§480-C. Prohibitions

1. Prohibition. A person may not perform or cause to be performed any activity listed in subsection 2 without first obtaining a permit from the department if the activity is located in, on or over any protected natural resource or is located adjacent to any of the following:

A. A coastal wetland, great pond, river, stream or brook or significant wildlife habitat contained within a freshwater wetland; or [PL 1995, c. 460, §4 (RPR); PL 1995, c. 460, §12 (AFF).]

B. Freshwater wetlands consisting of or containing:

(1) Under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments; or

(2) Peatlands dominated by shrubs, sedges and sphagnum moss. [PL 1995, c. 460, §4 (RPR); PL 1995, c. 460, §12 (AFF).]

A person may not perform or cause to be performed any activity in violation of the terms or conditions of a permit.
[PL 2001, c. 618, §2 (AMD).]

2. Activities requiring a permit. The following activities require a permit:

A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials; [PL 1987, c. 809, §2 (NEW).]

B. Draining or otherwise dewatering; [PL 1987, c. 809, §2 (NEW).]

C. Filling, including adding sand or other material to a sand dune; or [PL 1987, c. 809, §2 (NEW).]

D. Any construction, repair or alteration of any permanent structure. [PL 1987, c. 809, §2 (NEW).]
[PL 1987, c. 809, §2 (NEW).]

3. Application.

[PL 1993, c. 721, Pt. F, §1 (RP); PL 1993, c. 721, Pt. H, §1 (AFF).]

4. Significant groundwater well. A person may not perform or cause to be performed the establishment or operation of a significant groundwater well without first obtaining a permit from the department.
[PL 2007, c. 399, §11 (NEW).]

5. Small-scale wind energy development. A person may not construct or cause to be constructed a wind energy development requiring certification under Title 35-A, section 3456 without first obtaining a permit from the department under section 480-II.
[PL 2015, c. 264, §2 (NEW).]

SECTION HISTORY

PL 1987, c. 809, §2 (NEW). PL 1989, c. 430, §4 (AMD). PL 1989, c. 838, §4 (AMD). PL 1989, c. 890, §§A40,B70 (AMD). PL 1993, c. 721, §F1 (AMD). PL 1993, c. 721, §H1 (AFF). PL 1995, c. 460, §4 (AMD). PL 1995, c. 460, §12 (AFF). PL 2001, c. 618, §2 (AMD). PL 2007, c. 399, §11 (AMD). PL 2015, c. 264, §2 (AMD).

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