



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

DEC 21 2015

Kathleen Leyden
Maine Department of Agriculture, Conservation, and Forestry
93 State house Station William Pavilion
Augusta, ME 04333-0093

Dear Ms. Leyden:

Thank you for the Maine Department of Agriculture, Conservation, and Forestry's September 17, 2015, request that changes made during the First Regular Session of the 127th Maine Legislature be incorporated into the Maine Coastal Management Program (CMP). You further requested that changes from two previously-enacted statutory provisions, and changes to regulations administered by the Maine Department of Environmental Protection, also be incorporated into the Maine CMP. A full list of these changes is enclosed.

You requested that these changes be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management's¹ *Program Change Guidance (July 1996)*. The Office for Coastal Management's decision deadline for the request received on September 17, 2015, was extended to December 18, 2015.

Based on our review of your submission, we concur, that the changes are RPCs and we approve the incorporation of the changes as enforceable and non-enforceable policies of the Maine CMP. Federal Consistency will apply to the approved changes to enforceable policies only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4) and the Office for Coastal Management's *Addendum to the July 1996 Program Change Guidance (November 2013)*. Please include in the public notice the list of changes provided in this letter, and please send a copy of the notice to the Office for Coastal Management.

CHANGES APPROVED

See enclosed list of the changes incorporated into the Maine CMP.

¹ NOAA's Office for Coastal Management was formerly the Office of Ocean and Coastal Resource Management and the Coastal Services Center; these two offices were integrated in September 2014 into the Office for Coastal Management.

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management received no comments on this RPC submission.

Thank you for your cooperation in this review. Please contact Becca Newhall at 978-281-9237, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle Gore', followed by a long horizontal line extending to the right.

Joelle Gore, Chief
Stewardship Division

Enclosure: Policies Approved and Incorporated into the Maine Coastal Management Program

Enclosure to the Office for Coastal Management's December 21, 2015, Approval of the Incorporation of Changes to
the NAME OF STATE COASTAL MANAGEMENT PROGRAM

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PROGRAM, but do not contain enforceable policies that can be used for Federal Consistency.

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ADDED:		mm/dd/yyyy	mm/dd/yyyy
Repeals and replaces the provision which defined the circumstances under which the commissioner of the Department of Marine Resources may adopt or amend emergency rules	12 M.R.S. §6171(3)	5/15/2015	10/15/2015
Clarifies that the DMR commissioner may require a marine resources wholesale or retail license holder to purchase equipment needed to comply with electronic reporting requirements	12 M.R.S. §6171(3)	6/16/2015	10/15/2015
Amends MESA to add six species listed as threatened or endangered	12 M.R.S. §12803(3)(VV – AAA)	5/29/2015	10/15/2015
Makes specific information regarding the location of a threatened or endangered species confidential under Maine's public records law and subject to disclosure only when the commissioner of DIFW deems that appropriate	12 M.R.S. §12805(5)*	7/1/2015	10/15/2015
Adds a definition of "combined observation", which concerns views of more than one group of generating facilities in a viewshed covered by the law, to the provision regarding scenic impact assessment of a proposed grid-scale wind energy development	35-A M.R.S. §§3451(1-D)	6/15/2015	10/15/2015
Adds a definition of "cumulative scenic impact or effect" to provision regarding scenic impact assessment of a proposed grid-scale wind energy development, which clarifies that a determination of cumulative impact or effect may be based on "combined observation", "successive observation", or "sequential observation"	35-A M.R.S. §§3451(1-E)	6/15/2015	10/15/2015
Adds a definition of "sequential observation" to the provision regarding scenic impact assessment of a proposed grid-scale wind energy development	35-A M.R.S. §§3451(9-A)	6/15/2015	10/15/2015
Amends the Wind Energy Act to add a definition of "specified place"	35-A M.R.S. §3451(9-A)	6/29/2015	10/15/2015
Adds a definition of "successive observation" to the provision regarding scenic impact assessment of a proposed grid-scale wind energy development	35-A M.R.S. §§3451(9-B)	6/15/2015	10/15/2015
Add a definition of "viewshed of a scenic resource of state or national significance" to the provision regarding scenic impact assessment of a proposed grid-scale wind energy development	35-A M.R.S. §§3451(10-A)	6/15/2015	10/15/2015

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Amends the Wind Energy Act to add a definition of "organized and deorganized areas"	35-A M.R.S. §3451(10-A)	6/29/2015	10/15/2015
Clarifies the findings which the DEP commissioner must make to revoke or suspend a previously issued license	38 M.R.S. §342(11-B)*	Previously enacted; submitted as in force and effect on September 15, 2015	Previously enacted; submitted as in force and effect on September 15, 2015
Clarifies that the DEP commissioner may recommend that the Board of Environmental Protection modify or take corrective action on license pursuant to 38 M.R.S. 341-D(3)	38 M.R.S. §342 (11-C)*	Previously enacted; submitted as in force and effect on September 15, 2015	Previously enacted; submitted as in force and effect on September 15, 2015
Replaces provision establishing the process for DEP's consideration of public comment on an application for a permit for a grid-scale wind energy development	38 M.R.S. §344 (2-A)(D)*	6/27/2015	10/15/2015
Prohibits application of fertilizer within 25 feet of the normal high water line of a great pond, with allowance for certain applications no closer than 10 feet	38 M.R.S. §418-B	5/13/2015	10/15/2015
Provides an exemption from state stormwater management permitting as concerns the existing portion of a project when an applicant is seeking a state stormwater management permit for an expanded project, subject to certain limitations	38 M.R.S. §420-D(7)(I)	4/29/2015	10/15/2015
Clarifies that the "transportation system" under the jurisdiction of MaineDOT or the Maine Turnpike Authority is not subject to municipal stormwater management fees	38 M.R.S. §420-E	7/4/2015	10/15/2015
Provides limited exemption from Shoreland Zoning Act setback requirements for certain pedestrian walkways or trails adjacent to a river within the boundaries of a "downtown revitalization project"	38 M.R.S. § 439-A(4-C)	4/3/2015	10/15/2015
Adds a requirements that a small-scale wind energy development that requires DEP certification under 35 M.R.S. §3456 must obtain a Natural Resources Protection Act (NRPA) permit pursuant to 38 M.R.S. §480-II	38 M.R.S. §480-C(5)	6/27/2015	10/15/2015
Establishes NRPA permit requirements for a small-	38 M.R.S. §480-II	6/27/2015	10/15/2015

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scale wind energy development that requires DEP certification under 35 M.R.S. §3456			
Enacts definition of "Clean-up and Response Fund Review Board" created by 38 M.R.S. § 568-B	38 M.R.S. § 562-A(4-A)*	7/4/2015	10/15/2015
Requires BEP rules to allow retrofit of existing underground tank with one that complies with UL standards and has interstitial monitoring equal or greater than a new tank	38 M.R.S. §564(6)	7/12/2015	10/15/2015
Adds a definition of "contractor" to state law regarding collection and recycling of mercury-added thermometers	38 M.R.S. §1665-B(1)(E)	5/16/2015	10/15/2015
Administrative Rules			
Adds a provision to the DEP-administered coastal sand dune rules that allows relocation of a residential structure located on a back dune to the adjoining frontal dune under specified, limited circumstances	CMR 06-96, ch. 355(6)(6)	10/10/2014	10/26/2014
Replaces former CMR 06-96, ch. 500(13); clarifies that, for purposes of the stormwater management law, the stormwater management rules apply as specified to projects that were built after September 17, 2005, and involve one acre or more of disturbed area	CMR 06-96, ch. 500(13)	7/5/2015	8/12/2015
Specifies that a permittee that obtained a permit under the stormwater management law or Site Law prior to the effective date of the amendments to the stormwater management rule now proposed for inclusion in the MCP ch. 500 remains subject to the prior permit's terms	CMR 06-96, ch. 500(17)	7/5/2015	8/12/2015
Adds to the stormwater management rule a table providing the 24-hour duration rainfalls for various return periods	CMR 06-96, ch. 500, Appendix H	7/5/2015	8/12/2015
Establishes a program allowing applicants to undertake a compensation project, or pay a compensation fee in lieu of meeting certain requirements under DEP's stormwater management rule (chapter 500)	CMR 06-96, ch. 501	7/5/2015	1/13/2015
Adds to the shoreland zoning guidelines' land use standards a part providing requirements regarding hazard trees, storm-damaged trees, and dead tree removal	CMR 06-96, ch. 1000(15)(Q)	1/8/2015	1/26/2015

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Adds to the shoreland zoning guidelines' land use standards a part providing exemptions to the rules' clearing and vegetative removal requirements	CMR 06-96, ch. 1000(15)(R)	1/8/2015	1/26/2015
MODIFIED:			
Clarifies that the Land Use Planning Commission (LUPC) may remove as well as add places to the expedited area within which specific procedures and standards apply to review of proposed grid-scale wind energy development projects	12 M.R.S. §685-A(13)*	6/29/2015	10/15/2015
Provides that the LUPC may not certify that a proposed grid-scale wind energy development is an allowable use in the district or subdistrict in which it's proposed to be located if the proposed location is included in a pending petition to remove it from the expedited area	12 M.R.S. §685-B(1-A)(B-1)	6/29/2015	10/15/2015
Amends to Maine Endangered Species Act (MESA) to update the status of several listed species and make related formatting changes	12 M.R.S. §12803(3)(N, P, and LL; and TT and UU)	5/29/2015	10/15/2015
Makes technical, clarifying corrections to a provision of the Wind Energy Act related to new provision for removal of places from the expedited area	35-A M.R.S. §3451(3)(B)	6/29/2015	10/15/2015
Makes a clarifying, technical correction to a provision of the Wind Energy Act related to new provision for removal of places from the expedited area	35-A M.R.S. §3451(8)(B)	6/29/2015	10/15/2015
Amends provision regarding scenic impact assessment of a proposed grid-scale wind energy development to clarify that it includes consideration of primary and cumulative effects during both day and night and to address how sequential observation-related effects must be considered	35-A M.R.S. §3452(3)	6/15/2015	10/15/2015
Corrects a cross-reference to the provision regarding suspension or revocation of a DEP-issued license or permit due to failure to pay fees owed on time	38 M.R.S. §353(9)	5/29/2015	10/15/2015
Corrects a cross-reference to the provision regarding suspension or revocation of a DEP-issued license or permit due to failure to timely pay annual air emissions license fees	38 M.R.S. §353-A(8)	5/29/2015	10/15/2015

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Corrects a cross-reference to the provision regarding suspension or revocation of a DEP-issued license or permit due to failure to timely pay annual waste water discharge fees	38 M.R.S. §353(B)(5)	5/29/2015	10/15/2015
Included in annual errors and omissions legislation, corrects cross-references and makes other technical corrections	38 M.R.S. §451-A(2)	7/12/2015	10/15/2015
Changes the name of a tributary to the Meduxnekeag River from "B Stream" to "Captain Ambrose Bear Stream"	38 M.R.S. § 467(15)(E)	4/3/2015	10/15/2015
Amends the Site Location of Development Act (Site Law) to clarify that a modification to a development that was reviewed by DEP prior to DEP's determination that the municipality has capacity to review and approve Site Law projects and a modification to a development that was reviewed by that municipality itself and exempted from the Site Law are both exempt from Site Law review under specified circumstances	38 M.R.S. §488(19)	4/16/2015	10/15/2015
Clarifies that a "discharge" as defined in the Oil Discharge and Pollution Prevention Control Law includes "escaping" of product	38 M.R.S. §542(4)	7/4/2015	7/4/2015
Amends the definition of "Fund" to reflect integration of the Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §542(5)	7/4/2015	7/4/2015
Clarifies that "oil" as defined in the Oil Discharge and Pollution Prevention Control Law includes "oil additives"	38 M.R.S. §542(6)	7/4/2015	7/4/2015
Clarifies the definition of "owner or operator" of an oil terminal facility in the Oil Discharge and Pollution Prevention Control Law	38 M.R.S. §542(8)	7/4/2015	7/4/2015
Clarifies the definition of "responsible party" under the state oil spill cleanup law by a cross-reference to a related definition in the Oil Discharge and Pollution Prevention Control Law	38 M.R.S. §542(9-C)	7/4/2015	7/4/2015
Amends section mandating cleanup of unexplained oil discharges to reflect integration of the Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §548, 2 nd paragraph	7/4/2015	7/4/2015
Amends section requiring DEP to establish and maintain oil cleanup equipment and staff at state	38 M.R.S. §549*	7/4/2015	7/4/2015

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ports to reflect integration of the Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund			
Makes a number of changes to the Oil Discharge and Pollution Prevention Control Law, related to integration of the Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund as the Maine Ground and Surface Waters Clean-up and Response Fund. See main document for more detailed description	38 M.R.S. §551	7/4/2015	7/4/2015
Amends definition to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §562-A(9)	7/4/2015	10/15/2015
Adds cross-reference to the definition of "responsible party" related to the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §562-A(17)(E)	7/4/2015	10/15/2015
Corrects cross-reference to provision regarding the role of the DEP commissioner to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund and repeal of 38 M.R.S. §569-A	38 M.R.S. §566-A(4)*	7/4/2015	10/15/2015
Corrects cross-reference and makes technical correction to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §568(1)	7/4/2015	10/15/2015
Corrects cross-reference to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §568(6)	7/4/2015	10/15/2015
Makes a technical correction to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §568-A(1)(A)*	7/4/2015	10/15/2015
Makes a technical correction to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §568-A(1)(H)*	7/4/2015	10/15/2015
Makes several changes to the provision detailing	38 M.R.S. §568-A(2)*	7/4/2015	10/15/2015

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deductibles which an applicant eligible for coverage under the DEP-administered Maine Ground and Surface Waters Clean-up and Response Fund may be required to pay and the amounts DEP may pay to claimants after determining pertinent deductibles			
Corrects cross-reference and makes technical correction to reflect the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §568-A(6)	7/4/2015	10/15/2015
Amends section regarding the former Fund Insurance Review Board to establish and detail the membership and responsibilities of the Clean-up and Response Fund Review Board in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund; repeals sunset provision	38 M.R.S. §568-B*	7/4/2015	10/15/2015
Makes technical corrections in provision regarding liability in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund; deletes sunset provision which would have repealed this paragraph on 12.31.15	38 M.R.S. §570, first ¶	7/4/2015	10/15/2015
Deletes paragraph in provision regarding liability in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund which was scheduled to take effect on 12.21.15	38 M.R.S. §570, 2 nd ¶	7/4/2015	10/15/2015
Amends provision regarding the DEP commissioner's submission of budget approval for disbursements under oil spill clean-up laws in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §570-I*	7/4/2015	10/15/2015
Amends provision regarding the DEP commissioner's authority over personnel and equipment for deployment under oil spill clean-up laws in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up	38 M.R.S. §570-J*	7/4/2015	10/15/2015

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Fund			
Makes technical corrections in provision regarding budget approval under the aboveground tanks program in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §570-L*	7/4/2015	10/15/2015
Delays by six months the implementation of the statewide prohibition on the importation, distribution or offering for sale of any but ultra-low sulfur distillate fuel	38 M.R.S. §603-A(2)	5/10/2015	10/15/2015
Extends the date until which the State share of landfill closure-related costs is 75% from December 31, 2015 to December 31, 2025	38 M.R.S. §1310-F(1-B)(E)*	7/1/2015	10/15/2015
Corrects cross-reference to the provision regarding suspension or revocation of a DEP-issued solid waste facility license	38 M.R.S. §1310-N(6-D)	5/29/2015	10/15/2015
Makes technical corrections in a financial assistance-related provision in the wellhead protection law in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §1396*	7/4/2015	10/15/2015
Makes technical corrections in the provision on eligibility recovery of clean-up costs under the wellhead protection law in keeping with the combination of the DEP-administered Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund	38 M.R.S. §1396*	7/4/2015	10/15/2015
Amends state law regarding collection and recycling of mercury-added thermostats to update and clarify a provision regarding financial incentive to return such thermostats, which as amended covers returns by any person or entity	38 M.R.S. §1665-B(2)(E)	5/16/2015	10/15/2015
Amends state law regarding collection and recycling of mercury-added thermostats to change the deadline and clarify the contents of the annual report that manufacturers collecting returned thermostats are required to submit to DEP	38 M.R.S. §1665-B(2)(G)	5/16/2015	10/15/2015
Amends state law regarding collection and recycling of mercury-added thermostats to correct a cross-reference	38 M.R.S. §1665-B(4)	5/16/2015	10/15/2015

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Administrative Rules			
Clarifies the DEP-administered stormwater management rule's applicability to projects that: involve disturbance of an acre or more of land area; involve change to a previously-approved stormwater permit; discharge to groundwater; and, potentially, a DEP-licensed excavation, quarry, or hydropower project; and notes potential applicability of stormwater management requirements under related laws	CMR 06-96, ch. 500(2)	7/5/2015	8/12/2015
Amends and clarifies definitions of various terms in the stormwater management rule, and adds new definitions.	CMR 06-96, ch. 500(3)(A-PP)	7/5/2015	8/12/2015
Clarifies that the stormwater management rule's standards are comprised of basic, general, phosphorous, urban impaired stream, flooding, and other standards as detailed elsewhere in this section of the rules	CMR 06-96, ch. 500(4)	7/5/2015	8/12/2015
Outlines the applicability of the stormwater management standards. <i>See</i> CMR 06-96, ch. 500(2), as amended, above.	CMR 06-96, ch. 500(4)(A)(1-3)	7/5/2015	8/12/2015
Amends and reformats the basic stormwater management standards to be met by all projects to provide that they involve compliance with standards detailed in Appendices A, B, and C of the stormwater management rule and assurance that the regulated activity will not impede or alter drainage ways resulting in an unreasonably adverse effect on a wetland, waterbody, or downslope parcel; makes related technical changes	CMR 06-96, ch. 500(4)(B)	7/5/2015	8/12/2015
Amends and reformats the stormwater management rule's provisions regarding the "general standards."	CMR 06-96, ch. 500(4)(C)(1-2)	7/5/2015	8/12/2015
Further details provisions regarding the types of stormwater treatment measures that may be used.	CMR 06-96, ch. 500(4)(C)(3)	7/5/2015	8/12/2015

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Adds a provision to the stormwater management rule's general treatment standards that establishes low impact development credit for permittees that voluntarily employ qualifying non-structural stormwater management techniques which DEP may approve on a case-by-case basis	CMR 06-96, ch. 500(4)(C)(4)(a-b)	7/5/2015	8/12/2015
Amends provision in the stormwater management rule regarding exceptions from the general standards to clarify: applicability to pretreatment measures (a); certain discharges from a wetpond (b); reduction of treatment for the linear part of a project as specified (c); and certain utility corridors (d); and add exceptions for certain wetland road crossings, roofs, certain projects approved or built before 1.1.2006 whose developed area does not discharge within the direct watershed of an urban impaired stream, a waterbody impaired by urban runoff, or a developed area to be redeveloped (e-g)	CMR 06-96, ch. 500(4)(C)(5)	7/5/2015	8/12/2015
Clarifies and amends the general standards in the stormwater rule for phosphorous control, and adds a provision allowing DEP to approve a project if an applicant demonstrates that the standard DEP calculations for determining phosphorous export are inapplicable due to unusual circumstances and the applicable phosphorous export allocation will be met (3)	CMR 06-96, ch. 500(4)(D)(1-3)	7/5/2015	8/12/2015
Clarifies and amends the general standard in the stormwater rule for urban impaired stream (1-3), and adds a provision allowing DEP to require additional, alternative stormwater management measures in places where a DEP-approved monitoring plan reveals a stressor is contributing to impairment of water quality (4)	CMR 06-96, ch. 500(4)(E)(1-4)	7/5/2015	8/12/2015
Clarifies applicability of the general standard in the stormwater rule for flooding (1) and amends it by adding requirements regarding: the design of a pumped or open channel system; designation of areas that would be	CMR 06-96, ch. 500(4)(F)(1-4)	7/5/2015	8/12/2015

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flooded by runoff from a 10-year, 25-year, or 24-hour storm; prohibition of flooding the project's main access road or public ways bordering the project due to a 25-year, 24-hour storm; and use of a wetpond (2); clarifies the stormwater rule's provision authorizing DEP, under specified circumstances, to waive the general standards regarding flooding (3); and specifies that MaineDOT and the Maine Turnpike Authority has require a project to meet additional design standards (4)			
Amends and clarifies provisions in the stormwater management rule's general standards regarding the applicability of easement and deed restrictions standards (1-2)), including specification that buffers used for stormwater management must be protected from change by deed restrictions (2c)	CMR 06-96, ch. 500(4)(G)(1-5)	7/5/2015	8/12/2015
Amends and clarifies provisions in the stormwater management rule's general standards regarding applicability of standards for redistribution of stormwater discharges, including that requiring conversion of concentrated flow to sheet flow to avoid erosion	CMR 06-96, ch. 500(4)(H)(1-3)	7/5/2015	8/12/2015
Amends and clarifies provisions in the stormwater management rule's general standards regarding applicability of the rules' standards for discharge to wetlands, including specification that DEP may deem the standard inapplicable if it determines wetlands functions and values would be unaffected	CMR 06-96, ch. 500(4)(I)(1-2)	7/5/2015	8/12/2015
Adds to the stormwater management rule's general standards a standard for discharge to a public storm system which requires the system owner's authorization, subject to DEP's authority to require the applicant to show the system has the requisite capacity	CMR 06-96, ch. 500(4)(J)(1-2)	7/5/2015	8/12/2015
Clarifies DEP's authority under the stormwater management rule to require	CMR 06-96, ch. 500(5)	7/5/2015	8/12/2015

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additional stormwater controls under the general standards as needed to avoid unreasonably adverse effects on water quality			
Clarifies the stormwater management rule's provision regarding a stormwater permit by rule (PBR), in part by specifying that a stormwater PBR project that involves use of infiltration to control runoff must meet the license by rule standards in Appendix D or obtain a waste water discharge permit	CMR 06-96, ch. 500(6)(A-G)	7/5/2015	8/12/2015
Clarifies the stormwater management rule's provisions regarding pre-application meetings and application submission requirements for projects other than those eligible for PBR approval, including those specific to design requirements and basic, general, phosphorous, and flooding standards, respectively	CMR 06-96, ch. 500(7)(A-E)	7/5/2015	8/12/2015
Clarifies provision in the stormwater management rule authorizing DEP to allow a municipality or quasi-municipal organization to substitute a stormwater management system for DEP stormwater permit requirements, including specific provisions applicable to a Site Law redevelopment project located in an area covered by a DEP-approved stormwater management system	CMR 06-96, ch. 500(8)(A-B)	7/5/2015	8/12/2015
Makes changes to the stormwater management rule's conditions of approval for permits issued under the stormwater management law.	CMR 06-96, ch. 500(9)(A-B)	7/5/2015	8/12/2015
Makes a technical correction	CMR 06-96, ch. 500(11)	7/5/2015	8/12/2015
Makes a technical correction	CMR 06-96, ch. 500(12)	7/5/2015	8/12/2015
Amends the stormwater management rule's "permit shield" provision to specify that it does not obviate the need to obtain a waste water discharge license if DEP determines one is needed; makes technical corrections	CMR 06-96, ch. 500(14)(A-C)	7/5/2015	8/12/2015
Amends the stormwater management rule's "permit shield" provision for innovative measures to clarify that it applies to innovative	CMR 06-96, ch. 500(15)	7/5/2015	8/12/2015

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stormwater treatment measures approved for use by DEP			
Clarifies the existing provision in the stormwater management rule which requires modifications to a project that required a permit under the Site Law or stormwater management law to meet stormwater management standards	CMR 06-96, ch. 500(16)	7/5/2015	8/12/2015
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards for erosion and sedimentation control to reflect current stormwater best management practices.	CMR 06-96, ch. 500, Appendix A	7/5/2015	8/12/2015
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards for inspection and maintenance to reflect current stormwater best management practices, including provisions regarding: <ul style="list-style-type: none"> • repair work to maintain BMPs; and • post-construction inspection 	CMR 06-96, ch. 500, Appendix B	7/5/2015	8/12/2015
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards regarding "housekeeping" to reflect current stormwater best management practices.	CMR 06-96, ch. 500, Appendix C	7/5/2015	8/12/2015
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards regarding infiltration basins, dry wells, and subsurface fluid distribution systems to reflect current stormwater best management practices.	CMR 06-96, ch. 500, Appendix D	7/5/2015	8/12/2015
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards regarding stormwater	CMR 06-96, ch. 500, Appendix E	7/5/2015	8/12/2015

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basins, ponds, and under-drained vegetated soil filter beds to reflect current stormwater best management practices, including further specification on the design, siting, and use of vegetated filter beds			
Makes a number of technical corrections and substantive refinements to update the stormwater management rule's basic performance standards regarding vegetated buffers to reflect current stormwater best management practices, including provisions regarding alternative buffer design for residential subdivisions	CMR 06-96, ch. 500, Appendix F	7/5/2015	8/12/2015
Makes several technical corrections and minor revisions to the stormwater management rule's suggested templates for deed restrictions and conservation easements for use under the stormwater management law	CMR 06-96, ch. 500, Appendix G	7/5/2015	8/12/2015
Amends provision in shoreland zoning guidelines to specify that setback requirements in Section 15(B)(1) apply to all new principal and accessory structures; and to clarify the limited prohibition on expansion of nonconforming structures within 25 feet of specified surface water types or the upland edge of a wetland and criteria for expansion of a legally existing nonconforming structure that is located within 75 feet or within 100 feet, respectively, of specified surface water types or the upland edge of a wetland; makes technical corrections	CMR 06-96, ch. 1000(12)(C)(1)(a-d)(2-5)	1/8/2015	1/26/2015
Makes technical corrections to correct cross-references	CMR 06-96, ch. 1000(12)(D)(1-3)	1/8/2015	1/26/2015
Amends and clarifies shoreland zoning guidelines for land use standards regarding principal and accessory structures in a commercial fisheries/maritime activities district	CMR 06-96, ch. 1000(15)(B)(4)	1/8/2015	1/26/2015
Amends and clarifies shoreland zoning guidelines for land use standards regarding	CMR 06-96, ch. 1000(15)(C)(1-11)	1/8/2015	1/26/2015

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piers, docks, wharves, bridges and comparable structures to specify only one such structure may be placed on a single lot (1); to specify vegetative cover-related provisions applicable to shoreline stabilization activity (10); and to include provisions that address the statutory exemption for certain decks over a river built as part of a downtown revitalization project (11)			
Amends and clarifies shoreland zoning guidelines for land use standards regarding individual private campsites to specify the applicable minimum lot dimensional requirements (2)	CMR 06-96, ch. 1000(15)(E)(1-7)	1/8/2015	1/26/2015
Modifies shoreland zoning guidelines for statewide timber harvesting-related land use standards setting water flow criteria for forestry-related bridge and culvert sizing (6g)	CMR 06-096, ch. 1000(15)(O-1)	1/8/2015	1/26/2015
Amends shoreland zoning guidelines for land use standards regarding clearing or removal of vegetation for activities other than timber harvesting to specify that removal of hazard trees is exempt under section 15(Q), see below; to clarify section 15(P)(2)'s applicability to clearing for development of permitted uses; and to make other clarifications, including renumbering paragraphs section 15	CMR 06-096, ch. 1000(15)(P)(1-5)	1/8/2015	1/26/2015
Amends provision in shoreland zoning guidelines which outlines activities for which a shoreland zoning permit is required to include, as required by statute, non-timber harvesting or agriculture-related activities that involve disturbance of more than one cubic yard of soil	CMR 06-096, ch. 1000(16)(C)	1/8/2015	1/26/2015
Amends provision in shoreland zoning guidelines which outlines the special exception to the shoreland zoning permit requirement for certain single family homes in a resource protection district to clarify that its eligibility criteria include a total "footprint" of 1,500	CMR 06-096, ch. 1000(16)(E)	1/8/2015	1/26/2015

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square feet or less			
Amends provision on appeals of municipal shoreland zoning decisions to specify that a code enforcement officer may be authorized to grant a variance under specified circumstances and that the notice of a variance must be provided to DEP (d)	CMR 06-096, ch. 1000(16)(H)(2)	1/8/2015	1/26/2015
Deletes requirement that a code enforcement officer biennially submit to DEP a summary of the record of the CEO's activities (c)	CMR 06-096, ch. 1000(16)(I)(2)*	1/8/2015	1/26/2015
Makes technical corrections to or clarifies or adds definitions in the shoreland zoning guidelines.	CMR 06-096, ch. 1000(17)	1/8/2015	1/26/2015
DELETED/REPEALED:			
Repealed and replaced	12 M.R.S. § 6171(3)	5/15/2015	10/15/2015
Repeals provision in law regarding return and recycling of mercury-added thermostats that provided an incentive to homeowners to return such thermostats	38 M.R.S. § 1665-B(2)(F)	5/16/2015	10/15/2015
Repealed and replaced	38 M.R.S. § 344 (2-A)(D)	6/27/2015	10/15/2015
Repeals definition of former Fund Insurance Review Board	38 M.R.S. §562-A(9-A)	7/4/2015	10/15/2015
Repeals 12.31.15 sunset provision in the provision detailing requirements for coverage under the Maine Ground and Surface Waters Clean-up and Response Fund	38 M.R.S. §568-A(7)	7/4/2015	10/15/2015
Repeals provision establishing the Ground Water Oil Clean-up Fund which was to sunset on 12.31.15	38 M.R.S. §569-A	7/4/2015	10/15/2015
Repeals provision establishing the Ground Water Oil Clean-up Fund which was to take effect on 12.31.15	38 M.R.S. §569-B	7/4/2015	10/15/2015
Repeals provision, scheduled to sunset on 12.31.15, regarding the DEP commissioner's submission of budget approval for disbursements under oil spill clean-up laws	38 M.R.S. §570-A	7/4/2015	10/15/2015
Repeals provision, scheduled to sunset on 12.31.15, regarding the DEP commissioner's authority over personnel and equipment for deployment under oil spill clean-up laws	38 M.R.S. §570-B	7/4/2015	10/15/2015

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Administrative			
Repealed and replaced	CMR 06-96, ch. 500(13)	7/5/2015	8/12/2015
Repeals outdated provision in the provision addressing the rules effective date	CMR 06-096, ch. 1000(4)(B)	1/8/2015	1/26/2015
Repeals outdated language regarding timber harvesting standards in the shoreland zoning guidelines. <i>See</i> CMR 06-096, ch. 1000(4)(B), above	CMR 06-096, ch. 1000(15)(0)	1/8/2015	1/26/2015
Repeals outdated provision in the shoreland zoning guidelines regarding an alternative to the 30% expansion rule pursuant to 38 M.R.S. §439-A(4-A)	CMR 06-096, ch. 1000, Appendix A	1/8/2015	1/26/2015

