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## **An Act Concerning Regulation of Borrow Pit Excavations**

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

**Sec. 1. 38 MRSA §490-B, first ¶**, as amended by PL 2007, c. 297, §3, is further amended to read:

Sections 490-A to 490-K apply to any excavation for borrow, clay, topsoil or silt, whether alone or in combination, including reclaimed and unreclaimed areas, if the total excavated area on a parcel is 5 or more acres ~~or the total excavated area on adjacent parcels under a common owner or operator is 5 or more acres~~. Section 490-M applies to a total excavated area of less than 5 acres. This article applies if the excavation is located in whole or in part within an organized area of this State.

### **SUMMARY**

This bill amends the law concerning borrow pits to regulate excavation from individual parcels of land regardless of whether or not there is a common owner between or among parcels.