

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 272

H.P. 215

House of Representatives, January 28, 2003

**An Act to Expand Aquaculture Site Location Criteria to Include  
Aesthetic Impact and Property Value Changes**

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Reference to the Committee on Marine Resources suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative LEMOINE of Old Orchard Beach.

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

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4           **Sec. 1. 12 MRSA §6072, sub-§5-A**, as amended by PL 1997, c.  
138, §4, is further amended to read:

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8           **5-A. Department site review.** Prior to the lease hearing,  
the department shall conduct an assessment of the proposed site  
and surrounding area to determine the possible effects of the  
lease on commercially and ecologically significant flora and  
10 fauna, possible aesthetic impact created by any activity  
12 authorized by the lease, possible impact on property values for  
property from which the activities authorized by the lease can be  
14 seen and conflicts with traditional fisheries. This review must  
take place any time between April 1st and November 15th. This  
information must be provided to the intervenors and made  
16 available to the public 30 days before the hearing. As part of  
the site review, the department shall request information from  
18 the municipal harbor master about designated or traditional storm  
anchorage in proximity to the proposed lease. The commissioner  
20 may by rule establish levels of assessment appropriate to the  
scale or potential environmental risk posed by a proposed lease  
22 activity. The rules must provide a method of establishing a  
baseline to monitor the environmental effects of a lease  
24 activity. Rules adopted pursuant to this subsection are major  
substantive rules pursuant to Title 5, chapter 375, subchapter  
26 II-A 2-A.

28

**SUMMARY**

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32           This bill requires that the Department of Marine Resources  
include an assessment of aesthetic impact and property value  
impact in its site review of aquaculture lease applications.