

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 258

H.P. 214

House of Representatives, January 18, 2007

An Act To Amend the Laws Governing Setbacks under the Natural Resource Protection Laws

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EMERY of Cutler.
Cosponsored by Senator RAYE of Washington and
Representatives: CROSTHWAITE of Ellsworth, Speaker CUMMINGS of Portland,
DUCHESNE of Hudson, DUPREY of Hampden, KOFFMAN of Bar Harbor, McFADDEN of
Dennysville, MOORE of Standish, SAVIELLO of Wilton.

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

2 **Sec. 1. 38 MRSA §480-BB, sub-§1,** as enacted by PL 2005, c. 116, §5, is
3 amended to read:

4 **1. Definition of area.** Include a definition of the ~~buffer~~ area to be regulated, except
5 that the area to be regulated may not exceed 100 feet from the high water mark of a
6 vernal pool depression; from the edge of an area used by shorebirds for nesting, feeding
7 or staging; or from the edge of an inland wetland complex that has documented
8 outstanding use by waterfowl or wading birds;

9 **SUMMARY**

10 This bill provides that criteria adopted by the Department of Environmental
11 Protection to regulate significant vernal pools, waterfowl and wading bird habitat and
12 shorebird nesting, feeding and staging areas may not regulate an area exceeding 100 feet
13 from the edge of the protected feature. The intent of the bill is to reduce the area
14 regulated from 250 feet to 100 feet.