

# Notice of Agency Rule-making Proposal

**AGENCY:** Department of Environmental Protection

**RULE TITLE OR SUBJECT:**

Chapter 500: Stormwater Management  
 Chapter 502: Direct Watersheds of Lakes Most at Risk from New Development, and Urban Impaired Streams

**PROPOSED RULE NUMBER:**

**CONCISE SUMMARY:** Significant changes to the Stormwater Rules became effective on November 16, 2005. Implementation of the new rules has led to several concerns, which the department proposes to address through additional rule-making. Among these are the need for additional flexibility in meeting the standards for large (Site Law sized) redevelopment projects where strict adherence to the BMP standards can be very expensive. In such instances, a developer might consider going to an undeveloped site rather than redeveloping an existing impervious area due to the expense of stormwater treatment. A proposed revision to Chapter 500 would allow the department to approve redevelopment projects that do not meet all of the new standards, provided there is not an increase in stormwater impacts leaving the site. Other changes are also proposed, all of which are seen as relatively minor in scope. These include, but are not limited to, revisions to definitions for “developed area” and “linear project”; changes to the general standards and permit by rule.

In Chapter 502, several changes are proposed to the list of Most at Risk Lakes with the addition of 5 lakes due to data showing an increased trophic state and the removal of one lake from the “severely blooming” category. One stream is also proposed to be removed from the Urban Impaired Stream list due to data showing that it is meeting its water quality classification.

The draft rules are posted on the department’s web site at <http://www.state.me.us/dep/blwq/rule.htm>. Comments may be submitted by mail at the address below, by fax at (207) 287-7826, or by email to the address below. To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or email is on the sender.

**THIS RULE WILL\_\_ WILL NOT\_X\_ HAVE A FISCAL IMPACT ON MUNICIPALITIES.**

**STATUTORY AUTHORITY:** 38 M.R.S.A. § 420-D

**PUBLIC HEARING:** October 5, 2006; 1:30 P.M.; Holiday Inn/Ground Round, Augusta

**DEADLINE FOR COMMENTS:** October 16, 2006

**AGENCY CONTACT PERSON:** Donald T. Witherill, Director, Div. of Watershed Management  
**AGENCY NAME:** Department of Environmental Protection  
**ADDRESS:** Bureau of Land & Water Quality  
 17 State House Station  
 Augusta, ME 04333  
**TELEPHONE:** (207) 287-7725  
**EMAIL:** [donald.t.witherill@maine.gov](mailto:donald.t.witherill@maine.gov)

Please approve bottom portion of this form and  
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APPROVED FOR PAYMENT \_\_\_\_\_ *Authorized signature* \_\_\_\_\_ DATE: \_\_\_\_\_

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