

Notice of Agency Rule-making Proposal

AGENCY: Maine Department of Environmental Protection

RULE TITLE OR SUBJECT: (1) Chapter 305, Permit by Rule, and (2) Chapter 310, Wetlands and Waterbodies Protection

PROPOSED RULE NUMBER: 98-P

(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE):

CONCISE SUMMARY (UNDERSTANDABLE BY AVERAGE CITIZEN):

Changes to Chapter 305, the Natural Resource Protection Act Permit by Rule Standards, are intended to: (1) add a permit by rule (PBR) section to Ch. 305 to allow permit by rule for activities in, on or over significant vernal pool habitat, and meeting specified requirements, as required by PL 2003 c. 183, sec. 1(16) and Ch. 335(9)(D); (2) add a PBR section to Ch. 305 for activities in existing developed areas and located in, on, or over high or moderate value inland waterfowl and wading bird habitat, or shorebird nesting, feeding, and staging areas; (3) make amendments to Ch. 305 necessary to conform with recent changes to Chapter 355, Coastal Sand Dune Rules; (4) update Ch. 305(11), State Transportation Facilities, as a result of discussions with Maine Dept. of Transportation; and (5) additional minor updating.

Amendments to Chapter 310 include changes necessary as a result of PL 2003, c. 592, including reducing the size of projects eligible for an exception from compensation requirements; and additional minor updating.

THIS RULE WILL WILL NOT X HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: 38 MRSA 341-D; PL 2003, c. 592, sec. 5; PL 2003, Resolve c. 183, sec. 1(16).

PUBLIC HEARING: 1:00 p.m., Thursday, October 5, 2006, Holiday Inn/Ground Round, 110 Community Drive, Augusta, Maine

DEADLINE FOR COMMENTS: 5:00 p.m., October 16, 2006. Comments may be submitted by mail, e-mail or fax. To ensure the comments are considered, they must include your name and the organization you represent, if any. For a copy of the proposed amendments, see contact person below or go to: <http://www.maine.gov/dep/blwq/rules/NRPA/2006/index.htm>

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Please approve bottom portion of this form and
 assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____
Authorized signature

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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