

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land and Water Quality
17 State House Station
Augusta, ME 04333
Telephone: 207-446-2642

FOR DEP USE
ATS # _____
#L- _____
Fees Paid _____
Date Received _____

**TRANSFER APPLICATION
FOR
Maine Waterway Development and Conservation Act Permit
And/Or Water Quality Certification
For Hydropower Projects**

This form shall be used for the transfer of permit/certification authorization for the construction and/or operation of a hydropower project. All required fees must be paid before application processing will begin. Please contact the DEP for current fee schedule information. Fees are payable to Treasurer, State of Maine.

(Please type or print)

New Applicant:

Name: _____

Mailing Address: _____

Name of Contact or Agent: _____

Telephone: _____

Current Permittee:

Name: _____

Mailing Address: _____

Name of Contact or Agent: _____

Telephone: _____

Location of Activity:

Name of Project: _____

Address (use "911" address, if available): _____

Municipality or Township: _____ County: _____

GPS Coordinates, if known: _____

REQUIRED INFORMATION

1. Provide a breakdown of costs for any unfinished construction and for project operation. These must include costs resulting from compliance with the Board or Department Order.
2. Provide evidence of the availability and commitment of funds sufficient to complete any unfinished project construction and to operate the project as approved. Submit one of the following three:
 - a. a letter of commitment from a financial institution or funding agency for a specified amount of funds and their use, or
 - b. the most recent corporate annual report and supporting documents indicating sufficient funds to finance the development, or
 - c. copies of bank statements or other evidence indicating availability of the unencumbered funds, when the developer will personally finance the project.
3. Provide a narrative describing new applicant's technical ability to complete or maintain this development.
4. Provide a complete copy of the deed, lease, purchase option or other documented evidence of the new applicant's title, right or interest in the development.
5. If new applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from the Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.
6. Provide evidence of compliance with all public notice requirements (see attached Public Notice Requirements and Certification of Publication).

NOTE: All required information summarized above must be attached to this form and sent to the DEP Office listed at the top of this application form.

By signing this application, the current permittee certifies that he or she agrees to the transfer of his or her permit to the new applicant named on this form.

Signature of Current Permittee

Date

Print or Type Name Title

By signing this application, the new applicant certifies he, she or it is familiar with the DEP project file and will comply with the Board or Department Order being transferred, including all existing amendments to the order and all attached conditions.

Signature of Applicant

Date

Print or Type Name Title

PUBLIC NOTICE REQUIREMENTS

The Department requires that an applicant provide public notice describing the location and nature of the activity proposed for approval. The public notice requirements that apply to this application are described in the Certification of Publication below, which must be signed and dated by the applicant or authorized agent.

The following information must be submitted with this form:

- A copy of a completed Notice of Intent to File.
- A list of abutters to whom notice was provided. [For the purposes of public notice of this application, an “abutter” is any person who owns property that is both (1) adjoining and (2) within 1 mile of the delineated project boundary, including owners of property directly across a public or private right of way.]

CERTIFICATION OF PUBLICATION

By signing below, the applicant (or authorized agent) certifies that he or she has:

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located, within 30 days prior to filing the application;
2. Sent a completed copy of the Notice of Intent to File by certified mail or Certificate of Mailing to abutters, as determined by local tax records or other means, within 30 days prior to filing the application; and
3. Sent a copy of the Notice of Intent to File by certified mail or Certificate of Mailing and filed a duplicate of this application with the town clerk of the municipality(ies) where the project is located, within 30 days prior to filing the application.

Signature of Applicant

Date

Name and title of applicant

If signature is other than that of the applicant, attach letter of agent authorization signed by the applicant.

**NOTICE OF INTENT TO FILE
TRANSFER APPLICATION**

Please take notice that _____
(applicant)
of _____
(address and telephone number)

is intending to file an application with the Maine Department of Environmental Protection to transfer a Water Quality Certification or Maine Waterway Development and Conservation Act, 38 M.R.S.A. §§ 630-637, permit pursuant to the Maine Administrative Regulations for Hydropower Projects 06-096 CMR 450(9)(C)(10) and Rules Concerning the Processing of Applications and Other Administrative Matters 06-096 CMR 2(21)(C). The permit/certification is for

(summary of the activity)

in the town/city of _____
(municipality, tax map or numbers)

The application will be filed on or about _____

According to Department regulations, public notice must be given of the opportunity to request a public hearing, provide comments to the Department during the course of processing the application and request that the Board of Environmental Protection assume jurisdiction of the application. A written request for a public hearing, or that the Board of Environmental Protection assume jurisdiction of the application, must be received by the Department no later than 20 days after the application is accepted by the Department as complete for processing.

The application and supporting documentation are available for review at the Department of Environmental Protection offices in Augusta. A copy of the application may also be seen at the municipal offices in

_____, Maine.
(town/city)

Send all correspondence to: Kathy Howatt, Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333 or Kathy.Howatt@maine.gov .

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act.