



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 40

S.P. 20

In Senate, January 20, 2015

### An Act To Protect Maine's Great Ponds

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senators: DAVIS of Piscataquis, LANGLEY of Hancock, Representative:  
DUCHESNE of Hudson.

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

2 Sec. 1. 38 MRSA §418-B is enacted to read:

3 **§418-B. Prohibition on application of fertilizers near great ponds**

4 **1. Prohibition.** Notwithstanding any other provision of law, a person may not apply  
5 a fertilizer within 50 feet of the normal high-water line of a great pond. As used in this  
6 section, "fertilizer" has the same meaning as in section 419, subsection 1, paragraph A-3.

7 **2. Exceptions.** Subsection 1 does not apply to:

8 **A. A fertilizer application for the purpose of agriculture. Nothing in this paragraph**  
9 **relieves a person applying a fertilizer for the purpose of agriculture from the**  
10 **obligation to comply with best management practices and all applicable requirements**  
11 **for a nutrient management plan in accordance with Title 7, chapter 747; or**

12 **B. A fertilizer application for the purpose of establishing or restoring vegetation to**  
13 **stop, slow or remediate shoreline erosion or damage pursuant to a recommendation**  
14 **from a soil sample test conducted by the University of Maine Cooperative Extension**  
15 **Service or other individual determined by the department to be qualified to conduct**  
16 **an appropriate soil sample test and make such a recommendation. The department**  
17 **may adopt rules setting forth the necessary criteria for an individual to be qualified**  
18 **under this paragraph. Rules adopted pursuant to this paragraph are routine technical**  
19 **rules as defined in Title 5, chapter 375, subchapter 2-A.**

20 **SUMMARY**

21 This bill creates a prohibition on the application of fertilizers within 50 feet of the  
22 normal high-water line of a great pond, with exceptions for persons involved in  
23 agriculture or applying fertilizer to establish or restore vegetation to stop, slow or  
24 remediate shoreline erosion or damage.