§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).]


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


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