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ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 738, L.D. 983, Bill, “An Act To Exempt from Permit Requirements the Repair of Low-head Dams”

Amend the bill by striking out the title and substituting the following:

'An Act To Exempt from Natural Resources Protection Act Permit Requirements Certain Maintenance and Repairs of Nonhydropower Dams'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 38 MRSA §480-Q, sub-§2-E is enacted to read:

2-E. Nonhydropower dams. Maintenance and repair of an existing nonhydropower dam, as long as:

A. A long-term maintenance and repair plan for the dam has been submitted to the department prior to the commencement of any maintenance or repair activities;

B. The maintenance and repair activities do not involve more than 50% of the surface area or volume of the dam;

C. Erosion control measures are taken to prevent sedimentation of the water on either side of the dam as a result of the maintenance or repair activities;

D. Resurfacing of the upstream or downstream vertical faces of the dam, retaining walls or associated structures does not exceed 4 inches in thickness;

E. Precast concrete used for the repair or resurfacing of the dam is cured in air for a minimum of 3 weeks and fresh concrete poured in forms on site used for the repair or resurfacing of the dam is cured in air for a minimum of one week prior to use to prevent impacts to fish and other aquatic organisms from high pH levels associated with concrete;

F. The maintenance and repair activities do not result in permanent changes to impounded water levels or to downstream flows;

COMMITTEE AMENDMENT

