

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 129, L.D. 173, Bill, "An Act to Amend the Definition of Freshwater Wetlands in the Natural Resources Protection Act"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Further Protect Freshwater Wetlands'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 30-A MRSA §4401, sub-§2-A is enacted to read:

2-A. Freshwater wetland. "Freshwater wetland" means freshwater swamps, marshes, bogs and similar areas which are:

A. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils; and

B. Not considered part of a great pond, coastal wetland, river, stream or brook.

These areas may contain small stream channels or inclusions of land that do not conform to the criteria of this subsection.

Sec. 2. 30-A MRSA §4404, sub-§14 is enacted to read:

14. Freshwater wetlands. All potential freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.'

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STATEMENT OF FACT

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This amendment requires all applicants for local subdivision approval to identify all wetlands within the project as part of the application.

Reported by the Majority of the Committee on Energy and Natural Resources
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6/16/89

(Filing No. H-603)