

MAINE STATE LEGISLATURE

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10/15

L.D. 1160

DATE: *5/10/15*

(Filing No. H-*315*)

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NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "*A*" to H.P. 803, L.D. 1160, Bill, "An Act To Increase Wetland Protection"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Increase Wetland Protection'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Tier 1 freshwater wetland alteration permitting; report. Resolved: That the Department of Environmental Protection shall evaluate the resources necessary to apply all the standards in the Maine Revised Statutes, Title 38, section 480-D to projects eligible for Tier 1 freshwater wetland review. The department's evaluation must include consideration of cumulative impacts, staff time, regulatory processing time, fees and the benefits of applying all the standards to Tier 1 review. The department shall report to the Joint Standing Committee on Natural Resources with any recommendations, including proposed legislation, by February 1, 2006. The department's recommendations may not jeopardize any current single permit review process. The Joint Standing Committee on Natural Resources is authorized to report out legislation related to the department's evaluation to the Second Regular Session of the 122nd Legislature; and be it further

Sec. 2. Freshwater wetland compensation proposal; report. Resolved: That the Department of Environmental Protection shall work

COMMITTEE AMENDMENT

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with the Executive Department, State Planning Office and other interested parties to develop a proposal for a freshwater wetland compensation program for freshwater wetlands that require a Tier 1 review process, to review the wetlands exemptions contained in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 5-A and to recommend changes to ensure adequate protection of regulated freshwater wetlands. The Department of Environmental Protection shall report to the Joint Standing Committee on Natural Resources on its proposal and recommendations by February 1, 2006 and submit proposed legislation to implement the recommendations. The Joint Standing Committee on Natural Resources is authorized to report out legislation regarding the department's report to the Second Regular Session of the 122nd Legislature.'

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SUMMARY

This amendment changes the bill to a resolve and removes those sections of the bill that propose to:

- 22 1. Apply all standards of the natural resources protection laws to Tier 1 freshwater wetlands;
- 24 2. Require the Department of Environmental Protection, in Tier 1 freshwater wetland review, to consider impacts to the wetland from other regulated activities that occurred during the prior year; and
- 26 28 3. Extend the time the department has to review Tier 1 applications.

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The amendment replaces those sections with a reporting requirement requiring the Department of Environmental Protection to evaluate the resources necessary to apply all standards in the Maine Revised Statutes, Title 38, section 480-D to projects eligible for Tier 1 review and to report to the Joint Standing Committee on Natural Resources with any recommendations and proposed legislation by February 1, 2006. It also authorizes the committee to report out legislation to the Second Regular Session of the 122nd Legislature. The amendment also changes a report date from January 1, 2006 to February 1, 2006.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1160

LR 1052(02)

An Act To Increase Wetland Protection

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor cost increase - Other Special Revenue Funds