



# **MFS now regulates Natural Resource Protection Act Activities for Forestry**

- Earth moving activity within 75' of or in a protected resource
- Construction of permanent structures in on over or adjacent to a resource (Culverts, bridges, roads)

## **Protected Resources**

- Stream channels and rivers
- Great ponds
- NON FOREST freshwater wetlands
- Coastal wetlands



# Definition of a Stream Channel:

- Between defined banks
  - Lacks terrestrial vegetation or
  - Exposed parent material bed
- Hydrologically connected to other waterbodies
- **Does not include**
  - Rills or gullies in disturbed soils

# Stream Channels



# Not Stream Channels



# NRPA Permit Exemptions

- Maintenance, repair and replacement of culverts
- Temporary structures
- No permit but must Notify MFS vis FONS

## Chapter 21: Section 11, Crossings of Water Bodies

The following information must be attached to this form and provided to Maine Forest Service as required in Chapter 21 Rule, Section 11 for all water crossings:

Check all that apply:    Permanent water crossing       Temporary water crossing

Map showing the location of all proposed permanent crossings.

GPS location of all proposed permanent crossings.

For any temporary or permanent crossing that requires a permit, attach a copy of the approved permit(s).

Required statement must be signed by the responsible party: All temporary and permanent crossings will be constructed, maintained and closed out in accordance with the requirements of Chapter 21 rules.

**Responsible Party Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# EXEMPT - Culvert Replacements

- Existing culverts can be replaced with no permit as long as the replacement culvert is:
  - Embedded into the streambed 25% of culvert diameter
  - Erosion control measures are taken
  - Does not block fish passage
  - MFS is notified prior to activity

# EXEMPT - Temporary Crossings

- In place less than 7 months in a 12 month period
- Fill is never temporary (wood is not fill, dirt and rocks are!)
- Still can't cause a discharge
- Examples of temporary crossings: temporary bridges and wood mats, pole fords.

# Permit By Rule

## Same form as before now goes to MFS

- New permanent Stream Crossings
- Soil disturbance within 75'
- Forestry exempt from waiting period
- Put more than one project on each form
- Construct to standards

6/99

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)  
**PERMIT BY RULE NOTIFICATION FORM**  
(For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY (3 COPIES, PLEASE BEAR DOWN)

Name of Applicant:		Name of Owner:	
Mailing Address:		Town/City:	
State:	Zip Code:	Daytime Telephone No: (Include area code)	
Name of Wetland, Water Body or Stream:			
Detailed Directions to Site:			
Town/City:	Map #:	Lot #:	County:
Description of Project:			
Part of a larger project?			Yes
			No

(CHECK ONE) This project: does  does not  involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

<input type="checkbox"/> Sec. (2) Soil Disturbance	<input type="checkbox"/> Sec. (8) Shoreline stabilization	<input type="checkbox"/> Sec. (14) Piers, Wharves & Pillings
<input type="checkbox"/> Sec. (3) Intake Pipes	<input type="checkbox"/> Sec. (9) Utility Crossing	<input type="checkbox"/> Sec. (15) Public Boat Ramps
<input type="checkbox"/> Sec. (4) Replacement of Structures	<input type="checkbox"/> Sec. (10) Stream Crossing	<input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects
<input type="checkbox"/> Sec. (5) REPEALED	<input type="checkbox"/> Sec. (11) State Transportation Facilities	<input type="checkbox"/> Sec. (17) Transfers/Permit Extension
<input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation	<input type="checkbox"/> Sec. (12) Restoration of Natural Areas	<input type="checkbox"/> Sec. (18) Maintenance Dredging
<input type="checkbox"/> Sec. (7) Outfall Pipes	<input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement	

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that *this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.*

I have attached all of the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$50 (non-refundable) made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** photographs showing existing site conditions (unless not required under standards).

Signature of Applicant:	Date:
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*Keep the bottom copy as a record of permit.* Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111	PORTLAND DEP 312 CANCO ROAD PORTLAND, ME 04103 (207)822-6300	BANGOR DEP 106 HOGAN ROAD BANGOR, ME 04401 (207)941-4570	PRESQUE ISLE DEP 1235 CENTRAL DRIVE PRESQUE ISLE, ME 04769 (207)764-0477
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OFFICE USE ONLY		Ck.#	Date	Staff	Staff	After Photos
PBR #	FP			Acc. Date	Def. Date	

DEPLW-27-899

# Permits

required for *NEW permanent crossings of non-forested wetlands, rivers, & tidal waters*

- Permits must be submitted at least 60 days in advance. **CALL FOREST SERVICE FOR HELP!**







# Permanent Crossings

Meets Standard

Not so much

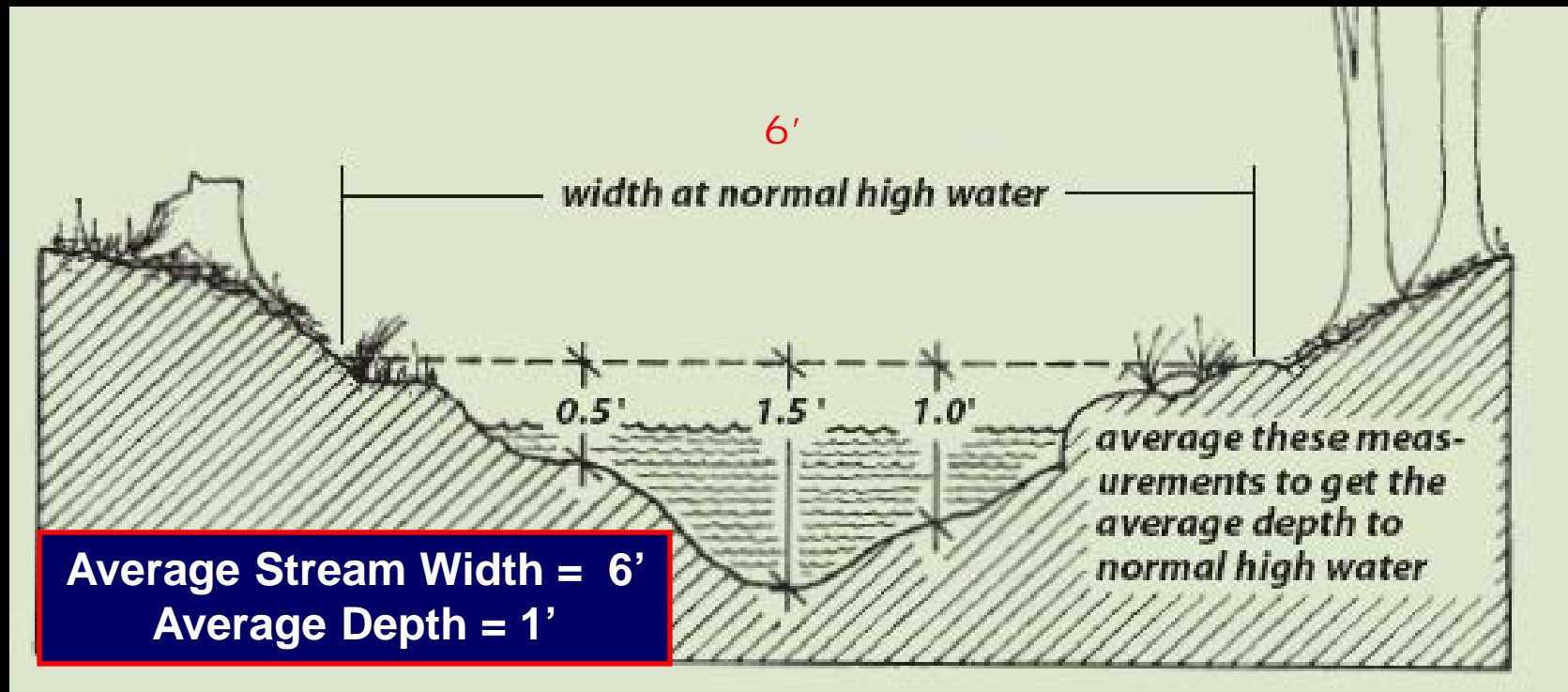




# Crossing Sizing Check

Determine the opening size needed

Measure both upstream and downstream of crossing in an undisturbed location, and average measurements





# Crossing Sizing Check

Design the crossing to meet the required opening size and account for embedding

3X Cross  
Sectional  
area

*Table C  
Culvert Diameter  
and Opening Sizes*

Opening size (sq. ft.)	Diameter (Inches)
0.20	6
0.80	12
1.25	15
1.75	18
2.40	21
3.15	24
4.90	30
7.05	36
9.60	42
12.55	48
15.90	54
19.65	60
23.75	66
28.26	72

3X cross section  
Stream width = 6 ft  
Average stream depth = 1 ft  
Opening size at least = 18 sq ft  
Table C (Round Culverts):  
Culvert Diameter = 60 in

If culvert is to be embedded  
you must account for the loss  
of capacity!





# Culvert Installation

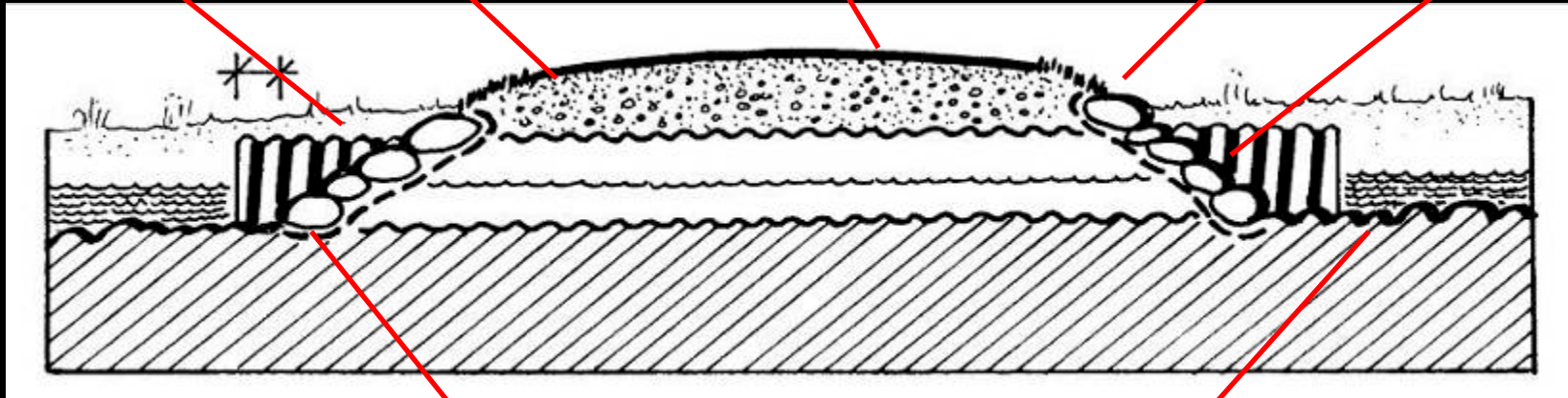
Stabilize shoulder

Use geotextile to prevent undermining

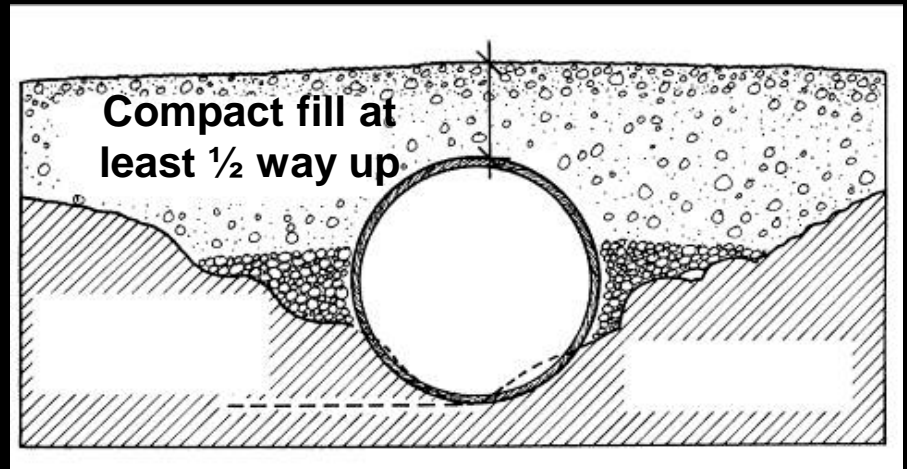
Extend 1' beyond road fill

Compacted backfill at depth of 1' or  $\frac{1}{2}$  diameter of culvert

Armor inlet

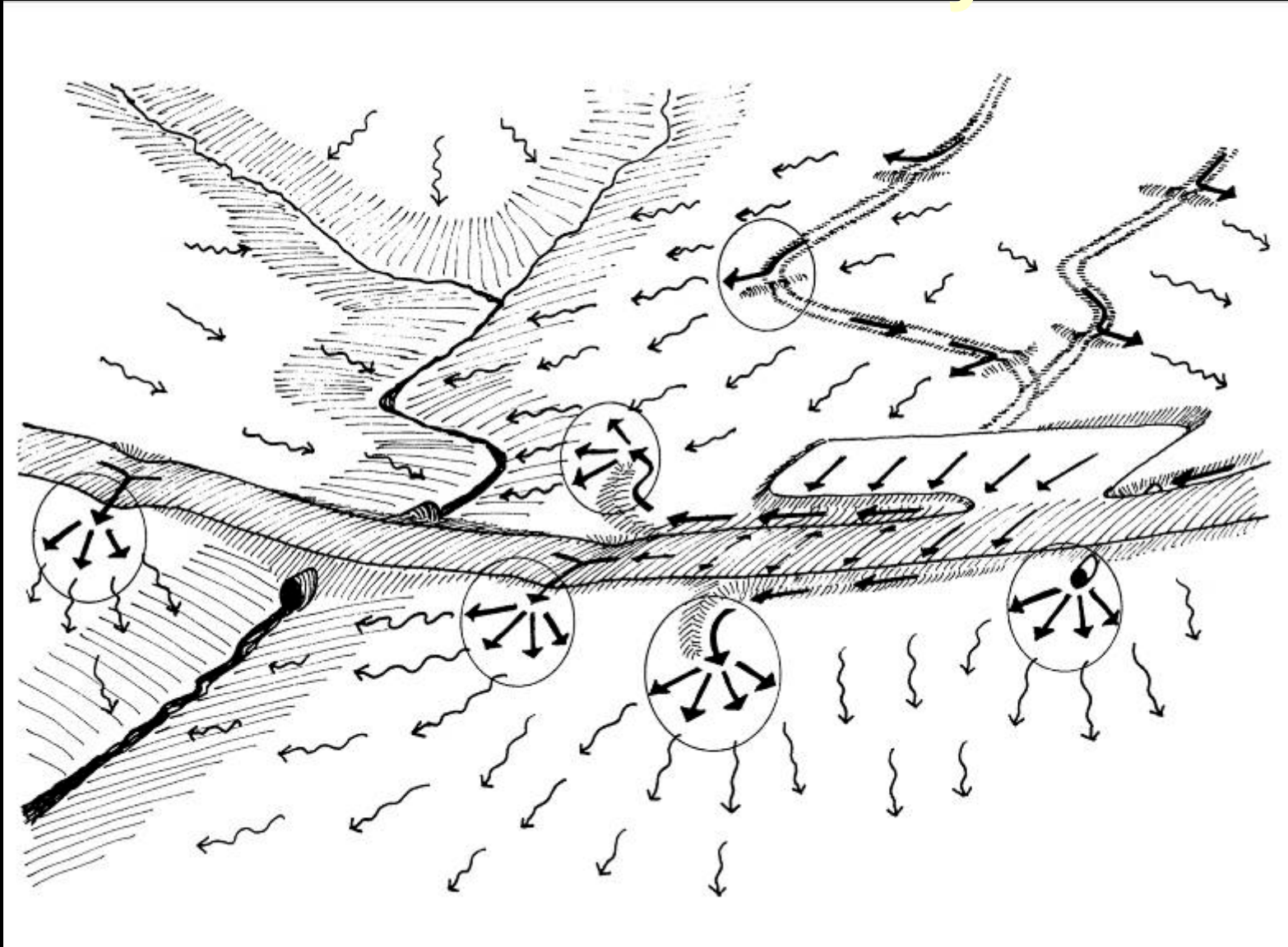


Inlet and outlet at or below stream bed





# Concentrated runoff can't enter waterbody



# Questions?

