



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 - 9 1997

Ms. Fran Rudoff
Director
Maine Coastal Program
State Planning Office
38 State House Station
Augusta, Maine 04333

Dear Ms. Rudoff:

This letter is in response to your letter, dated November 27, 1996, requesting Office of Ocean and Coastal Resource Management (OCRM) approval to incorporate as routine program changes (RPC) revisions to core authorities and administrative rules used to implement the Maine Coastal Management Plan (MCP). Our review also considered issues raised in your 1994 RPI submittal regarding the Maine Endangered Species Act, the Permit-by-Rule Standards, and the Mandatory Shoreland Zoning Act. OCRM has reviewed all of the corresponding information and concurs that incorporation of these revisions into the MCP, including revisions in the 1994 request to the authorities listed above, constitutes a RPC and not an amendment to the MCP.

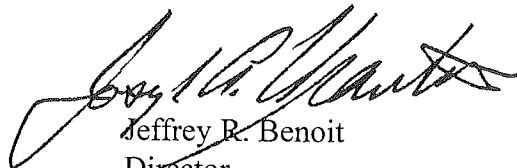
Specifically, our approval incorporates into Maine's coastal management program specified sections (listed below) of the Maine Endangered Species Act related to essential habitat, and incorporates, as submitted, the Essential-Habitat rules; revisions to the Natural Resources Protection Act; the Permit-by-Rule Standards, and recent revisions to the Permit-by-Rule Standards; revisions to the Mandatory Shoreland Zone Act, including the Guidelines for Municipal Shoreland Zoning Ordinances; and revisions to the Significant Wildlife Habitat rules, the Hazardous Waste, Septage and Solid Waste Management Act, and the Land Use Regulation Act. Our letter also provides notice of our review and approval of revisions to the State's authorities regarding the protection and improvement of water and air quality.

OCRM agrees that all statutory and administrative rule changes submitted for review are enforceable policies of the MCP, except that only specific sections of the Maine Endangered Species Act will be incorporated and considered as enforceable policies of the MCP. These sections are: 12 MRSA §§ 7753, 7754, 7755, 7755-A, 7757, and 7758. In accordance with NOAA regulations at 15 C.F.R. § 923.84 (b)(4)(C), Federal consistency will apply to these authorities after Maine publishes notice of our approval.



If you have any questions, please contact Joelle Gore at (301)713-3117, ext.177.

Sincerely,



Jeffrey R. Benoit
Director