

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 609, L.D. 824, "Resolve, to Direct the Department of Environmental Protection to Develop a Report Regarding the Feasibility of the State Applying to Assume Permitting Jurisdiction over Federal Wetlands"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

Sec. 1. Department of Environmental Protection duties. Resolved:

That no later than February 1, 1995, the Department of Environmental Protection, in cooperation with the State Planning Office, shall prepare and submit a report to the Joint Standing Committee on Energy and Natural Resources examining the feasibility of an application to the Environmental Protection Agency to assume state authority over the permitting of wetlands under the United States Clean Water Act, Section 404. The report must examine the increased efficiencies and enhanced protection that could result from consolidating federal and state regulation of wetlands; any statutory or regulatory changes that would have to be made to the State's wetlands protection program; the staff and technical and financial resources that assumption of the federal program would require; and any other methods or options possible for reducing duplication and inefficiencies in the wetland permitting process. The report must be accompanied by any proposed legislation that may be necessary to implement the report's recommendations; and be it further

Sec. 2. Work group. Resolved:

That the Director of the Bureau of Land Quality Control, in cooperation with the State Planning Office, shall convene a working group consisting of a balanced representation of conservation and development interests, as well as federal and state agencies involved in the protection and regulation of wetlands. The working group must be consulted in all phases of the report's development and conclusions; and be it further

COMMITTEE AMENDMENT

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2 and fiscal year 1994-95, respectively, for an additional Senior
3 Planner position and related general operating costs necessary to
4 provide adequate staff support for the required report. The
5 responsibilities required by this resolve are contingent on the
6 receipt of a federal grant, currently estimated at \$75,000.'

8 **STATEMENT OF FACT**

10 This amendment replaces the resolve. The amendment requires
11 the Department of Environmental Protection to work in cooperation
12 with the State Planning Office in the preparation of a report on
13 the feasibility of the State assuming permitting authority over
14 federal wetlands and methods for the State to reduce duplication
15 in wetland permitting.

16 The amendment also requires the State Planning Office to
17 provide staff support for the project using federal grant money
18 and a one-year project position at the State Planning Office.
19 The requirements of this resolve are in effect only if that grant
20 is received and the project position is established.

22

Reported by the Committee on Energy and Natural Resources
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House

May 10, 1993

(Filing No. H-272)