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ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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Sec. 1. 38 MRSA §480-E, sub-§7, as enacted by PL 1997, c. 240, §1, is repealed and the following enacted in its place: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Sec. 2. 38 MRSA §480-E, sub-§8, as enacted by PL 1997, c. 240, §1, is repealed and the following enacted in its place: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

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.

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FISCAL NOTE REQUIRED

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(See attached)