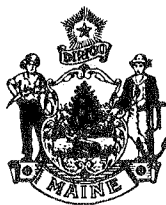


# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1330

S.P. 409

In Senate, March 4, 1997

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### **An Act to Ensure Adequate Review of Maintenance Dredging.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator LaFOUNTAIN of York.  
Cosponsored by Senator TREAT of Kennebec, Representative: MADORE of Augusta.

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

4 **Sec. 1. 38 MRSA §480-E, sub-§7** is enacted to read:

6 7. Maintenance dredging. Notwithstanding section 344,  
8 subsection 7, an individual permit issued by the department  
10 pursuant to this article is required for maintenance dredging  
12 performed in, on or over high quality waters of the State that  
14 constitute an outstanding national resource if the amount of  
16 material to be dredged exceeds 50,000 cubic yards. For purposes  
18 of this subsection, "high quality waters of the State that  
constitute an outstanding national resource" means those water  
bodies in national and state parks and wildlife refuges; those  
water bodies in public reserved lands; and those water bodies  
classified as Class AA or SA pursuant to section 465, subsection  
1 or section 465-B, subsection 1 and listed under section 467,  
468 or 469.

20 **SUMMARY**

22 This bill specifies that maintenance dredging may not be  
24 performed without an individual permit issued by the Department  
of Environmental Protection when the activity is located in, on  
26 or over high quality waters of the State that constitute an  
outstanding national resource if the amount of material to be  
dredged exceeds 50,000 cubic yards. A permit by rule does not  
28 satisfy the permit requirement under the Maine Revised Statutes,  
Title 38, chapter 3, subchapter I, Article 5-A for this  
30 activity. The bill also provides a definition of "high quality  
waters of the State that constitute an outstanding national  
32 resource" that is consistent with the classification system for  
surface waters in the State.