

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1603

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H.P. 1175

House of Representatives, December 30, 2013

### **An Act Regarding Wet Storage Sites for Cultured Marine Organisms**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 23, 2013. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DEVIN of Newcastle.  
Cosponsored by Senator JOHNSON of Lincoln and  
Representatives: BEAVERS of South Berwick, GILLWAY of Searsport, HUBBELL of Bar  
Harbor.

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

2 **Sec. 1. 12 MRSA §6072-E** is enacted to read:

3 **§6072-E. Wet storage for cultured organisms**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Wet storage" means the temporary storage of shellstock from growing areas in  
7 containers or floats in natural bodies of water or onshore in tanks containing natural  
8 or synthetic seawater.

9 **2. Permit required.** A holder of a lease or license issued pursuant to section 6072,  
10 6072-A, 6072-B or 6072-C may conduct wet storage only if the leaseholder or licensee  
11 first obtains a permit from the department.

12 **3. Application.** A leaseholder or licensee under subsection 2 seeking to conduct wet  
13 storage shall apply to the department on an annual basis for a permit for each wet storage  
14 site. The application must include:

15 A. The name, address and telephone number of the leaseholder or licensee requesting  
16 a permit for wet storage;

17 B. For a near-shore wet storage site, a map indicating the exact location, including  
18 Loran or global positioning system coordinates, of the storage site and any associated  
19 floats;

20 C. For an onshore wet storage site, a map indicating the location of the storage site, a  
21 complete description of the source of water to be used for wet storage and a detailed  
22 description of any water treatment system proposed to be used. A water treatment  
23 system proposed to be used must be approved by the department;

24 D. A detailed physical description and diagram or photograph of the design of the  
25 wet storage system;

26 E. A local code enforcement officer's or plumbing inspector's inspection form  
27 indicating, to the satisfaction of the department, that all new and existing plumbing  
28 and sewage for the wet storage system meets state and local requirements;

29 F. A copy of a waste discharge license issued by the Department of Environmental  
30 Protection pursuant to Title 38, section 413 or a determination letter from the  
31 Department of Environmental Protection that the proposed wet storage will not  
32 violate the water quality standards of the receiving waters;

33 G. A written standard operating procedure that includes a description of:

34 (1) The purpose for the wet storage, such as holding, conditioning or  
35 salinization, and any species-specific physiological factors that may affect design  
36 criteria;

37 (2) How the shellstock will be tagged or identified during wet storage; and

