§598-C. Process for determination of reduction or substantially altered use of designated land

The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall adopt rules to establish an objective evaluation process for determining if a proposed activity on land designated under this chapter and under the jurisdiction of the bureau would cause the land to be reduced or the uses of the land to be substantially altered. In the case of a high-impact electric transmission line crossing or utilizing such land or a portion of such land that is a rail trail or recreational corridor or land of similar configuration, as determined by the bureau, the rules must include criteria for determining that the high-impact electric transmission line would not cause the land to be reduced or the uses of the land to be substantially altered. In adopting the rules, the bureau shall observe the requirements relating to designated lands in the Constitution of Maine, Article IX, Section 23 and ensure proper exercise of the bureau's public trust responsibility. These rules must also include provisions for public notice and comment before authorizing any such activity and for determining the appropriate instrument to be used to authorize that activity, including but not limited to whether an easement, lease, license or other instrument should be used. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2023, c. 644, §1 (AMD).]

SECTION HISTORY

PL 2021, c. 654, §1 (NEW). PL 2023, c. 644, §1 (AMD).

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