

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 199

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H.P. 162

House of Representatives, January 17, 2019

### An Act To Create the Water Resources Planning Committee

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative SYLVESTER of Portland.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: BEEBE-CENTER of Rockland, DOORE of Augusta, DUNPHY of Old  
Town, HICKMAN of Winthrop, MADIGAN of Waterville, MAXMIN of Nobleboro,  
McCREIGHT of Harpswell, RISEMAN of Harrison.

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

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

3 **PART 15-C**

4 **WATER RESOURCES PLANNING COMMITTEE**

5 **CHAPTER 357**

6 **WATER RESOURCES PLANNING COMMITTEE**

7 **§6401. Water Resources Planning Committee**

8 **1. Water Resources Planning Committee.** The Water Resources Planning  
9 Committee, as established in section 12004-I, subsection 68-C and referred to in this  
10 subsection as "the committee," is established in the Department of Agriculture,  
11 Conservation and Forestry.

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

13 (1) Personnel from:

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

17 (b) The Public Utilities Commission;

18 (c) The Department of Environmental Protection;

19 (d) The Maine Land Use Planning Commission; and

20 (e) The drinking water program of the Department of Health and Human  
21 Services; and

22 (2) Members of the public with expertise in:

23 (a) Agriculture;

24 (b) Public water utilities;

25 (c) Water bottling and the sale of bottled water;

26 (d) The use of water by private domestic well owners;

27 (e) The environment and conservation;

28 (f) The use of water by commercial entities;

29 (g) Water advocacy; and

30 (h) Water conservation education.

31 B. The committee shall meet at least quarterly and report annually to the Department  
32 of Agriculture, Conservation and Forestry, beginning in August 2020. The committee

1 shall plan for the sustainable use of water resources, focusing on the following 3  
2 phases:

3 (1) In the first phase, the committee shall focus on:

4 (a) Collecting and reviewing information regarding water withdrawal  
5 activities;

6 (b) Coordinating state water resources information;

7 (c) Identifying watersheds at risk by refining the most recent analysis of  
8 watersheds at risk performed by the Bureau of Resource Information and  
9 Land Use Planning, Division of Geology, Natural Areas and Coastal  
10 Resources, Maine Geological Survey, including:

11 (i) Conducting appropriate water resources investigations in watersheds  
12 at risk;

13 (ii) Considering projected increased water use by population,  
14 agricultural irrigation, commercial users, industrial users and other users;

15 (iii) Considering seasonal use;

16 (iv) Considering potential effects of climate change;

17 (v) Considering the effects of anticipated future water quality  
18 classification changes on the availability of water for withdrawal;

19 (vi) In establishing priorities for further investigations, seeking input  
20 from the user community, from towns dealing with multimunicipal  
21 aquifers and from towns with significant local aquifers; and

22 (vii) Developing guidelines for consistency in further investigations; and

23 (d) Developing a strategy for protecting and managing groundwater  
24 resources in this State if worldwide clean water resources are threatened;

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

30 (a) Personnel from:

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

34 (ii) The Public Utilities Commission;

35 (iii) The Department of Environmental Protection;

36 (iv) The Maine Land Use Planning Commission;

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

- 1                    (vi) The Department of Inland Fisheries and Wildlife; and  
2                    (b) Members of the public with expertise in:  
3                    (i) Agriculture;  
4                    (ii) Public water utilities;  
5                    (iii) Water bottling and the sale of bottled water;  
6                    (iv) The environment and conservation;  
7                    (v) Aquaculture;  
8                    (vi) Business and commerce;  
9                    (vii) Industrial water use; and  
10                   (viii) Municipal government; and

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

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

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

- 16                   (1) Conservation of water resources;  
17                   (2) Development of regional sources and solutions to water use issues;  
18                   (3) Incentives for stewardship of water resources; and  
19                   (4) Effects of surface water quality improvements on water withdrawal  
20                   opportunities.

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

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

25                   **68-C.**

26                   Natural Resources    Water Resources            Not Authorized                    5 MRSA §6401  
27                                      Planning Committee

28                   **SUMMARY**

29                   This bill estblishes the Water Resources Planning Committee within the  
30                   Department of Agriculture, Conservation and Forestry. The bill describes requirements  
31                   related to committee membership, meetings and reporting. It details 3 phases on which  
32                   the committee is required to focus effort. It also requires the committee to conduct an  
33                   annual review of state policy in regard to water resources, provide guidance to  
34                   municipalities and develop and disseminate educational materials on water resources and  
35                   the regulatory regime.