Rulemaking Fact Sheet

(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

DEPARTMENT CONTACT:

Mike Mullen
Maine Department of Environmental Protection
17 State House Station
Augusta, Me 04330-0017
Tel: (207) 446-1611
Fax: (207) 287-7826
Mike.Mullen@Maine.gov
(www.maine.gov/dep/rules)

CHAPTER NUMBER and TITLE: Chapter 355 Coastal Sand Dune Rules

STATUTORY AUTHORITY: 38 M.R.S. §§ 341-D and 480-A *et seq*.

DATE AND PLACE OF PUBLIC HEARING:

The department does not plan to hold a hearing unless requested by 5 or more persons.

COMMENT DEADLINE: October 12, 2012

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

The existing rule will be amended to allow for reconstruction of an existing structure in a frontal dune if the dune is protected by a seawall and the structure is elevated on posts, in accordance with the direction of PL 2011, Chapter 538. The rules will also be updated to extend the length of time a coastal sand dune permit is valid in accordance with the direction of Resolves 2011, Chapter 46.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The proposed amendments will allow the owner of an existing structure to reconstruct the structure on a frontal dune if the dune is protected by a seawall and other conditions are met. The proposed amendments also provide that permits issued under the rules are valid for 4 years after they are issued and that a person who holds such a permit has 7 years to complete a project pursuant to such a permit.

FISCAL IMPACT OF THE RULE:

The proposed amendments have no apparent fiscal implications. The extension of the effective term of a permit may save some permit holders the cost of extending or renewing permits.

BRIEF SUMMARY OF INFORMATION CONSIDERED DURING RULE DEVELOPMENT:

The amendments are based on legislative language.