

§480-I. Identification of freshwater wetlands and fragile mountain areas

1. Identification by maps. The commissioner shall map areas meeting the definition of fragile mountain areas set forth in this article. The data developed under section 546-B may be used for mapping significant wildlife habitat. Maps of significant wildlife habitats that have been produced by the Department of Inland Fisheries and Wildlife must be adopted by rule pursuant to the Maine Administrative Procedure Act by the department if:

A. The maps are of one or more of the types of areas listed in section 480-B, subsection 10, paragraph A; or [PL 2007, c. 290, §3 (NEW).]

B. The maps are of one or more of the types of areas listed in section 480-B, subsection 10, paragraph B and are for purposes of determining when a permit is required for forest management activities. [PL 2007, c. 290, §3 (NEW).]

[PL 2007, c. 290, §3 (AMD).]

2. Procedures. The maps and subsequent amendments to be adopted pursuant to the Maine Administrative Procedure Act are subject to the following procedures.

A. Preliminary maps of the affected area or amendments of a map must be sent to the municipal officers or their designees. [PL 2007, c. 290, §4 (AMD).]

B. Upon receipt of the proposed maps, the municipal officers of each municipality shall take any action they determine appropriate to increase public participation in this identification and delineation, but shall return their comments to the commissioner within a 90-day period. [PL 1989, c. 890, Pt. A, §40 (AFF); PL 1989, c. 890, Pt. B, §77 (AMD).]

[PL 2007, c. 290, §4 (AMD).]

3. Progress report.

[PL 2007, c. 655, §2 (RP).]

SECTION HISTORY

PL 1987, c. 809, §2 (NEW). PL 1989, c. 890, §§A40,B76,77 (AMD). PL 1991, c. 693, §2 (AMD). PL 1997, c. 230, §1 (AMD). PL 2007, c. 290, §§3, 4 (AMD). PL 2007, c. 655, §2 (AMD).

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