

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2059

H.P. 1321

House of Representatives, December 13, 2023

An Act Regarding Processing of Applications Under the Natural Resources Protection Act to Ensure Consistency with Shoreland Zoning Laws

Submitted by the Department of Environmental Protection pursuant to Joint Rule 203.

Received by the Clerk of the House on December 11, 2023. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FAY of Raymond.

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

2 **Sec. 1. 38 MRSA §480-E, sub-§16** is enacted to read:

3 **16. Consistency with mandatory shoreland zoning laws.** The commissioner may
4 return an application for a permit under this article as incomplete for processing pursuant
5 to section 344, subsection 1 if the commissioner finds that there is a reasonable likelihood
6 that the proposed activity would be inconsistent with the minimum guidelines for municipal
7 zoning and land use controls adopted by the board pursuant to section 438-A, subsection
8 1. If an application is returned pursuant to this subsection, the commissioner may require
9 that a resubmitted application be accompanied by a municipal approval demonstrating that
10 the proposed activity is in compliance with the board's adopted minimum guidelines.

11 **SUMMARY**

12 This bill authorizes the Commissioner of Environmental Protection to return as
13 incomplete an application for a permit under the Natural Resources Protection Act if the
14 commissioner finds that there is a reasonable likelihood that the proposed activity would
15 be inconsistent with the minimum guidelines for municipal zoning and land use controls
16 adopted by the Board of Environmental Protection under the laws governing shoreland
17 zoning.