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MAINE STATE PLANNING OFFICE
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September 5, 2003

TO: Interested Parties

FROM: Kathleen Leyden, Director
Maine Coastal Program

SUBJ: Notice of Requested Changes to the Core Laws of the Maine Coastal Program

Section 307 of the Coastal Zone Management Act ("CZMA"), the so-called "federal consistency" provision, provides that federal agencies shall conduct their activities in a manner consistent to the maximum extent practicable with state environmental laws that NOAA has approved as enforceable policies of a state's coastal zone management program. In accordance with 15 C.F.R. § 923.84, the Maine State Planning Office ("SPO") is submitting to the National Oceanographic and Atmospheric Administration, Office of Ocean and Coastal Resource Management ("NOAA") the following state agency regulations adopted by the Maine Department of Environmental Protection ("DEP") and the Maine Land Use Regulation Commission ("LURC") for approval as enforceable policies of the Maine Coastal Program: DEP rules Chapter 305 (permit by rule), changes effective June 1, 1999, February 14, 2000, and September 1, 2002; DEP rules Chapter 310 (wetlands), changes effective September 1, 2002; DEP rules Chapter 335 (significant wildlife habitat/seabird island maps), changes effective September 15, 1998; DEP rules Chapter 375 (site law/buffer strips), changes effective September 22, 2001; DEP rules Chapter 1000 (shoreland zoning), changes effective February 14, 2000; and Land Use Regulation Commission rules Chapter 10 (land use districts and standards), changes effective October 17, 2000, March 2, 2001, July 1, 2002, and August 29, 2002. These state agency regulations, as codified, are available via the Internet at: <http://www.state.me.us/sos/cec/rcn/apa/depts.htm>. NOAA's approval of these state laws as changes to Maine's enforceable policies is needed to ensure their applicability to federal agency actions pursuant to Section 307 of the CZMA.

SPO has determined that these changes are routine program implementation and has requested that NOAA concur with this determination so that these changes can be incorporated into Maine's Coastal Program.

BACKGROUND

The federal Coastal Zone Management Act of 1972 ("CZMA") establishes a state-federal partnership encouraging state management of coastal resources in accordance with policy goals aimed at balancing development and conservation uses. The CZMA provides funding to implement management measures consistent with these goals and requires federal agency actions to be consistent to the maximum extent practicable with the state environmental laws and regulations, often referred to as "core laws", which form the basis of the State's coastal program. NOAA approved the Maine Coastal Program in 1978.

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COMMENTS

A copy of the State's filing submitting these changes to NOAA can be obtained from Lorraine Lessard, Maine Coastal Program, State Planning Office, 38 State House Station, Augusta, ME 04333, tel: 207-287-1486; email: Lorriane.Lessard@maine.gov

Comments on whether the requested changes are routine program implementation should be sent within three weeks of the date of this notice to:

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