

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 474

H.P. 371

House of Representatives, February 11, 1993

An Act Increasing the Threshold Size for Gravel Pits Subject to State Review under the Site Location of Development Laws.

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ANDERSON of Woodland.
Cosponsored by Representative: MARTIN of Eagle Lake, Senators: CIANCHETTE of Somerset, LUDWIG of Aroostook.

Be it enacted by the People of the State of Maine as follows:

2 **Sec. 1. 38 MRSA §482, sub-§2,** as repealed and replaced by PL
4 1987, c. 812, §§2 and 18, is amended to read:

6 **2. Development that may substantially affect the**
8 **environment.** "Development which that may substantially affect
10 the environment," in this article called "development," means any
state, municipal, quasi-municipal, educational, charitable,
residential, commercial or industrial development which that:

12 A. Occupies a land or water area in excess of 20 acres;

14 B. Contemplates drilling for or excavating natural
resources on land or under water where the area affected is
16 in excess of 60,000 square feet;

18 C. Is a mining activity as defined in this section;

20 D. Is a hazardous activity as defined in this section;

22 E. Is a structure as defined in this section;

24 F. Is a conversion of an existing structure that meets the
definition of structure in this section;

26 G. Is a subdivision as defined in this section; or

28 H. Is a multi-unit housing development as defined in this
30 section located wholly or in part within the shoreland zone.

32 This term does not include state highways, state aid highways and
borrow pits for sand, fill or gravel of less than 5 10 acres or
34 when regulated by the Department of Transportation, and such
borrow pits entirely within the jurisdiction of the Maine Land
36 Use Regulation Commission under Title 12, chapter 206-A, and
those activities regulated by the Department of Marine Resources
38 under Title 12, section 6072.

40 **Sec. 2. Application.** Any borrow pit that received a permit
prior to the effective date of this Act from the Department of
42 Environmental Protection under the site location of development
laws remains subject to the provisions of that permit.

44
46 **STATEMENT OF FACT**

48 This bill increases the threshold size of gravel pits
50 subject to review by the Department of Environmental Protection
under the site location of development laws from gravel pits that
52 are less than 5 acres to gravel pits that are less than 10

2 acres. A borrow pit that received a site law permit prior to the
effective date of this Act from the Department of Environmental
4 Protection must continue to comply with the provisions of that
permit.