

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 29 - L.D. 65

An Act to Update the Definition of "Coastal Wetlands" Under the Natural Resources Protection Act and the Mandatory Shoreland Zoning Laws

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

Sec. 1. 38 MRSA §436-A, sub-§1, as amended by PL 2005, c. 330, §10, is repealed and the following enacted in its place:

1. Coastal wetlands. "Coastal wetlands" has the same meaning as in section 480-B, subsection 2.

Sec. 2. 38 MRSA §480-B, sub-§2, as amended by PL 2005, c. 330, §13, is repealed and the following enacted in its place:

2. Coastal wetlands. "Coastal wetlands" means:

A. All areas with vegetation present that is tolerant of salt water and occurs primarily in a saltwater or estuarine habitat; and

B. All tidal and subtidal lands and any swamp, marsh, bog, beach, flat or other contiguous lowland subject to tidal action during the highest astronomical tide as determined by the United States Department of Commerce, National Oceanic and Atmospheric Administration.

Coastal wetlands may include portions of coastal sand dunes.