

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

8/11/11
R. G. G.

Date: 4-7-11

(Filing No. S- 30)

ENVIRONMENT AND NATURAL RESOURCES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 91, L.D. 311, Bill, "An Act To Improve Harbor Safety by Clarifying Requirements for Maintenance Dredging Permits"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 38 MRSA §480-E, sub-§7, as enacted by PL 1997, c. 240, §1, is repealed and the following enacted in its place:

7. Individual permit; maintenance dredging. Notwithstanding section 480-X, if an analysis of alternatives to the dredging project has been completed by the applicant within the previous 10 years pursuant to section 480-X and rules adopted to implement that section as part of an individual permit application, the applicant may update the previous analysis for purposes of obtaining an individual permit for maintenance dredging under this subsection.

Sec. 2. 38 MRSA §480-E, sub-§8, as enacted by PL 1997, c. 240, §1, is repealed and the following enacted in its place:

8. Permit by rule; maintenance dredging renewal. An individual permit for maintenance dredging may be renewed with a permit by rule only if the area to be dredged is located in an area that was dredged within the last 10 years and the amount of material to be dredged does not exceed the amount approved by the individual permit.'

SUMMARY

This amendment amends current law by removing the requirement that an individual permit or consistency determination issued by the Department of Environment Protection is required for maintenance dredging if the amount of material to be dredged exceeds 50,000 cubic yards. The amendment also amends the bill by clarifying that a permit by rule for maintenance dredging may be allowed only by renewing an individual permit for maintenance dredging. Under the amendment, an individual permit for maintenance dredging may be renewed with a permit by rule only if the area to be dredged is located in

COMMITTEE AMENDMENT

R. 48.

COMMITTEE AMENDMENT "A" to S.P. 91, L.D. 311

1 an area that was dredged within the last 10 years and the amount of material to be
2 dredged does not exceed the amount approved by the individual permit.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



125th MAINE LEGISLATURE

LD 311

LR 682(02)

An Act To Improve Harbor Safety by Clarifying Requirements for Maintenance Dredging Permits

Fiscal Note for Bill as Amended by Committee Amendment "A" *S-30*

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor revenue decrease - Other Special Revenue Funds

Fiscal Detail and Notes

This bill as amended restricts certain already-allowed dredging to the amount approved by the individual permit. This may result in a slight decrease in fees collected by the Department of Environmental Protection for permit by rule application submittals.