

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 642

S. P. 209

In Senate, February 9, 1971

Referred to Committee on Natural Resources. Sent down for concurrence.

HARRY N. STARBRANCH, Secretary

Presented by Senator Danton of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Create the Saco River Environmental Advisory Committee.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 12, c. 206-B, additional. Title 12 of the Revised Statutes is amended by adding a new chapter 206-B, to read as follows:

CHAPTER 206-B

SACO RIVER ENVIRONMENTAL ADVISORY COMMITTEE

§ 691. Purpose and scope

Whereas the Saco, along with its major tributaries, the Ossipee and Little Ossipee Rivers, are natural rivers of great scenic beauty and unique character, possessing outstanding recreational, historical, educational, scientific, cultural, wilderness and environmental values of great present and future benefit to this generation and all succeeding generations, and due to their locations and the trends which are threatening their values, it is found by the Legislature to be in the best interest of the people of the State to provide for the orderly protection and proper development of the values in the Saco River Corridor by encouraging, among other things, the most appropriate use of land and water resources, prevention of overcrowding or development which may tend to pollute lakes, ponds, rivers or streams; the preservation of natural conditions where appropriate or beneficial and the preservation and creation of ecological balance in the corridor by proper planning for agriculture, industry, commerce, forestry, fish, wildlife, wilderness, recreation, residences and other purposes.

§ 692. Definition

The term "Saco River Corridor" is defined as follows: The corridor shall include the bed, waters, islands and adjacent lands 500 feet back from the

100 year flood plain line along the Saco River Mainstem from the Boston and Maine Railroad bridge in Biddeford and Saco to the Maine-New Hampshire border in Fryeburg; the beds, waters, islands and adjacent lands 500 feet back from the 100 year flood plain line along the Ossipee River, from its confluence with the Saco River Mainstem at Cornish and Hiram to the Maine-New Hampshire border at Porter and Parsonsfield; the beds, waters, islands and adjacent lands 500 feet back from the 100 year flood plain line along the Little Ossipee River, from its confluence with the Saco River Mainstem at Limington to the Ledgemere impoundment at Limerick and Waterboro, except that where the committee determines, according to the conservation and open space needs and opportunities along the corridor, the 500 feet back from the 100 year flood plain line be further extended.

§ 693. Creation of Saco River Environmental Advisory Committee

To carry out the purposes of this chapter there is created the "Saco River Environmental Advisory Committee," hereinafter in this chapter referred to as "committee".

1. Membership. The committee shall consist of:

- A. A member of the planning board and of the conservation commission appointed by the governing body of each municipality involved;
- B. A member to be appointed by the governing body of each regional planning commission involved;
- C. A member to be appointed by the Governor representing the general public from each county involved; and
- D. A member to be appointed by the governing body of any domestic nonprofit organization, formed in whole or in part to promote environmental conservation in the Saco River Corridor.

In the absence of a planning board or a conservation commission, or both, the governing body of each municipality involved may appoint a member from its general citizenry.

State agencies concerned with natural resources or environmental protection shall cooperate with the committee in the administration of its duties and may send representatives to committee meetings.

The members of the committee shall elect a chairman and a vice-chairman and such other officers as necessary. The chairman shall preside at all meetings of the committee when present, otherwise the vice-chairman shall preside.

The committee shall meet as often as necessary, at such times and places as the chairman may designate, but in no event less than 5 times annually. One-fourth of the members shall constitute a quorum for the transaction of committee business. All members of the committee shall serve without compensation.

The Governor of Maine shall request the Governor of New Hampshire to encourage enactment of a similar committee to carry out similar purposes

for the Saco River Corridor as it exists in said state. Each committee upon enactment shall elect a representative to the other for the purposes of coordination.

The committee may accept contributions of any type from any source to assist it in carrying out its assigned tasks, and make such requirements in respect to the administration of such funds, not inconsistent with this chapter, as are required as conditions precedent to receiving such funds, federal or otherwise.

The committee is authorized to hire an executive director who shall be the principal administrative, operational and executive employee of the committee. The executive director shall attend all meetings of the committee and be permitted to participate fully but shall not be a voting member of this committee. The executive director with the approval of the committee may hire whatever competent professional personnel and other staff he deems necessary and he may obtain office space, goods and services as required.

§ 694. Powers and duties of the committee

The committee shall be responsible for the coordination of preparation of a comprehensive plan to be completed by January, 1973, for the immediate and long-range protection and development of the resources of the corridor. The plan shall encompass all public and private projects affecting the corridor and consider, among others, the following:

1. Preservation. The need for preservation of the corridor's significant scenic and historic resources;
2. Recreation facilities. The need for additional public and private outdoor recreation facilities in some parts of the corridor while retaining the natural wilderness character of those large areas particularly suited as wilderness;
3. Abatement of pollution. The need for abatement of air and water pollution and the elimination of unnecessary environmental intrusions within the corridor;
4. Land use. The need for proper land use practices, particularly the agricultural, forestry and recreation open-space use of the corridor's flood plains.
5. Development. The need for appropriate residential, commercial and industrial development within the corridor;
6. Local participation. The need for encouraging local participation in planning, developing and protecting the land and water resources of the corridor;
7. Ecological balance. The need for creating and preserving an ecological balance by proper land and water use practice;
8. Criteria. The establishment of effective criteria for real property conservation and development based on the physiographic, hydrologic, geologic, meteorologic and ecological characteristics of the corridor.

The committee may appoint subcommittees for consideration of particular aspects or portions of the plan and shall encourage participation in the plan by all appropriate public and private agencies and persons.

Upon completion and prior to final adoption of the plan, the committee shall submit the plan to all appropriate public and private agencies for their review and comments.

Upon final adoption of the official plan, the committee shall submit the plan to the Governor and Legislature for their action, amendment and implementation of it, in part or in whole.

The committee shall act as a grass-roots clearing house and reviewing agent to inform and coordinate the efforts of the various agencies within the corridor. The committee shall receive, review and comment on all proposals, plus applications, and petitions, submitted to any public agency for its approval, permission, license or authorization, of any public or private project, development or action affecting the Saco River Corridor prior to said agencies granting, enacting or adopting any such approval, permit, licenses or authorization.

This section shall not apply to any emergency project which is immediately necessary for the protection of life or property.

The description so received by the committee shall be reviewed to determine whether the project is in substantial conformity with the coordinative comprehensive plan prepared or in preparation pursuant to this section and to determine the effect of the proposal upon the scenic, historic, recreational and natural resources and values of the corridor and the commercial, industrial, agricultural, residential or other benefits of the proposal.

Sec. 2. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Saco River Environmental Advisory Committee the sum of \$3500 to carry out the purposes of this Act. The breakdown shall be as follows:

	1971-72	1972-73
SACO RIVER ENVIRONMENTAL ADVISORY COMMITTEE		
All Other	\$1,500	\$2,000

STATEMENT OF FACT

The purpose of this bill is reflected in section 691.