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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 710, L.D. 1979, “An Act To Sustain Good-paying Jobs in the Forest Products Industry by Ensuring Consistency between Comprehensive River Resource Management Plans and State Water Quality Standards”

Amend the amendment by striking out the substitute title and replacing it with the following:

'An Act Regarding the Development of Comprehensive River Resource Management Plans'

Amend the amendment in the 2nd paragraph after the title in the first line (page 1, line 15 in amendment) by striking out the following: "title" and inserting the following: 'enacting clause'

Amend the amendment by inserting before section 1 the following:

'Sec. 1. 12 MRSA §407, as amended by PL 2011, c. 655, Pt. EE, §17 and affected by §30 and amended by c. 657, Pt. W, §5, is further amended to read:

§407. Comprehensive river resource management plans

The Department of Agriculture, Conservation and Forestry, with assistance from the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Department of Environmental Protection, the Governor's Energy Office and other state agencies as needed, shall develop, subject to the Maine Administrative Procedure Act, Title 5, chapter 375, a comprehensive river resource management plan for each watershed with a hydropower project licensed under the Federal Power Act or to be licensed under the Federal Power Act. These plans must provide a basis for state agency comments, recommendations and permitting decisions and at a minimum include, as applicable, minimum flows, impoundment level regimes, upstream and downstream fish passage, maintenance of aquatic habitat and habitat productivity, public access and recreational opportunities. These plans must update, complement and, after public notice, comment and hearings in the watershed, be adopted as components of the State's comprehensive rivers management plan. A comprehensive river resource management plan adopted under this section is a major substantive rule as defined in Title 5, chapter 375, subchapter 2-A.'

SENATE AMENDMENT

1 Amend the amendment in section 1 in the first paragraph in the 3rd line (page 1, line
2 18 in amendment) by striking out the following: "**Resolved:** That the" and inserting the
3 following: 'The'

4 Amend the amendment in section 1 in the first paragraph in the 5th line (page 1, line
5 20 in amendment) by inserting after the following: "Wildlife," the following: 'the
6 Department of Economic and Community Development,'

7 Amend the amendment in section 1 by inserting after subsection 4 the following:

8 'On or before January 15, 2023, the Department of Environmental Protection shall
9 submit to the joint standing committee of the Legislature having jurisdiction over
10 environment and natural resources matters a report outlining its findings and
11 recommendations developed pursuant to this section, including any proposed legislation.
12 After reviewing the report, the joint standing committee may report out legislation relating
13 to the report to the 131st Legislature in 2023.'

14 Amend the amendment by striking out all of section 2.

15 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
16 section number to read consecutively.

17 SUMMARY

18 This amendment amends Committee Amendment "A" to classify a comprehensive
19 river resource management plan as a major substantive rule. It also adds the Department
20 of Economic and Community Development as an agency with which the Department of
21 Environmental Protection must consult on the evaluation of the current process for the
22 development of comprehensive river resource management plans.

23 **SPONSORED BY:** _____

24 **(President JACKSON, T.)**

25 **COUNTY: Aroostook**