

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Amend the Natural Resources Protection Act Regarding Coastal Sand Dune Systems**

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

**Sec. 1. 38 MRSA §480-B, sub-§5-B** is enacted to read:

**5-B. Impervious area.** "Impervious area" means an area that is covered by development, including, but not limited to, a building, deck, parking lot, roadway or other similar construction.

**Sec. 2. 38 MRSA §480-Q, sub-§28**, as enacted by PL 2009, c. 75, §4, is amended to read:

**28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance.** Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; and

**Sec. 3. 38 MRSA §480-Q, sub-§29**, as enacted by PL 2009, c. 75, §5, is amended to read:

**29. Dam safety order.** Activity associated with the breach or removal of a dam pursuant to an order issued by the Commissioner of Defense, Veterans and Emergency Management under Title 37-B, chapter 24-; and

**Sec. 4. 38 MRSA §480-Q, sub-§30** is enacted to read:

**30. Impervious area.** Modification of an existing residential or commercial structure in a coastal structure in a coastal sand dune system if:

A. The modification is contained within an impervious area; and

B. The modification is within the height restriction of an applicable law or ordinance.

### **SUMMARY**

This bill allows the modification of a structure in a coastal sand dune system without a permit if the structure is in an impervious area and does not violate the height restriction of an applicable law or ordinance. An impervious area is defined as an area that is covered by development.