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Resolve, To Require the Department of Environmental Protection To Provide Engineering and Permitting Assistance To Clean Up Toothaker Pond

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Toothaker Pond in the Town of Phillips suffers from high phosphorus levels as a result of several human interventions in the watershed and the lake itself; and

Whereas, Toothaker Pond is one of only 32 lakes in Maine listed by the Department of Environmental Protection as having impaired water quality due to significant algae blooms; and

Whereas, The algae blooms in Toothaker Pond are persistent and at times intense. They have significantly reduced the recreational use of the pond and constitute a major change in the habitat suitability and natural conditions. Algae blooms also result in a violation of the statutory water quality classification under the Maine Revised Statutes, Title 38, section 465-A; and

Whereas, although the Department of Environmental Protection is charged with restoring the water quality of degraded waters, and in fact undertook a study of methods to restore Toothaker Pond, nothing has been done to restore Toothaker Pond due to lack of funds; and

Whereas, with assistance from the Department of Environmental Protection in obtaining permits and engineering expertise, the residents around Toothaker Pond are willing to undertake a project to improve the water quality of Toothaker Pond; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Permit approval and engineering assistance for cleanup of Toothaker Pond. Resolved: That the Department of Environmental Protection shall provide assistance to the residents of the Town of Phillips involved in the restoration of Toothaker Pond. This assistance must include aid in obtaining the necessary permits, engineering expertise and grant writing to seek federal funds for the restoration project.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

HP0377, LD 493, item 1, 123rd Maine State Legislature
Resolve, To Require the Department of Environmental Protection To Provide
Engineering and Permitting Assistance To Clean Up Toothaker Pond

This resolve requires the Department of Environmental Protection to provide assistance and expertise in the areas of permitting, engineering and grant writing to the residents of the Town of Phillips involved in the restoration of Toothaker Pond.