

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve, To Develop a Comprehensive Water Use Plan for Maine

Sec. 1 Comprehensive water use plan. Resolved: That the Land and Water Resources Council established in the Maine Revised Statutes, Title 5, section 3331 shall convene the Comprehensive Water Use Plan Steering Committee, referred to in this resolve as "the steering committee." The council shall enter into a contract with a consultant selected by the steering committee to develop a comprehensive water use plan in accordance with section 3, subsection 2; and be it further

Sec. 2 Steering committee membership. Resolved: That the steering committee consists of:

1. Appropriate personnel from the following state agencies:

A. The Department of Conservation, Maine Geological Survey;

B. The Department of Agriculture, Food and Rural Resources;

C. The Department of Environmental Protection;

D. The Maine Land Use Regulation Commission;

E. The drinking water program of the Department of Health and Human Services;

F. The Public Utilities Commission;

G. The Department of Economic and Community Development;

H. The Executive Department, State Planning Office;

I. The Department of Inland Fisheries and Wildlife; and

J. The Department of the Attorney General;

2. Members of the public with expertise in the following areas:

A. Agriculture;

B. Public water utilities;

C. Water law;

D. Water bottling and the sale of bottled water;

E. Natural resources and the environment;

F. Aquaculture;

G. Business and commerce;

H. Ecology and stream flow analysis;

I. Industrial water use; and

J. Municipal government;

3. Members of the Legislature who are appointed as follows:

A. A member of the Joint Standing Committee on Health and Human Services, appointed by the President of the Senate;

B. A member of the Joint Standing Committee on Business, Research and Economic Development, appointed by the President of the Senate;

C. A member of the Joint Standing Committee on Natural Resources, appointed by the Speaker of the House of Representatives;

D. A member of the Joint Standing Committee on Agriculture, Conservation and Forestry, appointed by the Speaker of the House of Representatives; and

E. A member of the Joint Standing Committee on Utilities and Energy, appointed by the Speaker of the House; and

4. A representative from:

A. The Maine Public Drinking Water Commission; and

B. The Maine Agricultural Water Management Board; and be it further

Sec. 3 Duties. Resolved: That the steering committee shall:

1. Develop criteria for hiring a consultant to undertake a study and develop a comprehensive water use plan pursuant to subsection 2;

2. Select a consultant to undertake a study and develop a comprehensive total water management plan for the State. In undertaking the study the consultant shall:

A. Estimate available surface water and groundwater and estimate future needs of public water systems and residential, agricultural, commercial and industrial water users for the next 50 years;

B. Determine flows necessary to maintain healthy populations of indicator organisms based on peer-reviewed studies of the water needs of these organisms in Maine waters;

C. Using the flows necessary to maintain healthy populations of indicator organisms, determine which watersheds are at risk from cumulative water use;

D. Consider the effect climate change may have on water resources in the State;

E. Compare cumulative water use and availability of water in basins and sub-basins and assess water use issues and priorities on a watershed basis as required by the Maine Revised Statutes, Title 38, section 470-G;

F. Determine the availability of existing sources of water for public water systems and residential, agricultural, commercial and industrial water users based on criteria and standards established for watersheds at risk from cumulative water use;

G. Identify alternative sustainable sources of water supply that need to be developed to meet current needs and needs 50 years into the future of public water systems and residential, agricultural, commercial and industrial water users;

H. Estimate the costs of developing sustainable sources of water supply necessary to meet current and future needs for the next 50 years of public water systems and residential, agricultural, commercial and industrial water users;

I. Identify policy recommendations that support surface water and groundwater stewardship and conservation including an assessment of the cost, effectiveness and practicality of various water conservation measures;

J. Identify potential regional sources of water supply that could be used to accommodate future needs of public water systems and residential, agricultural, commercial and industrial water users;

K. Estimate the cost and feasibility of developing regional sources of water supply that could be used to accommodate future needs of municipal water systems and residential, agricultural, commercial and industrial water users;

L. Provide recommendations as to how the State should identify and develop incentives for the protection of high-yield aquifers and high-quality surface water sources of supply for future generations;

M. Provide an assessment of existing state and local land use and growth management policies to ensure they do not provide disincentives for stewardship;

N. Identify additional measures that could be adopted in order to promote stewardship actions that protect future sources of water supply; and

O. Develop a total water management plan on a watershed basis.

Sec. 4 Staffing. Resolved: That the Department of Conservation, Maine Geological Survey shall provide staff assistance to the steering committee and serve as the lead agency on the steering committee; and be it further

Sec. 5 Report. Resolved: That the Land and Water Resources Council shall submit a final report to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than January 15, 2009. The final report must include the consultant's recommended comprehensive water use plan developed pursuant to section 3 and any draft legislation necessary to implement the plan. The joint standing committee of the Legislature having jurisdiction over natural resources matters may submit legislation to the First Regular Session of the 124th Legislature in connection with the final report.

SUMMARY

This resolve directs the Land and Water Resources Council to convene the Comprehensive Water Use Plan Steering Committee and to enter into a contract with a consultant selected by the steering committee to develop a comprehensive water use plan. The resolve designates the membership of the committee and the duties that the consultant is required to undertake. The Maine Geological Survey is directed to provide staff assistance to the steering committee and is designated as the lead agency of the steering committee. The Land and Water Resources Council is directed to submit a final report to the Joint Standing Committee on Natural Resources by January 15, 2009. The report must include the consultant's recommended comprehensive water use plan and any draft legislation necessary to implement the plan.