

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 478

H.P. 295

House of Representatives, February 7, 2023

An Act to Improve Coastal Sand Dune Restoration Projects

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


ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Senator BRENNER of Cumberland and
Representatives: COPELAND of Saco, O'NEIL of Saco, SAYRE of Kennebunk, Senators:
BAILEY of York, BENNETT of Oxford.

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

2 **Sec. 1. 38 MRSA §480-E, sub-§15** is enacted to read:

3 **15. Coastal sand dune system restoration projects; stabilization cover.** The
4 department may authorize through permit by rule a coastal sand dune system restoration
5 project that uses allowable biodegradable materials as a stabilization cover for the planting
6 of native dune vegetation as long as the project meets all other applicable requirements for
7 a permit by rule. The use or placement of allowable biodegradable materials within a
8 coastal sand dune system in accordance with a permit by rule authorized by the department
9 pursuant to this subsection is not considered a permanent structure under this article.

10 For the purposes of this subsection, "allowable biodegradable materials" means natural,
11 plant-based biodegradable or compostable fabrics or erosion control blankets made from
12 coir, jute, straw, polylactic acid polymers or other similar materials; and "native dune
13 vegetation" means dune plant species typically adapted to coastal sand dune systems in the
14 State, including, but not limited to, American beach grass, virginiana rose, bayberry, beach
15 pea, beach heather and pitch pine.

16 **SUMMARY**

17 This bill amends the Natural Resources Protection Act to provide that the Department
18 of Environmental Protection is allowed to authorize through permit by rule a coastal sand
19 dune system restoration project that uses allowable biodegradable materials as a
20 stabilization cover for the planting of native dune vegetation as long as the project meets
21 all other applicable requirements for a permit by rule. "Allowable biodegradable materials"
22 is defined to mean natural, plant-based biodegradable or compostable fabrics or erosion
23 control blankets made from coir, jute, straw, polylactic acid polymers or other similar
24 materials. The use or placement of such materials within a coastal sand dune system in
25 accordance with an authorized permit by rule is not considered a permanent structure under
26 the Natural Resources Protection Act.