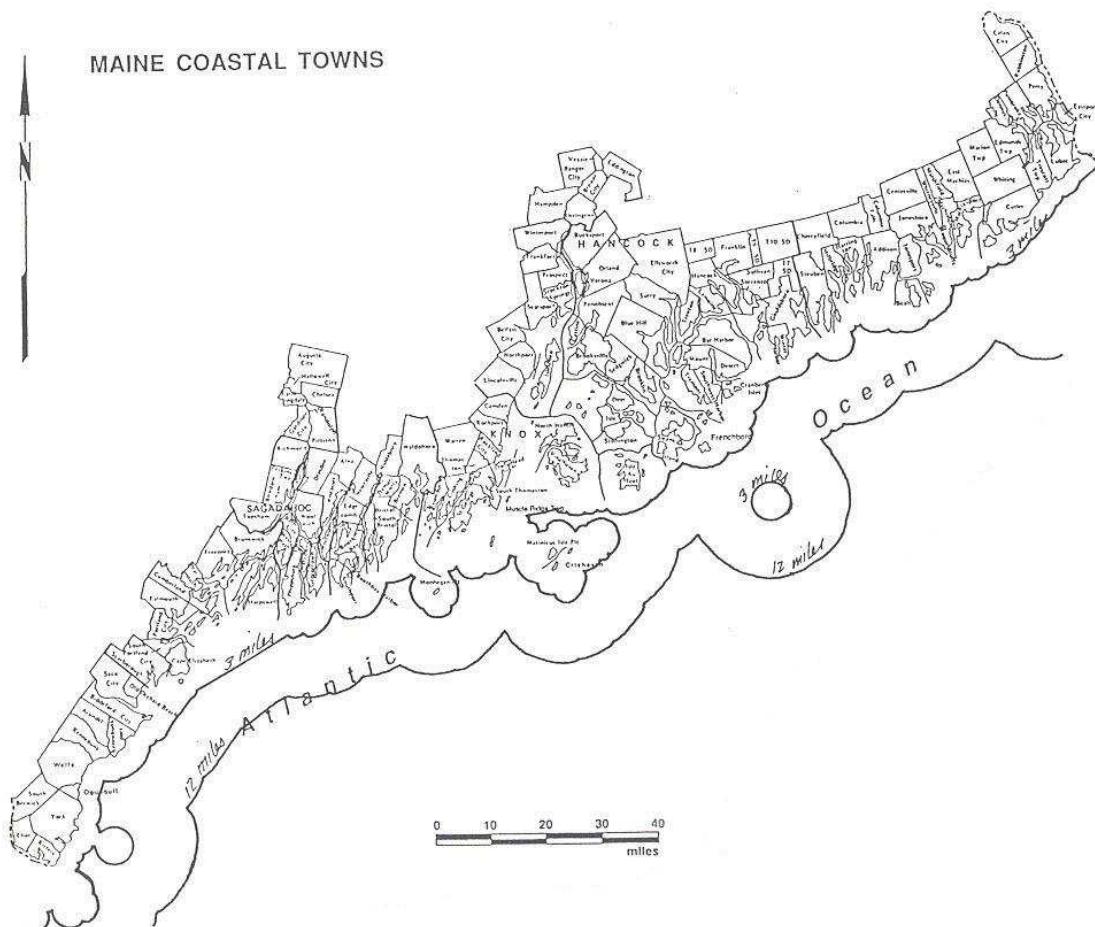


Maine Coastal Program

Performance Progress Report

State Cooperative Agreement #NA16NOS4190118

January 1 – June 30, 2017



Maine Coastal Program
Department of Marine Resources
32 Blossom Lane
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Subtask 5 - Participate in Review of General Permit for Wind Power Demonstration Projects

If an application for a general permit for offshore wind energy demonstration site is submitted and acted upon by the Department during the grant period, the Department will participate in an interagency work group to review “lessons learned” from implementation of the general permit. The work group may identify potential clarifications or improvements to the law.

No new offshore wind energy demonstration project applications were proposed during the reporting period. However, the Department has continued to have several meetings with the University of Maine for the proposed installation of two full-scale floating wind turbines to be placed off Monhegan Island as originally proposed and approved in its general permit for a wind energy demonstration project. The Department anticipates that a general permit application may be submitted for review and approval during the next reporting period.

Task Status: Complete

TASK 306-5 - IMPLEMENTING THE SITE AND STORMWATER LAWS AND REVIEWING COASTAL DEVELOPMENT PROJECTS

Task ID: 306-5

Applicant ID: 306-05

Timeframe: January, 2017 through July, 2017

Special Awards Conditions: No

The Site Location of Development Act (Site Law) requires review of developments that may have a substantial effect upon the environment. These types of developments have been identified by the Maine State Legislature, and include developments such as projects occupying more than 20 acres, metallic mineral and advanced exploration projects, large structures and subdivisions, oil terminal facilities, and grid-scale wind energy projects. The Department administers the Site Law licensing program and issues permits for projects provided that they meet applicable standards addressing areas such as stormwater management, groundwater protection, infrastructure, wildlife and fisheries, noise, and unusual natural areas.

The Maine Stormwater Program works toward protecting and restoring surface and groundwater impacted by stormwater flows. Stormwater runoff from developed areas in watersheds carries pollutants, and affects the rates and volumes of flows in natural waterbodies in ways that can cause damage. Everyone has a role in reducing impacts from stormwater runoff, from the large developer constructing a new parking lot, to the homeowner using good erosion control methods and handling chemicals carefully around the house.

The Maine Stormwater Program includes the regulation of stormwater under three core laws: the Site Location of Development Law (Site Law), Stormwater Management Law, and Waste Discharge Law (MEPDES). Aspects of stormwater are also addressed under industry specific laws such as the borrow pit and solid waste laws, and the rules administered by the Land Use Planning Commission.

- Drafted section regarding the Maine Coastal Program for inclusion in DACF's report to the Legislature pursuant to the Government Evaluation and Accountability Act, which provides for legislative oversight of executive branch agencies; and
- Reviewed and discussed with MGS DEP's proposed amendments to its Chapter 418 rules regarding beneficial of solid waste as they relate to recommendations of the Beach Advisory Task Force aimed at facilitating use of dredged materials (sand) for beach nourishment

MCP staffer Burrowes also participated with Assistant Attorney General Bensinger in a meeting of CSO's Legal Council that focused on lawsuits brought by state agencies in California and Ohio that challenge the ACOE's interpretation of its CZMA consistency and water quality certification obligations in relation to its "federal standard" rule.

Task Status: Complete

Subtask 2: Coordinate Comments and Policies on Ocean Energy-Related Proposals

During this period there were no actions by BOEM or other federal agencies regarding regulations or policies on renewable ocean energy projects that triggered efforts by coastal staff at DACF to coordinate state comments. There are currently no offshore wind energy proposals in the regulatory pipeline in Maine.

In May 2017, representatives of the University of Maine-led New England Aqua Ventus I project ("Aqua Ventus") made a presentation to state and federal natural resources agencies regarding its proposed floating offshore wind turbine project, one of several projects slated to receive about \$40 million in construction funding from DOE's Advanced Technology Demonstration Program for Offshore Wind. In June 2017, Aqua Ventus held a preliminary meeting with DEP to discuss state regulatory approvals needed for the proposed projects. Coastal staff at DACF consulted with DEP and Aqua Ventus regarding the meeting. At DEP's suggestion, MCP staff intends to participate as appropriate in subsequent meetings to address federal consistency review-related issues once the DEP has determined the license and permit approvals needed for the project.

As noted in the prior progress report, a group of Monhegan Island residents who have expressed concerns that the project would irreparably harm the island community, has organized to oppose siting of the Aqua Ventus project, which is about 2.7 miles off the Monhegan Island and about 10 miles from the mainland. The Legislature voted down a bill introduced this session at the group's request that would have forced the Aqua Ventus project to move to another location.

Task Status: Complete

Subtask 3: Monitor State Legislative Process

Narrative: Coastal staff at DACF monitored legislation introduced during the First Regular Session of the 128th Maine Legislature as well as on-line broadcasts of select hearings and work sessions of bills potential interest to the MCP. As noted in the prior progress report, coastal staff at DACF