

**Maine Revised Statutes**  
**Title 38: WATERS AND NAVIGATION**  
**Chapter 3: PROTECTION AND IMPROVEMENT OF WATERS**

**§490-J. FEES**

The owner or operator of an excavation being operated under this article must pay the regulator:  
[1995, c. 700, §31 (AMD).]

**1. Initial fee.** A fee of \$250 upon filing a notice of intent to comply under section 484-A or 490-C;  
[ 1993, c. 350, §5 (NEW) .]

**2. Annual fee.** By March 1st of each year, an annual fee of:

A. Four hundred dollars for an excavation from which 2,500 cubic yards or more of material will be extracted during that year; and [2005, c. 158, §7 (AMD).]

B. One hundred dollars, for all other excavations. To be eligible for the annual fee under this paragraph, the owner or operator must include with the payment of this fee a signed statement certifying that less than 2,500 cubic yards of material will be extracted during that year; [2005, c. 158, §7 (AMD).]

[ 2005, c. 158, §7 (AMD) .]

**3. Variance fee.** A fee of \$250 for each variance requested under section 490-E, except for the following:

A. A fee of \$500 for a variance to excavate below the seasonal high water table; [1995, c. 700, §31 (NEW).]

B. A fee of \$500 for a variance to create an externally drained pit; and [1995, c. 700, §31 (NEW).]

C. A fee of \$125 for a variance to waive the topsoil salvage requirement; and [1995, c. 700, §31 (NEW).]

[ 1995, c. 700, §31 (AMD) .]

**4. Notice of intent to expand.** A fee of \$250 upon filing a notice of intent to expand under section 490-F.

[ 1993, c. 350, §5 (NEW) .]

Notwithstanding any other provision of this section, the total for all fees paid under subsections 1 and 2 for one borrow, clay, topsoil or silt excavation in one calendar year may not exceed \$350. [1995, c. 700, §31 (AMD).]

Payment of the annual fee under subsection 2 is no longer required after reclamation is complete as determined by the department. The department shall inspect the site before making this determination. [1995, c. 700, §31 (NEW).]

All fees received under this article must be deposited in the Maine Environmental Protection Fund consistent with section 353-C. [2003, c. 673, Pt. GG, §2 (NEW).]

SECTION HISTORY

1993, c. 350, §5 (NEW). 1995, c. 700, §31 (AMD). 2003, c. 673, §GG2 (AMD). 2005, c. 158, §7 (AMD).

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