

MAINE STATE LEGISLATURE

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Date: 5/1/17 Majority

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 302, L.D. 422, Bill, "An Act To Facilitate the Creation of the Maine Water Trust To Regulate and Protect Maine's Water Supply and To Ensure the Quantity and Quality of Maine's Drinking Water"

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

'An Act To Create the Water Resources Planning Committee'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 5 MRSA Pt. 15-C is enacted to read:

PART 15-C

WATER RESOURCES PLANNING COMMITTEE

CHAPTER 357

WATER RESOURCES PLANNING COMMITTEE

§6307. Water Resources Planning Committee

1. Water Resources Planning Committee. The Department of Agriculture, Conservation and Forestry shall convene the Water Resources Planning Committee, referred to in this subsection as "the committee."

A. The committee's membership must include, at a minimum:

(1) Personnel from:

(a) The Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey;

(b) The Public Utilities Commission;

COMMITTEE AMENDMENT

- 1 (c) The Department of Environmental Protection;
- 2 (d) The Maine Land Use Planning Commission; and
- 3 (e) The drinking water program of the Department of Health and Human
- 4 Services; and
- 5 (2) Members of the public with expertise in:
- 6 (a) Agriculture;
- 7 (b) Public water utilities;
- 8 (c) Water bottling and the sale of bottled water;
- 9 (d) The use of water by private domestic well owners;
- 10 (e) The environment and conservation; and
- 11 (f) The use of water by commercial entities.
- 12 B. The committee shall meet at least quarterly and report annually to the Department
- 13 of Agriculture, Conservation and Forestry, beginning in August 2018. The committee
- 14 shall plan for the sustainable use of water resources, focusing on the following 3
- 15 phases:
- 16 (1) In the first phase, the committee shall focus on:
- 17 (a) Collecting and reviewing information regarding water withdrawal
- 18 activities;
- 19 (b) Coordinating state water resources information; and
- 20 (c) Identifying watersheds at risk by refining the most recent analysis of
- 21 watersheds at risk performed by the Bureau of Resource Information and
- 22 Land Use Planning, Division of Geology, Natural Areas and Coastal
- 23 Resources, Maine Geological Survey, including:
- 24 (i) Conducting appropriate water resources investigations in watersheds
- 25 at risk;
- 26 (ii) Considering projected increased water use by population,
- 27 agricultural irrigation, commercial users, industrial users and other users;
- 28 (iii) Considering seasonal use;
- 29 (iv) Considering potential effects of climate change;
- 30 (v) Considering the effects of anticipated future water quality
- 31 classification changes on the availability of water for withdrawal;
- 32 (vi) In establishing priorities for further investigations, seeking input
- 33 from the user community, from towns dealing with multimunicipal
- 34 aquifers and from towns with significant local aquifers; and

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(vii) Developing guidelines for consistency in further investigations;

(2) In the 2nd phase, the committee shall focus on convening planning groups with respect to particular watersheds at risk or regions encompassing multiple watersheds at risk to develop water use management guidance for water withdrawals. Based on the needs of the individual watershed or region, planning group participants must be drawn from:

(a) Personnel from:

(i) The Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey;

(ii) The Public Utilities Commission;

(iii) The Department of Environmental Protection;

(iv) The Maine Land Use Planning Commission;

(v) The drinking water program of the Department of Health and Human Services; and

(vi) The Department of Inland Fisheries and Wildlife; and

(b) Members of the public with expertise in:

(i) Agriculture;

(ii) Public water utilities;

(iii) Water bottling and the sale of bottled water;

(iv) The environment and conservation;

(v) Aquaculture;

(vi) Business and commerce;

(vii) Industrial water use; and

(viii) Municipal government; and

(3) In the 3rd phase, if oversubscription of water use remains after the 2nd phase, the committee shall recommend a process to resolve issues.

On a schedule determined by the committee, the committee shall repeat the 3 phases outlined in this paragraph.

C. The committee shall conduct annual reviews of state policy with regard to:

(1) Conservation of water resources;

(2) Development of regional sources and solutions to water use issues;

(3) Incentives for stewardship of water resources; and

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(4) Effects of surface water quality improvements on water withdrawal opportunities.

D. The committee shall provide guidance to municipalities and water districts and develop and disseminate educational materials on water resources and the regulatory regime.

Sec. 2. 5 MRSA §12004-I, sub-§68-C is enacted to read:

<u>68-C.</u>			
<u>Natural Resources</u>	<u>Water Resources</u>	<u>Not Authorized</u>	<u>5 MRSA §6307</u>
	<u>Planning Committee</u>		

SUMMARY

This amendment is the majority report of the committee and it replaces the bill and changes the title. The amendment requires the Department of Agriculture, Conservation and Forestry to convene the Water Resources Planning Committee. The amendment describes requirements related to committee membership, meetings and reporting. It details 3 phases on which the committee is required to focus effort. It also requires the committee to conduct an annual review of state policy in regard to water resources, provide guidance to municipalities and develop and disseminate educational materials on water resources and the regulatory regime.

FISCAL NOTE REQUIRED

(See attached)



128th MAINE LEGISLATURE

LD 422

LR 553(02)

An Act To Facilitate the Creation of the Maine Water Trust To Regulate and Protect Maine's Water Supply and To Ensure the Quantity and Quality of Maine's Drinking Water

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

A" (H-94)

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry, the Public Utilities Commission, the Department of Environmental Protection, and the Department of Health and Human Services to participate in the Water Resources Planning Committee are expected to be minor and can be absorbed within existing budgeted resources.