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To: Schlueter, STP

AUTHOR: Kathleen Leyden
AFFILIATION: ME
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SUBJECT: Notice of Routine Program Change Submission

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STATE OF MAINE
EXECUTIVE DEPARTMENT
MAINE STATE PLANNING OFFICE
38 STATE HOUSE STATION
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JOHN ELIAS BALDACCI
GOVERNOR

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October 13, 2005

TO: Interested Parties
FROM: Kathleen Leyden, Director, Maine Coastal Program
SUBJ: Notice of Routine Program Change (RPC) Submission

Section 307 of the Coastal Zone Management Act ("CZMA"), the so-called "federal consistency" provision, provides that federal agencies shall conduct their activities consistently with the state environmental laws that NOAA has approved as enforceable policies of Maine's coastal zone management program. In accordance with 15 C.F.R. §923.84, the Maine State Planning Office ("SPO") is submitting to the federal National Oceanographic and Atmospheric Administration, Office of Ocean and Coastal Resource Management ("NOAA"), for review and approval the following laws enacted during the First Regular and First Special Sessions of the 122nd Maine Legislature: Public Laws 2005 c. 12, section SS-22; 44; 52, sections 1-2; 100; 107; 116, sections 1-5; 158, sections 1-17; 159, sections 1-3; 181; 182, sections 1-7; 203; 212, section 1; 217; 219; 226, sections 1-5; 247, section 6; 330, sections 4-40; 341; 406, section 1; 409, sections 1-4; 440, section 1; and 452, sections A-1 and A-3; and the following laws enacted during the 121st Maine Legislature: PL 2003 c. 414, portions of section A-2 and Part D (enacting 12 MRSA chapter 925, subchapter 3) and c. 655, sections B-308-314. These laws amend state environmental and natural resources laws that provide the enforceable policies of the Maine Coastal Program. In addition, SPO is submitting changes to the Department of Environmental Protection's chapter 305 rules (sections 1 - 15) governing the permit by rule program which were adopted by the Board of Environmental Protection on May 25, 2005. SPO has determined that these changes are routine program implementation and has requested that NOAA concur with this determination. The above session laws and agency rules submitted for routine program change approval may be viewed on line at: <http://janus.state.me.us/legis/ros/meconlaw.htm>

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 NOAA-approved state environmental laws and regulations that are the enforceable policies of the State's coastal program. NOAA approved the Maine Coastal Program in 1978.

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: Lorraine.Lessard@maine.gov. Interested parties may submit comments to NOAA on whether the requested changes are routine program implementation no later than November 7. Comments may be sent to:

Ms. Betsy Nicholson

NOAA Regional Coastal Program Specialist

University of New Hampshire

Gregg Hall, Suite 148

35 Colovos Road

Durham, NH 03824

email: Betsy.Nicholson@noaa.gov

phone: 603-862-1205

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