



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

MAR - 2 2004

Ms. Kathleen Leyden  
 Director  
 Maine Coastal Program  
 State Planning Office  
 State House Station 38  
 184 State Street  
 Augusta, ME 04333-0038

Dear Ms. Leyden:

Thank you for your December 1, 2003, request to incorporate changes to various Maine Statutes from Maine public laws enacted by the 121<sup>st</sup> Maine Legislature from December 4, 2002 to June 14, 2003. You specifically requested that these program changes be incorporated as routine program changes per the Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. Part 923 Subpart H and the Office of Ocean and Coastal Resource Management's (OCRM) Final Program Change Guidance of July 8, 1996, or as water pollution or air pollution control requirements per CZMA Section 307(f)(16 U.S.C. 1456(f)).

Based on our review of your submission, we concur with your determination that the changes to sections noted below are routine program changes and are approved as enforceable policies of the Maine Coastal Program. Sections noted with an "\*" were identified in the State's submission as part of the Maine Coastal Program pursuant to CZMA section 307(f). However, OCRM could not concur with the State's analysis for these sections due to insufficient connections with specific sections of the Clean Water Act or Clean Air Act. Nevertheless, OCRM has found that these sections are approvable as routine program changes.

<b>Public Law Chapter/Section</b>	<b>Statute Section Changed</b>
P.L. 2003 c.23	38 MRS A §480-E
P.L. 2003 c.113	12 MRS A §7756
P.L. 2003 c.131	38 MRS A §480-P
P.L. 2003 c.134	38 MRS A §480-E sub-§12
P.L. 2003 c.134	38 MRS A §634, sub-§4
P.L. 2003 c.136	38 MRS A §410-N
P.L. 2003 c.137	38 MRS A §551, sub-§1-B
P.L. 2003 c.150, §1	38 MRS A 1306, sub-§4
* P.L. 2003 c.165, §1	* 38 MRS A §420, sub-§2, ¶ I
P.L. 2003 c.226	38 MRS A §488, sub-§22
* P.L. 2003 c.227	* 38 MRS A §465
P.L. 2003 c.231 §1	38 MRS A §1304, sub-§§18 and 19
P.L. 2003 c. 245, §5	38 MRS A §347-A, sub-§1(A)



<b>Public Law Chapter/Section</b>	<b>Statute Section Changed</b>
* P.L. 2003 c. 245, §6	* 38 MRSA §349, sub-§9
* P.L. 2003 c. 245, §7	* 38 MRSA §464, sub-§3(B)
P.L. 2003 c. 245, §8	38 MRSA §480-Z, sub-§3
P.L. 2003 c. 245, §9	38 MRSA §480-Z, sub-§3
P.L. 2003 c.246 §14	38 MRSA §464, sub-§4, ¶A
P.L. 2003 c.248 §2	12 MRSA §6171-B, sub-§1, ¶A
P.L. 2003 c.248 §3	12 MRSA §6174
P.L. 2003 c.248 §4	12 MRSA §1691
P.L. 2003 c.248 §5	12 MRSA §1692
P.L. 2003 c.257	38 MRSA §464, sub-§13
P.L. 2003 c.283 §1	7 MRSA §4201, sub-§6
P.L. 2003 c.283 §2	7 MRSA §4203, sub-§1
P.L. 2003 c.283 §3	7 MRSA §4203, sub-§2-A
P.L. 2003 c.283 §4	7 MRSA §4209
* P.L. 2003 c.317 §§1-19, 25	* 38 MRSA §§467, sub-§1(B, C, D); sub-§2(B); sub-§4(A, D, E, and H); sub-§5(B,); sub-§11(B); sub-§12; sub-§13(B); sub-§15(CE, and F); and sub-§17(A
* P.L. 2003 c.317 §§20-22	* 38 MRSA §§468, sub-§2(N); sub-§8(K); and sub-§9(C)).
* P.L. 2003 c.317 §23	* 38 MRSA §469, sub-§2(A-1, E-1, and E-2)
P.L. 2003 c.318 §1	38 MRSA §420-D, sub-§2
P.L. 2003 c.318 §2	38 MRSA §464, sub-§4(A)
P.L. 2003 c.318 §3	38 MRSA §465, sub-§2(C).
P.L. 2003 c.318 §4	38 MRSA §464, sub§4(D and E)
P.L. 2003 c. 335 §1	12 MRSA 685-A, sub-§12
P.L. 2003 c. 335 §4	38 MRSA §438-A
P.L. 2003 c. 335 §5	38 MRSA §438-B
P.L. 2003 c.441 §1	38 MRSA §590-F
P.L. 2003 c.452 §§B-25	7 MRSA §4204, sub-§1-A
P.L. 2003 c.452 §B-26	7 MRSA §4204, sub-§§9 and 10
P.L. 2003 c.452 §B-27	7 MRSA §4205, sub-§4
P.L. 2003 c.452 §B-28	7 MRSA §4207
P.L. 2003 c.452 §W-2	38 MRSA §349, sub-§1
P.L. 2003 c.452 §W-3	38 MRSA §349, sub-§2

<b>Public Law Chapter/Section</b>	<b>Statute Section Changed</b>
P.L. 2003 c.452 §W-4	38 MRSA §349, sub-§3
* P.L. 2003 c.452 §W-5	* 38 MRSA §418, sub-§1
* P.L. 2003 c.452 §W-6	* 38 MRSA §423
P.L. 2003 c.452 §W7	38 MRSA §483-A
P.L. 2003 c.452 §W-10	38 MRSA §1316-M, sub-§4
P.L. 2003 c.452 §W-11	38 MRSA §1316-M, sub-§5
P.L. 2003 c.502 §1	38 MRSA §413, sub-§2-D
P.L. 2003 c.502 §2	38 MRSA §451-A, sub-§1-B

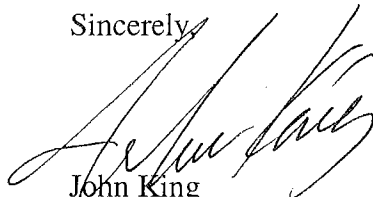
We also concur that the following sections are part of the enforceable policies of the Maine Coastal Program pursuant to CZMA Section 307(f) (16 USC §1456(f)):

<b>Public Law Chapter/Section</b>	<b>Statute Section Changed</b>
P.L. 2003 c. 245, §10	38 MRSA §568-A, sub-§7
P.L. 2003 c. 245, §11	38 MRSA §568-B, sub-§3
P.L. 2003 c. 245, §12	38 MRSA §569-A, sub-§5, ¶A
P.L. 2003 c. 245, §13	38 MRSA §569-A, sub-§13
P.L. 2003 c. 245, §14	38 MRSA §569-B, sub-§8
P.L. 2003 c. 245, §15	38 MRSA §570-A, 2nd ¶
P.L. 2003 c. 245, §16	38 MRSA §570-B, 2nd ¶
P.L. 2003 c. 245, §17	38 MRSA §570-I, 2nd ¶
P.L. 2003 c. 245, §18	38 MRSA §570-J, 2nd ¶
P.L. 2003 c. 245, §19	38 MRSA 570-K, sub-§5
P.L. 2003 c. 245, §20	38 MRSA §570 1st ¶
P.L. 2003 c. 245, §21	38 MRSA §570 1st ¶
P.L. 2003 c.246 §2	38 MRSA §361-A, sub-§3-C
P.L. 2003 c.246 §§3,4, 5	38 MRSA §411-A, sub-§§2, 2-A, and 4
P.L. 2003 c.246 §6	38 MRSA §413, sub-§3
P.L. 2003 c.246 §7	38 MRSA §414, sub-§2
P.L. 2003 c.246 §8	38 MRSA §414, sub-§3-A
P.L. 2003 c.246 §9	38 MRSA §414, sub-§3-B
P.L. 2003 c.246 §10	38 MRSA §414-A, sub-§1-B, ¶A
P.L. 2003 c.246 §11	38 MRSA §414-A, sub-§1-B, ¶B
P.L. 2003 c.246 §12	38 MRSA §414-A, sub-§1-B, ¶C
P.L. 2003 c.246 §13	38 MRSA §414-A, sub-§1-B, ¶D

Federal Consistency will apply to the approved changes only after you publish notice of this approval pursuant to 15 C.F.R. section 923.84(b)(4). Please include in the public notice the list of changes to enforceable policies provided in this letter, and please send a copy of the notice to OCRM.

Thank you for your cooperation in this review. Please contact Bill O'Beirne at (301)713-3155 extension 160, 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