



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

December 2, 2008

VIA FAX AND U.S. MAIL

Leslie-Ann McGee, Director
Office of Coastal Zone Management
Executive Office of Energy & Environmental Affairs
Commonwealth of Massachusetts
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2136

Walter G. Montgomery, Director
Northeast Massachusetts Mosquito Control
and Wetlands Management District
261 Northern Boulevard, Plum Island
Newburyport, Massachusetts 01950

Re: Northeast Massachusetts Mosquito Control and Wetlands Management
District – Dismissal of Federal Consistency Appeal

Dear Ms. McGee and Mr. Montgomery:

This letter is in reference to a Stipulated Motion to Dismiss the Northeast Massachusetts Mosquito Control and Wetlands Management District's ("District") federal consistency appeal.

The District filed a federal consistency appeal with the Secretary of Commerce ("Secretary"), pursuant to the Coastal Zone Management Act, on September 17, 2008. The District appealed the Massachusetts Office of Coastal Zone Management's objection to the District's proposed Open Marsh Water Management Program.

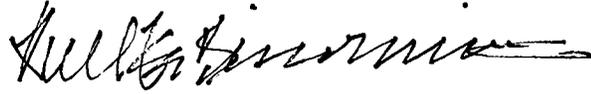
On October 28, 2008, the District sent a letter to the Secretary summarizing the outcome of a meeting on September 25, 2008, at which various state government officials agreed to resolve this matter internally. That letter also stated that the District's Board of Directors agreed unanimously to withdraw this appeal. The parties filed a Stipulated Motion to Dismiss the District's federal consistency appeal on November 12, 2008.

Accordingly, the parties' Stipulated Motion to Dismiss the District's federal consistency appeal is hereby **granted**. This appeal is now dismissed and the Secretary will take no further action on this matter.



Questions should be directed to Jamon Bollock, Attorney-Advisor, Office of General Counsel for Ocean Services, National Oceanic & Atmospheric Administration, at (301) 713-7392 or by e-mail at jamon.bollock@noaa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel LaBissonniere", with a horizontal line extending from the end of the signature.

Joel LaBissonniere
Assistant General Counsel
for Ocean Services

Copies: Gail F. Sullivan, Deputy General Counsel, Massachusetts Department of
Agricultural Resources
Bruce K. Carlisle, Assistant Director, Massachusetts Office of Coastal Zone
Management
Emily Sullivan, Wetlands Project Coordinator, Northeast Massachusetts Mosquito
Control and Wetlands Management District
David Kiddell, U.S. Army Corps of Engineers