

Rule-Making Fact Sheet

(5 MRS §8057-A)

AGENCY: **01-672 MAINE LAND USE PLANNING COMMISSION,**
Department of Agriculture, Conservation & Forestry

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:
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CHAPTER NUMBER AND RULE TITLE: Chapter 2, Definitions; Chapter 10, Land Use Districts and Standards

TYPE OF RULE (*check one*): Routine Technical Major Substantive

STATUTORY AUTHORITY: 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

DATE, TIME AND PLACE OF PUBLIC HEARING: *Not applicable*

COMMENT DEADLINE:

Written comments must be submitted on or prior to December 5, 2024;

Written rebuttal comments must be submitted on or prior to December 16, 2024.

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]
Updates to the Commission's Flood Prone Area Protection Subdistrict and standards for development in flood prone areas to increase consistency with the Federal Emergency Management Agency's rules and guidance and to comply with ongoing requirements for the Commission's participation in the National Flood Insurance Program.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___ YES NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]
Primarily, the changes increase consistency with the Federal Emergency Management Agency's rules and guidance and comply with ongoing requirements for the Commission's participation in the National Flood Insurance Program. Otherwise, the addition, reorganization, and reformatting of these rules are expected to significantly improve consistency and functionality. Consequently, the rules will be easier for members of the public and staff to reference or otherwise administer.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE
(including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]
Staff relied upon the agency's historical permitting data, existing agency rules, the professional judgement of agency staff and board members, FEMA rules and development standards for National Flood Insurance Program membership, the 2024 Maine Model Floodplain Ordinance produced by the Maine Floodplain Management Program, and FEMA guidance such as "Floodplain Management Requirements for Agricultural Structures and Accessory Structures (FEMA Publication-2140).

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]
None.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.