The background of the slide is a light gray gradient. It is decorated with numerous realistic water droplets of various sizes. Some droplets are large and prominent, while others are small and subtle. They are scattered across the slide, with a higher concentration in the top-left and bottom-right corners. The droplets have a glossy, three-dimensional appearance with highlights and shadows.

DEP PERMIT-BY-RULE 16-A DUNE RESTORATION PERMITTING INFORMATION

May 2024

Introduction

- This document is intended to provide key links and an overview for the process of obtaining a DEP Permit-by-Rule #16-A for the purpose of sand dune restoration.
- Key Links
 - Maine Geological Survey Application Form (This must be submitted and approved before applying to DEP)
Click [HERE](#) to download
 - Maine DEP PBR-16A Application instructions and forms
<https://www.maine.gov/dep/land/permits/pbr/sections/NRPAPBRSection16-A.pdf>

Permit by Rule (PBR) 16-A

Chapter 305: NATURAL RESOURCES PROTECTION ACT
PERMIT BY RULE



Section 16-A:

Beach Nourishment and dune restoration or construction activities in coastal sand dunes

NOTE: This Section-by Section version of Permit By Rule is re-formatted to increase usability and includes additional guidance, annotations, and addendum. The entire rule, as published, is available below.

Official Chapter 305 Rule (all sections):
<http://www.maine.gov/sos/cec/rules/06/096/096c305.docx>

- PBR 16-A is a subsection of the Chapter 305: Natural Resources Protection Act

Official Chapter 305 Rule (all sections):

<http://www.maine.gov/sos/cec/rules/06/096/096c305.docx>

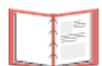
- PBR 16-A applies only to sand dune restoration, beach replenishment, and/or construction activities

<https://www.maine.gov/dep/land/permits/pbr/sections/NRPAPBRSection16-A.pdf>

Permit by Rule (PBR) 16-A

Instructions

HOW TO SUBMIT YOUR PERMIT BY RULE



STEP 1

DETERMINE APPLICABLE PERMIT-BY-RULE SECTION(S)

Permit-by-Rule regulations (Chapter 305) apply to certain activities that require a permit under the Natural Resources Protection Act (NRPA). Find the appropriate section for the activity you are proposing to see the requirements.



STEP 2

REVIEW CHAPTER 305 PBR SECTION STANDARDS

Find the section for your type of proposed activity in the Chapter 305 standards. Read the applicability section that describes in further detail which activities are included and where they are allowed. Read and comply with all the standards contained in the section.



STEP 3

FILL OUT PBR NOTIFICATION FORM, & COLLECT REQUIRED SUBMISSIONS

- [Permit By Rule Notification Form](#)
- [Dept. of Marine Resources Timing Form](#)
- [Inland Fisheries & Wildlife Timing Form](#)
- [Other NRPA Forms](#)



STEP 4

PAY PBR FEE ONLINE

- The required fee is contained in the Department's [fee schedule](#).
- Payment of the application fee is accepted by credit card through the Department's [payment portal](#).

Pay the fee prior to filing and include confirmation of credit card payment with email submission of your PBR.



STEP 5

SUBMIT PBR, ATTACHMENTS AND PROOF OF PAYMENT VIA EMAIL

The Department is now requiring the submission of Natural Resource Protection Act (NRPA) and Stormwater permit-by-rule (PBR) notifications by email to:

DEP.PBRNotification@maine.gov






The PBR becomes effective 14 days from the date the Department receives the full submission (email notification and fee), unless otherwise notified by the Department.

- PBR 16-A has an excellent step-by-step instruction manual...

https://www.maine.gov/dep/land/permits/pbr/sections/NRPA_PBRSection16-A.pdf

Permit by Rule (PBR) 16-A

Instructions

HOW TO SUBMIT YOUR PERMIT BY RULE		
 STEP 1	DETERMINE APPLICABLE PERMIT-BY-RULE SECTION(S)	Permit-by-Rule regulations (Chapter 305) apply to certain activities that require a permit under the Natural Resources Protection Act (NRPA). Find the appropriate section for the activity you are proposing to see the requirements.
 STEP 2	REVIEW CHAPTER 305 PBR SECTION STANDARDS	Find the section for your type of proposed activity in the Chapter 305 standards. Read the applicability section that describes in further detail which activities are included and where they are allowed. Read and comply with all the standards contained in the section.
 STEP 3	FILL OUT PBR NOTIFICATION FORM, & COLLECT REQUIRED SUBMISSIONS	<ul style="list-style-type: none">• Permit By Rule Notification Form• Dept. of Marine Resources Timing Form• Inland Fisheries & Wildlife Timing Form• Other NRPA Forms
 STEP 4	PAY PBR FEE ONLINE	<ul style="list-style-type: none">• The required fee is contained in the Department's fee schedule.• Payment of the application fee is accepted by credit card through the Department's payment portal. <p>Pay the fee prior to filing and include confirmation of credit card payment with email submission of your PBR.</p>
 STEP 5	SUBMIT PBR, ATTACHMENTS AND PROOF OF PAYMENT VIA EMAIL	<p>The Department is now requiring the submission of Natural Resource Protection Act (NRPA) and Stormwater permit-by-rule (PBR) notifications by email to:</p> <p>DEP.PBRNotification@maine.gov</p>
The PBR becomes effective 14 days from the date the Department receives the full submission (email notification and fee), unless otherwise notified by the Department.		

- PBR 16-A has an excellent step-by-step instruction manual
- All, but for one, of the forms required are listed... you will also need the Maine Geological Survey Application Form

Permit by Rule (PBR) 16-A

Maine Geological Survey Application

- First - submit an application (via email) to the Maine Geological Survey using their PBR Application Form
 - Include (as directed)
 - A map showing the location
 - Project Plan
 - Site photographs
 - Project description
- This is the bulk of the work

Permit by Rule (PBR) 16-A

Maine DEP Application

- Upon approval by Maine Geological Survey (MGS), send (via email) the following to Maine Department of Environmental Protection (DEP)
 - Cover letter
 - Brief description of project activities and location
 - Kennebunkport Town permits/permission
 - Contact Town Code Enforcement to obtain a Land Use Permit
 - If not a Beach Use Agreement signatory, contact the Town Manager for a letter of permission to scrape up the sand
 - When multiple properties are affected, letters of permission are required from each affected property owner

Permit by Rule (PBR) 16-A

Maine DEP Application (Cont'd)

- In addition to the cover letter, also send
 - All materials sent to MGS
 - DEP Notification Form
 - With proof of fee having been paid, and location map (in MGS materials)
 - Dept of Marine Resources (DMR) Form
 - With location map (in MGS materials)
 - Dept of Inland Fisheries and Wildlife (DIFW) Form
 - Only required if work is being done between 1 April and 1 Sept
 - This is due to the nesting cycle of endangered species (e.g. Piping Plovers)
 - With location map (in MGS materials)

Permit by Rule (PBR) 16-A

- After 14 days – if no questions or denials of application are received, you are good to go...
- Additional Comments
 - Sand must be comparable to existing beach – only option is to scrap up from lower beach
 - Restored area must be quickly replanted with appropriate dune grass