

Notice of Agency Rule-making Proposal

AGENCY: Maine Department of Environmental Protection

RULE TITLE OR SUBJECT: Amendment of *Permit by Rule Standards*, 06-096CMR 305

PROPOSED RULE NUMBER:

CONCISE SUMMARY: The proposed amendments include new submission requirements in certain sections of the rule for describing and detailing the scope of proposed activities. New standards are proposed to be added that require adherence to the descriptions and details submitted with the notification form. Other proposed amendments include:

- limiting access ways to natural resources to paths, steps and stairs;
- eliminating riprap on the coastal shoreline as eligible for the permit by rule process;
- adding language to the riprap definition to clarify and limit the type of rock acceptable for use;
- requiring that culverts be set fully on or in the stream bed and riprapped at both ends; and
- allowing new activities in existing developed areas in significant vernal pool habitat.

In addition, other amendments are proposed to clarify definitions and standards that would minimally, if at all, limit the applicability of the rule.

THIS RULE WILL NOT HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: 38 M.R.S.A. §§341-D(1-B); 38 M.R.S.A. § 480-H

PUBLIC HEARING: May 21, 2009 9:30 am
 Holiday Inn/Ground Round
 110 Community Drive
 Augusta, ME 04330

DEADLINE FOR COMMENTS: June 1, 2009

Comments may be submitted by mail, e-mail or fax to the contact person listed below. To ensure the comments are considered, they must include your name and the organization you represent, if any. A copy of the rule is available upon request from the contact below, and on the web at:
<http://www.maine.gov/dep/blwq/rule.htm>

A copy of the small business economic impact statement may be obtained from the contact below.

AGENCY CONTACT PERSON FOR INFORMATION ON THIS RULE, INCLUDING A STATEMENT OF IMPACT ON SMALL BUSINESS IF RELEVANT:

CONTACT PERSON'S NAME: Mike Mullen
AGENCY NAME: Department of Environmental Protection
ADDRESS: 17 SHS
 Augusta, ME 04333

TELEPHONE: 207-287-4728
FAX: 207-287-7826
E-MAIL: mike.mullen@maine.gov

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

APPROVED FOR PAYMENT _____ DATE: _____
Authorized signature

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