

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 469

H.P. 332

House of Representatives, February 9, 2017

**An Act To Establish a Generally Applicable Regulatory Standard
To Address Impacts of Sea Level Change and Increased Storm
Surges**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DEVIN of Newcastle.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: BLUME of York, GILLWAY of Searsport, HOGAN of Old Orchard Beach,
TUCKER of Brunswick, Senators: MIRAMANT of Knox, SAVIELLO of Franklin.

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

2 **Sec. 1. 38 MRSA §1805** is enacted to read:

3 **§1805. Regulatory standard addressing impacts of sea level change and increased**
4 **storm surges**

5 The department, when permitting, licensing or otherwise regulating activities under
6 its jurisdiction within the coastal area of the State, shall apply a regulatory standard
7 established by rule that addresses the impacts of sea level change and increased storm
8 surges on coastal resources within the coastal area of the State. Rules adopted pursuant to
9 this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10 **Sec. 2. Department of Environmental Protection; rulemaking.** On or
11 before November 1, 2018, the Department of Environmental Protection shall adopt rules
12 establishing a generally applicable regulatory standard that addresses the impacts of sea
13 level change and increased storm surges on coastal resources within the coastal area of
14 the State in accordance with the Maine Revised Statutes, Title 38, section 1805.

15 **SUMMARY**

16 This bill amends the State's coastal management laws to require the Department of
17 Environmental Protection to apply to activities under its jurisdiction a generally
18 applicable regulatory standard that addresses the impacts of sea level change and
19 increased storm surges on coastal resources within the coastal area of the State. The bill
20 directs the department to adopt rules establishing that standard on or before November 1,
21 2018.