1	L.D. 1970
2	Date: (Filing No. H- )
3	ENVIRONMENT AND NATURAL RESOURCES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	130TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT " " to H.P. 1465, L.D. 1970, "An Act To Implement Agency Recommendations Relating to Sea Level Rise and Climate Resilience Provided Pursuant to Resolve 2021, Chapter 67"
12	Amend the bill in Part A by inserting after section 1 the following:
13 14	'Sec. A-2. 12 MRSA §685-B, sub-§4, ¶C, as amended by PL 2011, c. 682, §19, is repealed and the following enacted in its place:
15 16 17 18	C. Adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses, scenic character and natural and historic resources in the area likely to be affected by the proposal.
19 20 21 22 23	(1) In making a determination under this paragraph regarding whether an applicant has made adequate provision for fitting the proposal harmoniously into the existing natural environment, the commission may consider the effect of at least 1.5 feet of sea level rise by 2050 and 4 feet of relative sea level rise by 2100 as specified by the commission by rule adopted pursuant to section 685-A, subsection 3.
24 25 26 27 28 29 30 31	(2) In making a determination under this paragraph regarding development to facilitate withdrawal of groundwater, the commission shall consider the effects of the proposed withdrawal on waters of the State, as defined by Title 38, section 361-A, subsection 7; water-related natural resources; and existing uses, including, but not limited to, public or private wells, within the anticipated zone of contribution to the withdrawal. In making findings under this subparagraph, the commission shall consider both the direct effects of the proposed withdrawal and its effects in combination with existing water withdrawals.
32 33 34 35	(3) In making a determination under this paragraph regarding a community-based offshore wind energy project, the commission shall consider the project's effects on scenic character and existing uses related to scenic character in accordance with Title 35-A, section 3452.

Page 1 - 130LR2598(02)

## **COMMITTEE AMENDMENT**

1 2 3 4 5 6 7 8 9 10	<ul> <li>(4) In making a determination under this paragraph regarding a wind energy development, as defined in Title 35-A, section 3451, subsection 11, that is not a grid-scale wind energy development, that has a generating capacity of 100 kilowatts or greater and that is proposed for location within the expedited permitting area, the commission shall consider the development's or project's effects on scenic character and existing uses relating to scenic character in the manner provided for in Title 35-A, section 3452;'</li> <li>Amend the bill in Part A in section 3 in subsection 8-A in paragraph B in the 3rd line (page 1, line 37 in L.D.) by inserting after the following: "risk" the following: ', build resilience to natural hazards'</li> </ul>
11	Amend the bill in Part A by striking out all of section 8 and inserting the following:
12	'Sec. A-8. 30-A MRSA §4326, sub-§4-B is enacted to read:
13 14 15 16 17 18 19 20	<b>4-B.</b> Addressing climate risks and building resilience to natural hazards. A municipality or multimunicipal region may include in its comprehensive plan projections regarding risks posed by climate change as identified in its climate vulnerability assessment prepared pursuant to subsection 1, paragraph L and the potential effects of those risks on buildings, transportation infrastructure, sewage treatment facilities and other relevant municipal, multimunicipal or privately held infrastructure, property or protected natural resources and may develop a coordinated plan for addressing those risks and for building resilience to natural hazards.
21 22	As used in this subsection, "protected natural resource" has the same meaning as in Title 38, section 480-B, subsection 8.'
23 24	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
25	SUMMARY
26 27 28 29 30 31 32 33 34 35 36 37 38 39	This amendment, which is the majority report of the committee, clarifies that a "local climate action plan," which may be adopted by a municipality or multimunicipal region, includes an evaluation of options for building resilience to natural hazards. It also clarifies that in addressing climate risks identified in a municipality's or multimunicipal region's climate vulnerability assessment, as provided for in the bill, the municipality or multimunicipal region may include the potential effects of those risks on protected natural resources, as that term is defined under the Natural Resources Protection Act, and may develop a coordinated plan for addressing those risks and for building resilience to natural hazards. It also amends the laws governing the Maine Land Use Planning Commission's permit approval criteria for proposed developments to provide that, in making a determination regarding whether an applicant has made adequate provision for fitting the proposal harmoniously into the existing natural environment, the commission may consider the effect of at least 1.5 feet of sea level rise by 2050 and 4 feet of relative sea level rise by 2100 as specified by the commission by rule.
40 41	FISCAL NOTE REQUIRED (See attached)
11	(See attacheu)

Page 2 - 130LR2598(02)

## **COMMITTEE AMENDMENT**