135.80%. The Department found that a single rate of 10.62% should apply to all Indonesian coated paper producers.

The result of the Department's actions will be the immediate requirement for importers of covered paper from the subject countries to post a bond or deposit cash in an amount equal to the announced margins pending final resolution of the cases later this year.

The companies and the USW filed unfair trade cases on September 23, 2009 with the U.S. Department of Commerce (DOC) and the U.S. International Trade Commission alleging that certain coated paper from China and Indonesia had been dumped and subsidized resulting in injury to the domestic industry and its employees. The paper products covered by the petitions include coated paper in sheet form used in high-quality writing, printing and other graphic applications, with a GE brightness rating of 80 or higher and weighing up to 340 grams per square meter.

The decision by the DOC supports the allegations in the petitions that imports from these two countries are being dumped. Dumping occurs when a foreign producer sells into the U.S. market for less than the price that a producer charges in its home market or when its U.S. prices are below the cost to produce the product.

Today's decision follows the Commerce Department's determination on March 1, 2010 that Chinese and Indonesian coated paper producers benefitted from a variety of subsidies and the International Trade Commission's earlier preliminary decision finding that the domestic industry had been injured by Chinese and Indonesian paper imports.

In addition, the DOC noted that it is reviewing the Petitioners' allegation that undervaluation of China's currency provides a subsidy, as well as other new subsidy allegations in the China

subsidy investigation, which could make a difference in the rates assessed in the final determination.

Leo W. Gerard, USW international president, said, "Commerce's announced dumping margins will begin to address Chinese and Indonesian unfair and predatory trade practices in this sector. It's high time that paper sector dumping is addressed. The loss of jobs and resulting community impact has been devastating. China's and Indonesia's practices are unacceptable and the tariff margins come as welcome news."

"Commerce's recognition of the impact that dumped coated paper products have had sends a message that our government is interested in restoring a competitive market in coated paper. From day one, our goal has been to restore a level playing field and that's what our case is all about. Dumping has had a dramatic adverse impact on our industry and our economy as a whole and Commerce's decision opens the door to addressing this unfair practice," said Mark Gardner, president and chief executive officer of Sappi Fine Paper North America.

Tom Curley, president and chief executive officer of NewPage Corporation, said, "The determination announced today by the Department of Commerce will help restore fair competition to our marketplace. Dumping and subsidies have distorted our markets, placing domestic manufacturers at a distinct disadvantage. We're proud of our product offerings and we're not afraid to compete fairly with anyone, domestic or foreign."

John Cappy, president and chief executive officer of Appleton Coated LLC, said, "Dumping has benefitted Chinese and Indonesian producers at the expense of producers here in the U.S. Our companies have worked hard to build sustainable businesses by investing in our people and equipment to remain competitive and by supporting sustainable forestry to preserve our resources. Our employees deserve a chance to compete without fighting unfair subsidies and dumping by foreign competitors."

The domestic industry has experienced capacity reductions and under-utilization resulting in the loss of jobs in communities all across the country. The petitions show that unfairly traded imports from China and Indonesia are a significant contributor to that underutilization of capacity, mill closures and resultant job loss.

The three companies employ about 6,000 production workers represented by the USW at 20 paper mills operating in seven states.

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About Appleton Coated

Appleton Coated, headquartered in Kimberly, Wisconsin, provides focused market leadership in premium coated and specialty paper products. The Appleton Coated product portfolio includes a range of commercial printing and book publishing papers marketed under the Utopia® brand as well as specialty and private label products. Known for their performance, aesthetics, and environmental attributes, Appleton Coated manufactures their products in a state-of-the-art facility in Combined Locks, Wisconsin, hosting the newest papermaking machine of its type in North America. For more information please visit our website at www.appletoncoated.com/.

About NewPage Corporation

Headquartered in Miamisburg, Ohio, NewPage Corporation is the largest coated paper manufacturer in North America, based on production capacity, with \$3.1 billion in net sales for the year ended December 31, 2009. The company's product portfolio is the broadest in North America and includes coated freesheet, coated groundwood, supercalendered, newsprint and

specialty papers. These papers are used for corporate collateral, commercial printing, magazines, catalogs, books, coupons, inserts, newspapers, packaging applications and direct mail advertising.

NewPage owns paper mills in Kentucky, Maine, Maryland, Michigan, Minnesota, Wisconsin and Nova Scotia, Canada. These mills have a total annual production capacity of approximately 4.4 million tons of paper, including approximately 3.2 million tons of coated paper, approximately 1.0 million tons of uncoated paper and approximately 200,000 tons of specialty paper. For more information, visit www.NewPageCorp.com.

About Sappi Fine Paper North America

Sappi Fine Paper North America (SFPNA) is a leading North American producer of coated fine paper used in premium magazines, catalogues, books and high-end print advertising. Headquartered in Boston, Massachusetts, Sappi Fine Paper North America is known for innovation and quality. Its brand names, including McCoy, Opus, Somerset and Flo, are some of the industry's most widely recognized and specified. SFPNA is a division of Sappi Limited (NYSE, JSE), a global company headquartered in Johannesburg, South Africa, with manufacturing operations on four continents in 10 countries, sales offices in 50 countries, and customers in over 100 countries around the world. Learn more about Sappi Fine Paper North America at: www.sappi.com/na/. For the media kit and past press releases, visit the "About Us" section of the website.

About the United Steelworkers

The United Steelworkers (USW) is a North American union headquartered in Pittsburgh that negotiates labor agreements representing 850,000 active workers employed in metals, mining, pulp, paper, timber, rubber, chemicals, glass, auto supply, energy producing industries, plus the service and professional sectors to include healthcare, municipalities and pharmaceuticals. For more information: www.usw.org/.

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Bloomberg

U.S. to Probe Chinese Aluminum Goods for Subsidies (Update2)

April 21, 2010, 11:03 PM EDT

By Mark Drajem

April 22 (Bloomberg) -- The U.S. Commerce Department plans to investigate whether some Chinese aluminum products are getting unfair government subsidies and being sold at below-market rates in the U.S.

The statement yesterday didn't say whether the probe would look into complaints over currency valuation. A group of U.S. aluminum extrusion manufacturers said in a filing that China's foreign-exchange policy acts as a \$514 million subsidy to makers of goods used in construction, including window and door frames.

The Obama administration is under pressure from steel, paper and aluminum companies, as well as lawmakers, to determine that China's currency policy undervalues the yuan and amounts to a subsidy, and that tariffs should be imposed. The two countries have swapped trade complaints about steel, poultry, tires and the Chinese government today announced dumping duties on some nylon products from countries including the U.S.

"The investigation and a probable tariff could dampen exporting sentiment," said Ren An, an analyst with China International Futures (Shanghai) Co.

While China supplanted Germany as the world's biggest exporter last year, the Chinese government has kept its currency at about 6.83 to the dollar since July 2008 as the global economy faltered. China had allowed the renminbi, or yuan, to appreciate over the previous three years.

Currency Arguments

The lack of a decision from the U.S. Commerce Department on the foreign-exchange arguments may reflect a desire to weigh their merits, a lawyer for the U.S. manufacturers said.

"We appreciate that Commerce is seriously looking at the currency allegation and we hope that they will move forward and initiate on it very soon," said Gilbert Kaplan, a lawyer at King & Spalding LLP in Washington. Domestic companies "need the relief that countervailing currency undervaluation could provide."

In 11 previous cases, the Commerce Department declined to investigate complaints that China's currency policy amounts to a subsidy, according to a February letter to the department from Senator Charles Schumer, a New York Democrat. He has threatened to push legislation to target Chinese imports if the country doesn't stop intervening in the currency market.

“The Commerce Department’s decision to continue to kick the can down the road on investigating China’s currency manipulation is yet another disappointment and shows the need for our legislation,” Schumer said in a statement.

Aluminum exports by China in the first quarter are about double those a year earlier, according to customs data. The shipments are 28 percent below the first three months of 2008.

Nylon Dumping

China will levy anti-dumping duties on “nylon6” imports from the U.S., European Union, Russia and Taiwan after an investigation found shipments had harmed local producers, the Ministry of Commerce said in a statement today. The duties became effective today and will last 5 years, it said.

The Chinese government this month also imposed anti-dumping and anti-subsidy duties on U.S. and Russian flat-rolled electrical steel in a final ruling.

China should allow the yuan to appreciate to cool economic growth and dampen inflationary pressure, the International Monetary Fund said in its semiannual World Economic Outlook.

--With assistance by Gavin Evans in Wellington and Alfred Cang in Shanghai. Editors: Tan Hwee Ann, Jacob Lloyd-Smith.

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The U.S. Commerce Department could decide this week whether to launch a groundbreaking investigation into charges China is subsidizing exports of an aluminum product by undervaluing its currency, a government official said on Monday.

In a case that could further strain U.S.-China trade ties, U.S. producers of molded "aluminum extrusions" used by the automobile and construction industries filed a petition recently asking for steep duties on imports from China.

The petition's many complaints include a charge China subsidizes exports of aluminum extrusions by undervaluing its currency. It asks the Commerce Department to impose countervailing duties to offset that.

The Commerce Department has declined to investigate similar currency complaints in 10 previous cases covering a variety of manufactured products.

But industry groups have continued to include the charge in their petitions, arguing that Beijing gives exporters a subsidy by undervaluing its currency.

If Commerce agrees to investigate the matter, it would be several more months before it has to decide if China's currency practices are an illegal trade subsidy, and if so, how high a duty it should impose to offset them.

China, which defends its currency practices as an internal matter, would likely be upset by a formal Commerce Department decision to investigate whether its exchange-rate actions constitute a countervailable subsidy.

In recent weeks, the Treasury Department delayed a decision on whether China was "manipulating" its currency for an unfair trade advantage, in part to give Beijing more time to revalue its currency without being hit with that label.

Tim Truman, a spokesman for the Commerce Department's International Trade Administration, said he couldn't comment on specific details of the aluminum extrusion case.

"But we will be announcing our initiation decision on the petition as a whole" on Wednesday, Truman said of the decision whether or not to launch an anti-dumping and countervailing duty investigation.

Gilbert Kaplan, an attorney at King & Spalding representing the U.S. aluminum extrusion producers, said China's undervalued currency met the "three major tests" of a subsidy because it is financial contribution from the government that provides a benefit to a "specific" industry.

The last element of that definition could be the most important since China says it manages its currency for its entire economy and not any specific sector.

Kaplan said his law firm submitted a study showing 70 percent of all currency transactions in China are done by exporters and that is specific enough under U.S. trade law for the United States to impose a countervailing duty.

"This satisfies the kind of test that Commerce has been using for many, many years to show specificity. We put in strong economic evidence that it is specific," he said.

In February, a bipartisan group of 15 U.S. senators urged Commerce Secretary Gary Locke in a letter to treat China's currency practices as a subsidy under U.S. trade law.

Department officials subsequently said they would look at the issue again in an investigation started last year on imports of coated paper from China.

On Monday, a coalition of labor and manufacturing groups urged Locke to initiate currency probes in both the aluminum extrusion and coated paper cases.

"There can be no doubt that China's large-scale intervention in the currency markets and the significant undervaluation of its currency acts as a subsidy to Chinese exporters to the U.S.," said Scott Paul, executive director for the Alliance for American Manufacturing.

Kaplan said he expected Commerce to announce its decision whether to investigate in both cases this week.

C-4-d

From: "Dean Bennett" <dlbhampden@hotmail.com>
Subject: Lot 7 Offer
Date: Wed, May 12, 2010 12:09 pm
To: "Denise Hodsdon" <hampden@midmaine.com>
Cc: "Sue Lessard" <lightlady_1@yahoo.com>

Denise,

Andy Nickerson dba Wights Sporting Goods made an offer on Lot 7 in the Business and Commerce Park. His offer is for \$71,500. On May 5th, the Planning and Development Committee voted to forward the offer to Council with recommendation to approve.

The offer was made via an email as copied and pasted below. I advised Andy that a deposit is not necessary prior to acceptance of the offer. I have advised him of the Committee's actions of May 5th.

Let me know if you need more information.

Dean,

As we have recently discussed I would like to offer the Town of Hampden \$71,500.00 for Lot 7 in your Hampden Business and Commerce Park located off Route 202. I appreciate you and the committee's consideration and look forward to a healthy business relationship. I will deliver a deposit for \$500.00 today.

Sincerely,

Andy Nickerson

ANDY NICKERSON

WIGHT'S SPORTING GOODS - SPORTS INC #788

930 STILLWATER AVE.

BANGOR, ME 04401

TOLL FREE: 800-205-8326

PHONE: 207-945-4455

FAX: 207-990-5822

E-MAIL: INFO@WIGHTSSPORTINGGOODS.COM

WEBSITE: WWW.WIGHTSSPORTINGGOODS.COM

Dean L. Bennett
Director of Community and Economic Development
106 Western Avenue
Hampden, Maine 04444
207-862-3034
dlbhampden@hotmail.com

Attachments:

untitled-[1]	
Size:	1.2 k
Type:	text/plain



TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/17/2010
Public Hearing: Yes No X

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Warren Caruso Warren Caruso
d/b/a Dana's Grill Individual
Business Name Individual

ADDRESS: 100 Marina Rd. PHONE: 990-3307

MAP/LOT: Map 28, Lot 17-A1 DATE: 5/5/2010

DEPARTMENT REPORT:

Inspected on May 12, 2010 and found
all proper safety requirements to be in
place.

DATE: 5-12-10

BY: [Signature]
TITLE: CODE ENFORCEMENT OFFICER

BY: Keith Bambara
TITLE: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: _____ PHONE NUMBER: 990-3307

NAME(S): Warren Caruso

ADDRESS: ~~100 Magna Road~~ 117 Webster Ave Bangor

NAME OF BUSINESS: Danis Grill C Dockside

LOCATION OF BUSINESS: 100 Magna Rd

SIGNATURE: _____

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Benjh
Code Enforcement Officer

Keith Bamford
Fire Inspector/Building Inspector

*All sewer user fees and personal property taxes are paid in full to date.

Charles M. Johnson
Tax Collector

Chris W. Lewis
Town Treasurer

Please return completed form to: **Town Clerk
Town of Hampden
106 Western Avenue
Hampden, ME 04444**

LICENSE FEE: \$50.00 Date Received/Fee Paid: 5/5/2010 1 \$50-