

Chapter 305: Permit By Rule

Section Overview

[1. Introduction](#)

This section outlines the requirements for submission, effective period, discretionary authority, and violations of this rule.

[2. Activities adjacent to protected natural resources](#)

This section applies to projects with soil disturbance/fill, vegetation removal, permanent structures within 75 feet of a protected natural resource but not in, on, or over the resource.

[3. Intake pipes & water monitoring devices](#)

This section applies to installation/maintenance of permanent water intake pipe, or permanent device used to monitor water elevations, flow or quality including a gauging station, staff gauge, tide gauge, water recording device, water quality testing and improvement device or other similar scientific equipment within certain resources.

[4. Replacement of structures](#)

This section applies to replacement of an existing permanent structure in, on, or over a coastal wetland, freshwater wetland, great pond, fragile mountain area, or river, stream or brook.

[5. REPEALED](#)

[6. Movement of rocks or vegetation](#)

This section applies to limited movement of rocks or hand removal of vegetation from below the normal high-water line of a great pond or river, stream or brook in order to provide access for swimming or navigation.

[7. Outfall pipes](#)

This section applies to installation/maintenance of a permanent outfall pipe, an outlet from a ditch or drain tile for storm water, ground water or other discharges licensed by the DEP in or on land adjacent to a coastal wetland, freshwater wetland, great pond, river, stream or brook.

[8. Shoreline stabilization](#)

This section applies to a shoreline stabilization activity along the shoreline of a coastal wetland, great pond, freshwater wetland with over 20,000 square feet of open water, stream, or brook that uses one or a combination of the following techniques: Establishment of native vegetation, which may include the use of biodegradable stabilization materials; toe protection, which may include the use of biodegradable stabilization materials or riprap; and riprap stabilization. It does not apply in coastal sand dune systems or Shoreland Zoned rivers.

- [Freshwater riprap](#)
- [Coastal riprap](#)
- [Biodegradable materials and vegetation](#)

[8-A. Increasing the height of a vertical seawall or retaining wall in a coastal wetland](#)

This section applies to increasing the height of a legally existing vertical seawall or retaining wall in and/or directly adjacent to a coastal wetland when erosion or damage to structures from wave action has occurred above or behind the structure.

[9. Crossings \(utility lines, pipes and cables\)](#)

This section applies to installation, maintenance and replacement of an overhead or submerged utility lines across certain resources, excluding outstanding river segments.

[10. Stream crossings \(bridges, culverts and fords\)](#)

This section applies to installation of a new stream crossing (excludes certain resources).

[11. State transportation facilities](#)

This section applies to certain activities on a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation (MaineDOT) or the Maine Turnpike Authority.

[12. Restoration of natural areas](#)

This section applies to the restoration of an altered portion of certain resources to its pre-existing natural condition through the removal of fill, structures or debris which is located in, on over, or adjacent to the natural resource, retrieval of eroded beach sand, and removal of non-native species.

[13. Habitat creation or enhancement and water quality improvement activities](#)

This section applies to alteration in or adjacent to a protected natural resource by a public natural resource agency for creating or enhancing habitat for fisheries or wildlife; or a water quality improvement project.

[14. REPEALED](#)

[15. Public boat ramps](#)

This section applies to the construction of a new, or the replacement of an existing, public boat ramp or carry-in launch area, including associated parking and accessways, in or adjacent to a protected natural resource by a public natural resource agency, MaineDOT, municipality, or owners of a federally licensed hydropower project within the resource affected by the hydropower project.

[16. Development activities in coastal sand dunes](#)

This section applies to certain activities in mapped coastal sand dune systems.

[16-A. Non-development activities in coastal sand dunes](#)

This section applies to beach nourishment, dune restoration and vegetation establishment within mapped coastal sand dune systems.

[17. Transfers and permit extensions](#)

This section allows certain permit approvals issued under the Natural Resources Protection Act to be transferred from the permittee to the applicant when the permitted project changes ownership; allows certain approvals issued under the Natural Resources Protection Act to be extended one time provided the approved activity has not begun and the permit has not expired.

[18. Maintenance dredging permit renewal](#)

This section applies to the renewal of an individual permit issued by the DEP for maintenance dredging in a coastal wetland, great pond and river, stream or brook.

[19. Activities in, on or over significant vernal pool habitat](#)

This section applies to activities in, on, or over a significant vernal pool habitat or a potential significant vernal pool habitat.

[20. Activities located in, on or over high or moderate value inland waterfowl and wading bird habitat, or shorebird nesting, feeding, and staging areas.](#)

This section applies to activities in existing developed areas located in, on, or over high or moderate value inland waterfowl and wading bird habitat, or shorebird nesting, feeding, and staging areas.