



PERMITTING

~understanding environmental laws and requirements~



Portland Water District

Purpose: Protection of Maine's watersheds is ensured through the goodwill of residents around the lakes and through laws and ordinances created and enforced by the State of Maine and local municipalities. The following laws and ordinances require permits for activities adjacent to wetlands and waterbodies.

Shoreland Zoning Law—Construction, clearing of vegetation and soil movement within 250 feet of lakes, ponds, and many wetlands, and within 75 feet of most streams, falls under the Shoreland Zoning Act, which is administered by the Town through the Code Enforcement Officer and the Planning Board.

Natural Resources Protection Act (NRPA) - Soil disturbance & other activities within 75 feet of the lakeshore or stream also falls under the NRPA, which is administered by the DEP.

Contact the DEP and Town Code Enforcement Officer if you have any plans to construct, expand or relocate a structure, clear vegetation, create a new path or driveway, stabilize a shoreline or otherwise disturb the soil on your property. Even if projects are planned with the intent of enhancing the environment, contact the DEP and town to be sure.

How to apply for a Permit by Rule with DEP:

To ensure that permits for small projects are processed swiftly, the DEP has established a streamlined permit process called **Permit by Rule**. These one page forms (shown here) are simple to fill out and allow the DEP to quickly review the project.

- ❖ Fill out a notification form before starting any work. Forms are available from your town code enforcement officer, Maine DEP offices, or online at <http://www.state.me.us/dep/blwq/docstand/nrpa/pbrform.pdf>
- ❖ The permit will be reviewed by DEP within 14 days. If you do not hear from DEP in 14 days, you can assume your permit is approved and you can proceed with work on the project.
- ❖ Follow all standards required for the specific permitted activities to keep soil erosion to a minimum. It is important that you obtain a copy of the standards so you will be familiar with the law's requirements.

DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT BY RULE NOTIFICATION FORM (For use with DEP Regulation, Chapter 305)							
PLEASE TYPE OR PRINT IN BLACK INK ONLY							
Name of Applicant (owner)	Sandy Waters	Applicant Mailing Address:	123 Blueberry Lane				
Town/City:	Brunswick	State:	Maine				
Zip Code:	04011	Daytime Telephone No. (include area code):	(207) 555-1234				
County:	Cumberland	Map #:	20	Lot #:	50	Project Location (town):	New Gloucester
Name of Agent:		Agents Telephone No. (include area code):					
Detailed Directions to Site: 121 Outlet Road, Rte 26 North, turn right onto Outlet Road. 121 Outlet Road is on the left, 4 houses before Barefoot Beach.							
UTM Northing: (if known) UTM Easting: (if known)							
Description of Project: Installation of a drywell to allow infiltration of roof runoff							
Part of a larger project? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>							
(CHECK ONE) This project: does <input type="checkbox"/> does not <input checked="" type="checkbox"/> involve work below mean low water.							
I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.							
<input checked="" type="checkbox"/> Sec. (2) Act. Adjacent to Protected Natural Res. <input type="checkbox"/> Sec. (8) Shoreline stabilization <input type="checkbox"/> Sec. (14) REPEALED <input type="checkbox"/> Sec. (3) Intake Pipes <input type="checkbox"/> Sec. (9) Utility Crossing <input type="checkbox"/> Sec. (15) Public Boat Ramps <input type="checkbox"/> Sec. (4) Replacement of Structures <input type="checkbox"/> Sec. (10) Stream Crossing <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects <input type="checkbox"/> Sec. (5) REPEALED <input type="checkbox"/> Sec. (11) State Transportation Facilities <input type="checkbox"/> Sec. (17) Transfer/Permit Extension <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation <input type="checkbox"/> Sec. (12) Restoration of Natural Areas <input type="checkbox"/> Sec. (18) Maintenance Dredging <input type="checkbox"/> Sec. (7) Outfall Pipes <input type="checkbox"/> Sec. (13) F&W Creation/Enhancement/Water Quality Improvement							
I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.							
I have attached the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:							
<input type="checkbox"/> Attach a check for \$55 (non-refundable) made payable to: "Treasurer, State of Maine". <input type="checkbox"/> Attach a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked. <input type="checkbox"/> Attach all other required submissions as outlined in the PBR Sections checked above.							
By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.							
Signature of Agent or Applicant:		Date: 3/14/06					
<small>Keep a copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.</small>							
<small>AUGUSTA DEP STATE WATER STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111</small>		<small>PORTLAND DEP 312 CANCO ROAD PORTLAND, ME 04103 (207)822-6300</small>					
<small>BANGOR DEP 101 HOGAN ROAD BANGOR, ME 04401 (207)941-4570</small>		<small>PRESQUE ISLE DEP 123 CENTRAL DRIVE PRESQUE ISLE, ME 04760 (207)764-0477</small>					
OFFICE USE ONLY	Ok #	Staff	Staff				
PBR #	FP	Date	Date				
		Acc. Date	Def. Date				
			After Photos				

DEPLW0309-I2005

Part of the **Conservation Practices for Homeowners** Factsheet Series, available at:
 Maine DEP (800.452.1942); <http://www.maine.gov/dep/blwq/docwatershed/materials.htm>
 Portland Water District (207.774.5961); <http://www.pwd.org/news/publications.php>