

**§3459. Best practical mitigation**

**1. Process.** An application for a grid-scale wind energy development must contain, and the primary siting authority shall require, best practical mitigation for all aspects of construction and operation of generating facilities. In determining best practical mitigation options, the primary siting authority shall consider:

- A. The existing state of technology; [PL 2013, c. 325, §3 (NEW).]
- B. The effectiveness of available technologies or methods for reducing impacts; and [PL 2013, c. 325, §3 (NEW).]
- C. The economic feasibility of the type of mitigation under consideration. [PL 2013, c. 325, §3 (NEW).]

[PL 2013, c. 325, §3 (NEW).]

**2. Rules.** The department shall adopt rules governing best practical mitigation under this section. Rules adopted under this subsection are major substantive rules as described in Title 5, chapter 375, subchapter 2-A. Any amendments to the rules after final adoption of the major substantive rules are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

[PL 2013, c. 325, §3 (NEW).]

**SECTION HISTORY**

PL 2013, c. 325, §3 (NEW).

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