



JUL 21 2006

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

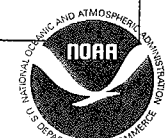
Dear Ms. Leyden:

Thank you for the Maine State Planning Office's June 13, 2006 request that changes to Maine's Department of Environmental Protection (DEP) Chapter 335 and 375 Rules pursuant to the Natural Resource Protection Act (NRPA) and Site Location of Development Act, and Chapter 1000 Rules pursuant to the Shoreland Zoning Act, as well as Department of Inland Fisheries and Wildlife (DIFW) Chapter 10 Rules be incorporated into the Maine Coastal Program. You requested that changes to the rules described below be incorporated as routine program changes (RPCs) pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and Office of Ocean and Coastal Resource Management (OCRM) Program Change Guidance (July 1996). OCRM received the request June 13, 2006, and OCRM's decision deadline was extended until July 25, 2006.

Based on our review of your submission, we concur that the changes to the DEP and DIFW Rules are RPCs and we approve the incorporation of the changes as enforceable policies of the Maine Coastal Program. 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.

**SECTIONS APPROVED**

<i>Name/Description of State Law/Regulation/Policy Added or Removed from CMP (all sections are added to CMP unless noted otherwise)</i>	<i>State Legal Citation</i>	<i>Date Adopted by State</i>	<i>Date Effective in State</i>
<b>DEP Rules, Chapter 335, all Sections except 2:</b> Implementation of protection of 2 significant wildlife habitat types as directed by NRPA.	38 MRSA Sections 480-A through 480-Z	04/20/2006	06/08/2006
<b>DEP Rules, Chapter 335, Section 2:</b> Implementation of protection of significant vernal pool habitat type.	38 MRSA Sections 480-A through 480-Z	04/20/2006	09/01/2007



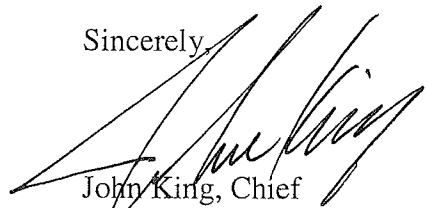
<i>Name/Description of State Law/Regulation/Policy Added or Removed from CMP (all sections are added to CMP unless noted otherwise)</i>	<i>State Legal Citation</i>	<i>Date Adopted by State</i>	<i>Date Effective in State</i>
<b>DEP Rules, Chapter 375, Section 15:</b> Makes consistent the protections afforded to significant wildlife habitat types under the Natural Resources Protection Act and the Site Location of Development Act.	38 MRSA, Section 343, Chapter 375, Section 15 Protection of Wildlife and Fisheries	12/01/2005	01/18/2006
<b>DEP Rules, Chapter 1000, State of Maine Guidelines for Municipal Shoreland Zoning Ordinances:</b> Implementation of minimum shoreland zoning guidelines directed by previous changes to Shoreland Zoning Act.	38 MRSA Sections 435-449	02/16/2006	06/01/2006
<b>DIFW Rules, Chapter 10:</b> Implementation of protection of 3 significant wildlife habitat types for consistency with DEP Rules, Chapter 335.	12 MRSA Section 10104; 38 MRSA Section 480-BB	04/20/2006	06/17/2006

**PUBLIC AND FEDERAL AGENCY COMMENTS**

OCRM received no comments on this RPC submission.

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,



John King, Chief  
Coastal Programs Division