

LPC Report Collaboration and coordination

MAP LPC Consulted with Maine Audubon for their February 2020 Model Site Plan Regulations and Conditional Use Permits model ordinance to support Solar Energy Systems in Maine Municipalities

<https://growsmartmaine.org/wp-content/uploads/2020/06/ModelSolarOrdinance-Feb2020-FINAL.pdf>

Worked with MMA and Growsmart Maine

- Nancy Smith recruited me to join the Maine Alliance for Smart Growth as MAP liaison

MAP LPC began drafting a 'how to create a Maine planning guide' – then COVID hit

- General idea is to complete 1-2 page 'notes' on planning issues and guidance for Maine context (laws, resources, Maine-issues, etc.) and provide a MAP endorsement
- Solicit planning guide ideas from the members and create peer review process
- Editorializing the technical bits is encouraged for readability
- Audience is practicing planners

Law Report - LPC Testimony Updates from the 129 Legislature:

LD 1956 - establish commission to increase housing opportunities by studying zoning and land use restrictions - DEAD at conclusion of 129th Legislature, November 16, 2020 – MAP supported

LD 1141 – MDOT construct merrymeeting trail Topsham to Gardiner – DEAD on November 16, 2020 – MAP supported

Climate council

- LD 1679 - Governors Bill - Emergency Enacted June 26, 2019
- *An Act to Promote Clean Energy Jobs & Establish the Maine Climate Council*
- 38 MRS Section 577-A – the new law – what is it?
 - an amended 2003 law that required the creation of a Climate Action Plan by July 2004
 - charged the new Climate Council to provide the first of presumably several 4-year plan State Climate Action Plan update by December 1, 2020
 - greenhouse gas emission reduction goals set for 2030, 2040, and 2050
 - Annual greenhouse gas reporting to Legislature
- **MAP hosted a video conference to develop recommendations for the Climate Council and submitted a letter signed by MAP President with three (3) recommendations (May 8, 2020)**
 1. *Provide Flexible Ways for Communities to Do Climate Action Planning*
 2. *Strengthen the Role of Regional and State Planning Organizations*
 3. *Provide Climate Action Planning Incentives*
 - <https://nne.planning.org/policy/maine/historical-bills-and-testimony/>

What's next?

December 1, 4-year plan published <https://www.maine.gov/future/initiatives/climate/climate-council>

Note - If planners have no time to review the 120ish page plan, peruse the 17 page "Implementation Chart." All reporting available at the Climate Council webpage; notable two (2) items on page 14 pertaining to updating land use regulations, laws, and practices by 2024.

Beginning January 15, 2021 (and annually thereafter) all sources of funding for the Climate Council must be reported to the ENR committee from the previous year – and any proposed legislation may be included in that report.

- ENR may report out legislation to implement any recommendation contained in the Climate Council's report

By July 1, 2021, the DEP shall adopt rules to track and report to the Legislature on gross annual greenhouse gas emissions and net annual greenhouse gas emissions.

By September 1, 2021, the Board shall adopt rules to ensure compliance w/ greenhouse gas reductions at those 10 year benchmarks:

- Climate action plan consistency required, as updated
- Must look @ sectors identified by US Energy Information Administration and DEP biennial reports – greenhouse gas
 - <https://www.eia.gov/environment/>
 - <https://www.maine.gov/dep/news/news.html?id=1988154>
- Must credit for existing greenhouse gas reductions
- Must credit voluntary measures that sequester additional carbon in forests, farms, and coastal lands in Maine or the use of materials that sequester additional carbon
- MaineDOT may adopt rules after consulting with DEP to ensure compliance with emissions levels
- these are all considered **routine technical rules** that don't require legislature to approve
 - *Title 5, Ch. 375, subchapter 2-A*

Federal stuff to be aware of

Army Corps released the 2020 Maine General Permit update in October

- <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/ME/2020-2025-MaineGeneralPermits.pdf>
- Pleased to see "living shorelines" are noted as a preferred shoreline erosion management practice to riprap and bulkheads – exciting!
- Vernal pools
 - adjacency standards aren't in the 2020 GP (2010 GP had 750-foot jurisdiction)
 - municipalities can adopt a special area management plan (SAMP) for exemption to GP permits for vernal pool filling
- Digital Coast Act (NOAA mapping and now economic data) made it through Congress – lots of data on sea level rise, storm, resilience - would secure funding (adding a fee option for NOAA)
- CARES Act provided some aid for communities – related funding guide at APA
 - <https://www.planning.org/blog/9199451/how-to-help-your-community-access-cares-act-aid/>

- APA pushing for federal stimulus ... who knows when that will come.

130th Snapshot

1. 130th Maine State Legislature convened first regular session on December 2, 2020
2. Legislature will adjourn on June 16, 2021
3. Some administrative bills about COVID-19 safety and transparency but no land use stuff yet.