

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2230

S.P. 854 In Senate, February 10, 1988  
Submitted by the State Planning Office pursuant to Joint  
Rule 24.  
Reference to the Committee on Energy and Natural Resources  
suggested and ordered printed.  
JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator RANDALL of Washington.  
Cosponsored by Representative MOHOLLAND of Princeton,  
Representative LOOK of Jonesboro, Representative TAMMARO of  
Baileyville.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT Relating to Development Along the St.  
2 Croix River.  
3

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

6 Sec. 1. 12 MRSA §405, sub-§3, as enacted by PL  
7 1983, c. 458, §1, is amended to read:

1           3. New hydroelectric dams. No person may develop  
2 new hydroelectric dams on the St. Croix River from  
3 Grand Falls to the north end of Wingdam Island without  
4 first:

5           A. Having performed a feasibility study, by a  
6 qualified consultant, approved by the Governor to  
7 examine the alternative potentials for hydropower  
8 development downstream from Grand Falls and  
9 make having made the findings available to the  
10 State for review;

11           B. Having consulted with the office of the  
12 Governor or other agency of the State, designated  
13 by him, regarding the feasibility of this  
14 downstream development; and

15           C. Having determined that there exists no  
16 economically feasible site downstream from Grand  
17 Falls; and

18           D. Having consulted with the St. Croix  
19 International Waterway Commission.

20 In the event that the State disagrees with any of the  
21 assumptions, findings or conclusions of the economic  
22 feasibility study, the comments of the State shall be  
23 considered and responded to by the consultant. These  
24 comments and the responses of the consultant shall be  
25 noted in the final report of the economic feasibility  
26 study.

27           Sec. 2. 12 MRSA §405, sub-§4, as enacted by PL  
28 1983, c. 458, §1, is amended to read:

29           4. Review. This section shall be reviewed every  
30 5 years, and shall be repealed on January 1, 1988  
31 1993, unless reenacted by the Legislature for an  
32 additional 5-year period. In the event that the St.  
33 Croix River is included in any legislative Act or  
34 regulation which directly or indirectly has as its  
35 effect the essential prohibition of construction of

1 new dams or development or redevelopment of existing  
2 dams on the St. Croix River, this section shall be  
3 repealed on the effective date of that Act or  
4 regulation.

5 STATEMENT OF FACT

6 The St. Croix River was identified as one of the  
7 State's most outstanding river stretches in the Maine  
8 Rivers Study and is granted special protection by the  
9 Maine Revised Statutes, Title 12, section 405. This  
10 provision expires on January 1, 1988, unless reenacted  
11 by the Legislature for an additional 5-year period.  
12 Also, in 1987, the St. Croix International Waterway  
13 Commission was created to develop a plan to coordinate  
14 planning and management of the uses and resources of  
15 the St. Croix River.

16 This bill extends the review period for an  
17 additional 5 years, to January 1, 1993. It also  
18 integrates new information which may be provided by  
19 the St. Croix International Waterway Commission whose  
20 purpose will be to coordinate planning and management  
21 of the uses and resources of the St. Croix River. New  
22 hydroelectric dams proposed in the section from Grand  
23 Falls to the north end of Wingdam Island on the St.  
24 Croix River must first be determined to be consistent  
25 with the commission's resource and recreational  
26 management plan for the St. Croix River.

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