



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 488

H.P. 317

House of Representatives, February 11, 2025

An Act to Protect Coastal Property by Allowing Property Owners to Protect Their Existing Dwellings

Received by the Clerk of the House on February 6, 2025. 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 "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HALL of Wilton. (BY REQUEST)
Cosponsored by Representatives: COOPER of Windham, JACKSON of Oxford,
WADSWORTH of Hiram.

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

2 **Sec. 1. 38 MRSA §480-E, sub-§19** is enacted to read:

3 **19. Fortification of residential building in, on or over coastal sand dune system**
4 **or coastal wetland.** Notwithstanding any provision of this article to the contrary, the
5 department may authorize through a permit under this article the fortification of a
6 residential building located wholly or partially in, on or over a coastal sand dune system or
7 coastal wetland if:

8 A. The building to be fortified was in existence on January 1, 2025 and is located in:

9 (1) A high-velocity zone, or V-zone, as identified by the United States Department
10 of Homeland Security, Federal Emergency Management Agency in effective flood
11 insurance rate maps under the National Flood Insurance Program;

12 (2) An area of special flood hazard, as defined in section 436-A, subsection 1-C;
13 or

14 (3) An area that, as determined by the department, is otherwise at a high risk of
15 damage from storm surge, tidal erosion or other wave or water damage;

16 B. Fill used to fortify the building and placed in a coastal sand dune system, coastal
17 wetland or other protected natural resource:

18 (1) Does not exceed 500 cubic yards in total;

19 (2) Does not cover more than 2,500 square feet in total; and

20 (3) Is not placed more than 50 feet beyond the foundation of the building or the
21 posts or pilings on which the building is constructed;

22 C. All filled or otherwise fortified areas are covered with riprap or rocks of an
23 appropriate size and planted with native vegetation; and

24 D. The proposed fortification otherwise meets all applicable requirements adopted by
25 the department by rule.

26 The department shall adopt rules establishing standards for the fortification of a building
27 in accordance with this subsection. Notwithstanding any provision of law to the contrary,
28 rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
29 chapter 375, subchapter 2-A.

30 **SUMMARY**

31 This bill amends the Natural Resources Protection Act to authorize the Department of
32 Environmental Protection to issue a permit for the fortification of a residential building
33 located wholly or partially in, on or over a coastal sand dune system or coastal wetland as
34 long as certain specified conditions are met.