



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

JAN 31 2003

Ms. Kathleen Leyden  
Director, Maine Coastal Program  
Maine State Planning Office  
38 State House Station  
Augusta, Maine 04333

Dear Ms. Leyden:

Thank you for your request dated December 16, 2002, to the Office of Ocean and Coastal Resource Management (OCRM) to incorporate revisions to the enforceable policies of the Maine Coastal Program (MCP) enacted by the 120<sup>th</sup> Maine Legislature, between January 2, 2002, and April 25, 2002, into the federally approved Maine Coastal Program (MCP) as a Routine Program Change (RPC). Specifically, the proposed changes to enforceable policies include:

- Public Law (PL) 2001 c. 560 which amends 30-A MRSA §4404, sub-§5;
- PL 2001 c. 575 which amends 38 MRSA §1310-Y;
- PL 2001 c. 605 which amends 38 MRSA §569-A, sub-§8, ¶A; and 38 MRSA §570-K, sub-§4 and enacts 38 MRSA §570-K, sub-§5;
- PL 2001 c. 618 which amends 38 MRSA §480-B, sub-§9; 38 MRSA §480-C, sub-§1; 38 MRSA §480-D, sub-§3; and 38 MRSA §480-Q, sub-§7 and enacts 38 MRSA §480-Q, sub-§23, 24, and 25;
- PL 2001 c. 626, sections 10-21 which amends 38 MRSA §420-A, sub-§6; 38 MRSA §488, sub-§19; 38 MRSA §563, sub-§1, ¶A; 38 MRSA §563, sub-§2; 38 MRSA §566-A, sub-§5; 38 MRSA §590, sub-§1; 38 MRSA §1273, sub-§2; 38 MRSA §1310-E, sub-§4; 38 MRSA §1661-A, sub-§5; and 38 MRSA §2133, sub-§2-A; and which also enacts 38 MRSA §570-M and 38 MRSA §1319-I, sub-§11 and



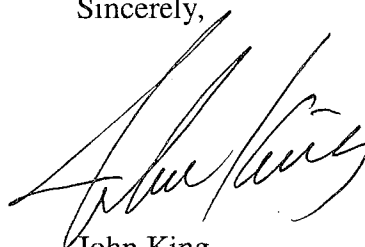
[NOTE: Prior to this RPC, no portions of 38 MRSA §563; 38 MRSA §1273; and 38 MRSA §2133 have been incorporated into the federally-approved Maine Coastal Program. Therefore, only those portions of the statute amended and included in this request are now incorporated]

- PL 2001 c. 651 which amends 30-A MRSA §4401, sub-§4, ¶C; repeals 30-A MRSA §4401, sub-§4, ¶H; and enacts 30-A MRSA §4401, sub-§4, ¶H-1.

OCRM has reviewed this request and concurs with your finding that these changes are an RPC to the MCP, pursuant to 15 C.F.R. § 923.84. On the date of publication by the State of Maine of the public notice required by 15 C.F.R. § 923.84(b)(4) Federal consistency will apply. Please send (mail, email, or fax) a copy of this public notice to the Coastal Programs Division.

Please contact Amy Carter, Coastal Management Specialist, OCRM, at (301) 713-3155 extension 175 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John King", written in a cursive style.

John King  
Acting Chief,  
Coastal Programs Division

## **Enforceable Policies of the MCP Approved by OCRM through this Program Change**

### **Natural Resources Protection Act**

38 MRSA §480-B, sub-§9  
38 MRSA §480-C, sub-§1  
38 MRSA §480-D, sub-§3  
38 MRSA §480-Q, sub-§7  
38 MRSA §480-Q, sub-§23, 24, and 25

### **Site Location of Development Law**

38 MRSA §488, sub-§19

### **Subdivision Law**

30-A MRSA §4401, sub-§4, ¶C;  
30-A MRSA §4401, sub-§4, ¶H-1  
30-A MRSA §4404, sub-§5

### **Protection and Improvement of Air Law**

38 MRSA §590, sub-§1

### **Protection and Improvement of Waters Act**

38 MRSA §420-A, sub-§6

### **Maine Hazardous Waste, Septage and Solid Waste and Management Act**

38 MRSA §1310-E, sub-§4  
38 MRSA §1310-Y  
38 MRSA §1319-I, sub-§11

### **Oil Discharge Prevention & Pollution Control Law**

38 MRSA §563, sub-§1, ¶A\*  
38 MRSA §563, sub-§2\*  
38 MRSA §566-A, sub-§5  
38 MRSA §569-A, sub-§8, ¶A  
38 MRSA §570-K, sub-§4  
38 MRSA §570-K, sub-§5  
38 MRSA §570-M

**\*Denotes statute section not previously incorporated into the MCP. Only the sub-section listed here is now incorporated.**

### **Other Enforceable Policies**

38 MRSA §1273, sub-§2\*  
38 MRSA §1661-A, sub-§5  
38 MRSA §2133, sub-§2-A\*