



130th MAINE LEGISLATURE

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Legislative Document

No. 1488

H.P. 1102

House of Representatives, April 14, 2021

**Resolve, To Study and Recommend Improvements to Maine's Dam
Safety**

Received by the Clerk of the House on April 12, 2021. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BELL of Yarmouth.

1 **Sec. 1. Dam study. Resolved:** That the Department of Defense, Veterans and
 2 Emergency Management, in consultation with other state agencies as required by the Maine
 3 Revised Statutes, Title 37-B, section 1112, appropriate federal agencies, state and local
 4 emergency management officials, hazard assessment and public safety experts, including
 5 dam safety experts, civil engineering organizations, environmental organizations,
 6 municipal dam operators and private dam owners, shall conduct a study of the State's dam
 7 safety efforts under Title 37-B, chapter 24 that assesses the condition of dams in the State
 8 and the ability of the department to ensure the safe operation of dams and to protect public
 9 safety. The study must include:

- 10 1. A review of the State's laws and rules governing dams and dam safety and whether
 11 they are sufficient to ensure that the objectives of Title 37-B, chapter 24 are met;
- 12 2. A survey of the State's existing dams, including the:
 - 13 A. Total number of registered and unregistered dams;
 - 14 B. Hazard potential and hazard classifications of each dam;
 - 15 C. Current age and estimated operational lifespan of each dam;
 - 16 D. Potential risks to downstream communities with respect to dam failures, including
 17 infrastructure and public and private property; and
 - 18 E. Impact of dams and potential dam failures on public resources, including wildlife
 19 habitats, native ecosystems, water quality and fisheries;
- 20 3. An assessment of the resiliency of the State's existing dams and their ability to
 21 withstand historic and projected drought and flood events;
- 22 4. A review of the existing limits and needs of the State's dam safety efforts; and
- 23 5. A review of local, state and federal loan or grant programs available to dam owners
 24 in the State.

25 The department may use funds from federal or private sources, to the extent available,
 26 to conduct this study and shall disclose those funding sources in its report to the Joint
 27 Standing Committee on Veterans and Legal Affairs under section 3.

28 **Sec. 2. Dam safety peer review. Resolved:** That, by December 1, 2021, the
 29 department shall have the Association of State Dam Safety Officials conduct a peer review
 30 of the State's dam safety efforts.

31 **Sec. 3. Dam report. Resolved:** That, by January 14, 2022, the Department of
 32 Defense, Veterans and Emergency Management shall provide a report on the results of its
 33 study under section 1, the peer review under section 2 and recommendations for the
 34 improvement of dam safety, including suggested legislation, to the Joint Standing
 35 Committee on Veterans and Legal Affairs. The committee is authorized to submit a bill
 36 based on the report to the Second Regular Session of the 130th Legislature.

37 **SUMMARY**

38 This resolve requires the Department of Defense, Veterans and Emergency
 39 Management to conduct a study of the State's dams and the State's dam safety efforts,
 40 including an assessment of the hazard potential and classification of each dam, the potential

1 risk of dam failure to downstream communities and public resources, dam resiliency, and
2 the efficacy of the State's dam safety efforts. The department is required to have the
3 Association of State Dam Safety Officials conduct a peer review of the State's dam safety
4 efforts by December 1, 2021. The department is required to submit a report on the results
5 of its study, including suggested legislation, and the peer review to the Joint Standing
6 Committee on Veterans and Legal Affairs by January 14, 2022. The committee is
7 authorized to submit a bill based on the report to the Second Regular Session of the 130th
8 Legislature.