

**NEW JERSEY COASTAL MANAGEMENT PROGRAM  
FEDERAL CONSISTENCY LISTINGS  
FEDERAL ACTIVITIES; LICENSES, PERMITS AND OTHER REGULATORY  
APPROVALS; AND FEDERAL FINANCIAL ASSISTANCE PROGRAMS  
May 2008**

**I. DIRECT FEDERAL ACTIVITIES**

**GENERAL SERVICES ADMINISTRATION:** Location and design of proposed government property acquisition and building construction.

**DEPARTMENT OF DEFENSE**

ARMY CORPS OF ENGINEERS: Proposed projects authorization for dredging, channelworks, breakwaters, other navigation works, erosion control structures, reservoirs, dams beach nourishment, and other public works, erosion control structures, reservoirs, dams, beach nourishment and other public works projects in the coastal zone or with the potential to impact coastal lands and waters.

AIR FORCE, ARMY AND NAVY: Location, acquisition and design of new or enlarged defense installations. Actions conducted on Federal lands with potential impact on non-Federal coastal lands and waters.

**DEPARTMENT OF ENERGY:** Management of Coal Conversion Program.

FEDERAL ENERGY REGULATORY COMMISSION: Approval of construction and operation of an interstate natural gas transmission pipeline.

**DEPARTMENT OF THE INTERIOR:**

BUREAU OF LAND MANAGEMENT: OCS Leases and pre-leasing activities.

FISH AND WILDLIFE SERVICE: Management of national wildlife refuges and proposed acquisition.

NATIONAL PARK SERVICE: National Parks and seashore management and proposed acquisition.

**DEPARTMENT OF TRANSPORTATION:**

COAST GUARD: Location, acquisition and design of new or enlarged installations.

MATERIALS TRANSPORTATION BUREAU: Formation and enforcement of minimal federal safety standards for transportation of oil, gas and pipeline facilities.

FEDERAL HIGHWAY ADMINISTRATION: Highway construction.

**II. FEDERALLY LICENSED AND PERMITTED ACTIVITIES**

ARMY CORPS OF ENGINEERS

Permits to regulate construction of any dam or dike across any navigable water of the United States under Section 9 of the Rivers and Harbors Act of 1899.

Permits to regulate the obstruction or alteration of, the construction of any structure in or over, and the excavation from or depositing of material in any navigable water of the United States under Section 10 of the Rivers and Harbors Act of 1899. (Exception: placement of bulkheads and other retaining structures, construction of docks, piers and boat ramps, or excavation from or depositing material within a man-made lagoon).

Permits and licenses to regulate transportation of dredged material for the purpose of dumping it in ocean waters under Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972.

Permits and licenses for the discharge of dredge or fill materials into the waters and adjacent wetlands of the United States at specified disposal sites under Section 404 of the Federal Water Pollution Control Act of 1972 and amendments unless such permitting activity has been delegated to the State.

FEDERAL ENERGY REGULATORY COMMISSION

Licenses required for non-Federal hydroelectric projects and primary transmission lines under sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(e), and 808).

Orders for interconnection of electric transmission facilities under section 202(b) of the Federal Power Act (16U.S.C. 824a(b)).

Certificates of public convenience and necessity for the construction and operation of natural gas pipeline facilities including both interstate pipelines and LNG terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717(c)).

Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

U.S. Coast Guard

Permits for construction and operation of deepwater ports under the Deepwater Port Act of 1974.

Permits for construction of bridges under 33 U.S.C. 401, 491, and 525.

Federal Aviation Administration

Permits and licenses for the construction, operation, or alteration of airports.

Environmental Protection Agency

National Pollutant Discharge Elimination System (NPDES) permits under the Federal Water Pollution Control Act of 1972, unless such permitting authority is delegated to the State.

Decisions under Prevention of Significant Deterioration (PD) regulations under the Clean Air Act of 1976.

Nuclear Regulatory Commission

Permits and licenses required for the construction and operation of nuclear facilities under the Atomic Energy Act of 1954, Sections 6, 7, 8 and 10.

Economic Regulatory Administration

Opinions and orders for permission for delivery of imported LNG.

**III. LICENSED AND PERMITTED ACTIVITIES DESCRIBED IN OCS PLANS**

Any Federally licensed or permitted activity described in any OCS plan for all lease sales on the Outer Continental Shelf of the United States under which New Jersey is identified as an "affected state."

**IV. FEDERAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS**

DEPARTMENT OF AGRICULTURE

Irrigation, Drainage and other Soil and Water Conservation Loans (10.409)

Resource Conservation and Development Loans (10.414)  
(Exception: small projects costing under \$7500 for erosion and sediment control and land stabilization for rehabilitation and coordination of existing irrigation systems).

Water and Waste Disposal Systems for Rural Communities (10.418)

Watershed Protection and Flood Prevention Loans (10.419)

Community Facilities Loans (10.423)

DEPARTMENT OF COMMERCE

Economic Development: Grants and Loans for Public Works and Development Facilities (11.300)

Economic Development: Public Works Impact Projects (11.304)

Grants to States for Supplemental and Basic Funding if Title I, II, and IV Activities (basic grants only) (11.308)

National Oceanic and Atmospheric Administration-Sea Grants

DEPARTMENT OF ENERGY

State Energy Conservation Program

DEPARTMENT OF INTERIOR

Heritage Conservation and Recreation Service: Outdoor Recreation-Acquisition, Development and Planning Grants (15.400)

US FISH AND WILDLIFE SERVICE

Rare and Endangered Species Conservation (15.612)

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration: Airport Development Aid Program (20.102)

Federal Highway Administration: Highway Research, Planning and Construction (20.205)

Urban Mass Transportation Administration: Urban Mass Transportation Capital Improvement Grants (planning and construction only) (20.205); Urban Mass Transportation Capital Improvement Loans (planning and construction only) (20.501); Urban Mass Transportation Demonstration Grants (50.506); and Urban Mass Transportation Capital and Operating Assistance Formula Grants (20.507)

ENVIRONMENTAL PROTECTION AGENCY

Construction grants for Wastewater Treatment Works(66.418)

(Note: Public water treatment facilities in the Bay and Ocean Shore Segment are subject to CAFRA.)

**V. INTERSTATE CONSISTENCY LISTING FOR THE DELAWARE ESTUARY IN THE STATES OF PENNSYLVANIA AND DELAWARE**

**DEPARTMENT OF DEFENSE**  
ARMY CORPS OF ENGINEERS

<b>Federal actions affecting New Jersey's coastal zone</b>	<b>Legal Authority</b>	<b>Location of Federal action in PA that may effect New Jersey's coastal zone</b>	<b>Location of Federal action in DE that may effect New Jersey's coastal zone</b>
<p>Construction of structures such as dams or dikes, bulkheads, revetments, groins, jetties, piers, docks, artificial reefs, pipelines, cables and wind turbines and islands or activities such as dredging, filling, mining, excavation and mooring of vessels in navigable waters, creation of artificial islands</p>	<p>Sections 9 and 10 of the Rivers and Harbors Act (33 U.S.C. 410 et seq.)</p>	<p>Dredging 50,000 or more cubic yards of material below the high tide line in the Delaware River up to the "Trenton Makes" Bridge.</p> <p>Subaqueous disposal of 50,000 or more cubic yards of dredged material below the high tide line in Delaware River up to the "Trenton Makes" Bridge.</p>	<p>Dredging 50,000 or more cubic yards of material below the high tide line in the Delaware Bay.  <b>Note:</b> This listing does not include the mining of sand for beach nourishment projects.</p> <p>Subaqueous disposal of 50,000 or more cubic yards of dredged material below the high tide line in the Delaware Bay.</p>
<p>Discharge of dredged and fill materials and other activities in the waters of the United States, including wetlands</p>	<p>Section 404 of the Clean Water Act (33 U.S.C. 1344)</p>	<p>Subsurface (in water) dredged material disposal, or relocation or redistribution of sediments below the high tide line in the Delaware River up to the "Trenton Makes" Bridge.</p> <p>Confined upland disposal facilities with capacity to handle at least 50,000 cubic yards of dredged material that discharge directly into the Delaware River up to the "Trenton Makes" Bridge.</p>	<p>Subsurface (in water) dredged material disposal, or relocation or redistribution of sediments below the high tide line in the Delaware Bay.</p> <p>Confined upland disposal facilities with capacity to handle at least 50,000 cubic yards of dredged material that discharge directly into the Delaware Bay.</p>