



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 491

H.P. 380

House of Representatives, February 4, 2003

An Act To Manage Water Resources

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

Millicent M. Mac failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative COLLINS of Wells. Cosponsored by Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, COWGER of Hallowell, DUPLESSIE of Westbrook, TOBIN of Windham, TWOMEY of Biddeford.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 38 MRSA §470-H is enacted to read:
6	<u>§470-H. Permit for large withdrawals</u>
8	1. Permit required. A person may not withdraw in excess of 50,000 gallons per day from any groundwater or surface water
10	<u>unless the person has a valid permit issued by the department</u> pursuant to this section.
12	2. Conditions. The department may issue a permit under this section only if it determines that the use is reasonable,
14	mitigates negative environmental impacts and does not adversely affect wells and other water supplies. The department may impose
16	reasonable conditions on the permit, including limitations on amounts of water withdrawn and times when withdrawal is allowed
18	or not allowed and provisions for emergency suspension or revision of the permit.
20	3. Transferability. Permits may be transferred to new
22	users upon approval of the department.
24	4. Duration; suspension. A permit issued pursuant to this section is valid for 5 years, unless the permit is suspended by
26	the department for willful or negligent violation of any conditions of the permit.
28	5. Rulemaking. The department may adopt rules necessary
30	for the implementation of this section. The rules may include imposition of a fee to cover the costs of providing permits,
32	including any impact studies required by the department. Rules adopted pursuant to this subsection are routine technical rules
34	as defined in Title 5, chapter 375, subchapter 2-A.
36 38	SUMMARY
	This bill establishes a permit procedure for withdrawals of
40	groundwater or surface water in excess of 50,000 gallons per day under the bill, the Department of Environmental Protection may
42	impose reasonable conditions on the permit and may issue the permit only if the use is reasonable, any negative environmental
44	<pre>impacts are mitigated and the use will not adversely affect other water supplies.</pre>

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