



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DIVISION OF SOIL AND WATER CONSERVATION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

DELAWARE COASTAL
MANAGEMENT PROGRAM

Phone: (302) 739- 9283
Fax: (302) 739-2048

August 11, 2008

Kerry Kehoe
Federal Consistency Specialist
Coastal Programs Division
Office of Ocean and Coastal Resource Management
National Oceanic and Atmospheric Administration
1305 East-West Highway, 11th Floor
Silver Spring, Maryland 20910

Re: Response to Advance Notice of Proposed Rulemaking: Changes to the Coastal Zone Management Act Program Change Procedures (73 FR 98 at 29093)

Dear Mr. Kehoe,

Thank you for the opportunity to comment on the Coastal Zone Management Act program change procedures. We appreciate the chance to aid in the improvement and streamlining of these procedures.

The Delaware Coastal Management Program would appreciate the following comments to be taken in to consideration when developing the new regulations for program changes:

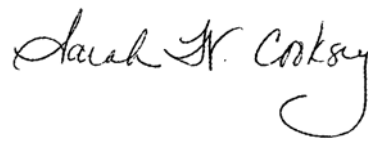
1. Allow State policies to refer to State and allowable Federal Codes and Regulations without including the full text of those authorities. It is not an undue burden for applicants to refer to other authoritative sources for details, particularly, if those references are based upon industry standards or technical standards, particularly those pertaining to federally mandated programs or, as with networked programs such as Delaware, those sets of regulations that would be applicable with or without the need for a consistency determination;
2. Provide clarification of format and content of program change submission (i.e. tables, text of policies, strikeout version, full text of state code and regulations).
3. Provide clear descriptions of the approval and disapproval criteria and how they apply during program change reviews;
4. Eliminate "RPCs" and "Amendments" in lieu of "program changes", for streamlining;

Delaware's good nature depends on you!

5. Create a program change checklist that states would submit to ease state and NOAA paperwork burdens and promote consistent submissions and NOAA analyses;
6. Remove the “substantial” evaluations currently done by states and replace with language describing what the change is to the program.

Thank you for your consideration of the aforementioned comments regarding updates to the program change procedures and regulations.

Sincerely,

A handwritten signature in cursive script that reads "Sarah W. Cooksey". The signature is written in black ink and is positioned above the typed name.

Sarah W. Cooksey, Administrator
Delaware Coastal Programs

SWC/bwa