

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1508

H.P. 1086

House of Representatives, May 5, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow.

Cosponsored by Representative JACQUES of Waterville, Representative McGOWAN of Canaan and Representative CLARK of Millinocket.

STATE OF MAINE

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

An Act to Regulate Water Flowage over Hydropower Dams.



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

3 **Sec. 1. 38 MRSA §636, sub-§8** is enacted to read:

5 8. Minimum flowage requirement. The hydropower project
7 will result in a continuous minimum flow below the project of .5
9 cubic feet per second per square mile of drainage area above the
11 dam.

13 **Sec. 2. 38 MRSA §828**, as enacted by PL 1983, c. 417, §6, is
15 amended to read:

17 **§828. Regulations**

19 The board shall prescribe ~~regulations~~ rules, following the
21 procedures of Title 5, chapter 375, subchapter II, establishing
23 the criteria by which the department is to determine whether or
25 not a dam is endangering the public safety and establishing
27 procedures for the scope of formal and informal inspections. The
29 rules must establish that a hydropower project which does not
31 meet the minimum flowage requirement set out in section 636,
subsection 8, is endangering the public safety for purposes of an
informal or formal inspection.

STATEMENT OF FACT

The purpose of this bill is to establish a minimum flowage
requirement for hydropower projects, a violation of which is
grounds for an informal or formal inspection by an inspector of
dams.