

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
COASTAL MANAGEMENT OFFICE**

**Notice of Request for approval of Routine Program Change for Coastal Management Program**

Take notice that the Department of Environmental Protection (“Department”) pursuant to Federal regulation, 15 CFR 923.80-923.84, is seeking approval from the National Oceanic and Atmospheric Administration’s Office of Ocean and Coastal Resource Management to add a listing of Federal actions having interstate coastal effects to the New Jersey Coastal Management Program pursuant to 15 CFR 930 Subpart I. “Interstate coastal effects” pursuant to 15 CFR 930.151 means any reasonably foreseeable effect resulting from a Federal action occurring in one state on any coastal use or resource of another state that has a Federally approved coastal management program. Federal Consistency is the Federal Coastal Zone Management Act requirement that Federal actions that have reasonably foreseeable effects on any land or water use or natural resource of the coastal zone must be consistent to the maximum extent practicable with the enforceable policies of a coastal state’s Federally approved coastal management program. The Department is asking that NOAA’s Office of Ocean and Coastal Resource Management concur that the listed actions be categorized as having reasonably foreseeable interstate coastal effects and thus are subject to review by New Jersey under the federal consistency provisions of the Coastal Zone Management Act. The effect of such approval is that New Jersey would review the activities listed below on a routine basis for consistency with New Jersey’s Coastal Management Program.

Pursuant to 15 CFR 930.154, the Department has determined that the following Federal actions occurring in the Delaware River in Pennsylvania up to the Trenton Makes Bridge and the Delaware Bay in Delaware have reasonably foreseeable coastal effects on the coastal resources and uses of New Jersey’s coastal zone.

**FEDERAL AGENCY: ARMY CORPS OF ENGINEERS, DEPARTMENT OF DEFENSE**

<b>Federal actions affecting New Jersey’s coastal zone</b>	<b>Legal Authority</b>	<b>Location of Federal action in PA that may effect NJ’s coastal zone</b>	<b>Location of Federal action in DE that may effect NJ’s coastal zone</b>
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	Sections 9 and 10 of the Rivers and Harbors Act (33 U.S.C. 410 et seq.)	Dredging 50,000 or more cubic yards of material below the high tide line in the Delaware River up to the “Trenton Makes” Bridge.	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.
		Subaqueous disposal of 50,000 or more cubic yards of dredged material below the high tide water in the Delaware River up to the “Trenton Makes” Bridge.	Subaqueous disposal of 50,000 or more cubic yards of dredged material below the high tide water in the Delaware Bay.

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Federal actions affecting New Jersey's coastal zone	Legal Authority	Location of Federal action in PA that may effect New Jersey's coastal zone	Location of Federal action in DE that may effect New Jersey's coastal zone
Discharge of dredged and fill materials and other activities in the waters of the United States, including wetlands	Section 404 of the Clean Water Act (33 U.S.C. 1344)	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.	Subsurface (in water) dredged material disposal or relocation or redistribution of sediments below the high tide line in the Delaware Bay.
		Confined upland disposal facilities with capacity to handle at least 50,000 cubic yards of dredged material that discharge directly into Delaware River up to the "Trenton Makes" Bridge.	Confined upland disposal facilities with capacity to handle at least 50,000 cubic yards of dredged material that discharge directly into the Delaware Bay.

The Department considers the incorporation of the above interstate listings to constitute a "Routine Program Change" of the New Jersey Coastal Management Program. Under 15 CFR 923.84(a), changes to an approved coastal management program constitute Routine Program Change when they do not result in the kind of amendments of the state's Coastal Management Program that can be described as "substantial changes to enforceable policies or authorities related to: (1) uses subject to management; (2) special management areas; (3) boundaries; (4) authorities and organization; and, (5) coordination, public involvement and national interest."

Federal regulations mandate that the State provide public notice of its Routine Program Change of the State's Coastal Management Program to the general public, affected parties, local and State agencies and regulatory offices, and relevant Federal agencies.

The Department has submitted a request for concurrence of the Office of Ocean and Coastal Resource Management in the National Oceanic and Atmospheric Administration (NOAA) in the determination that the incorporation of the above interstate listings into New Jersey's Federally approved Coastal Management Program constitutes a Routine Program Change. This notice is required to accompany that submission pursuant 15 CFR 923.84. Comments on whether or not this action should be considered a Routine Program Change should be sent to the address below by July 9, 2007 to:

National Oceanic and Atmospheric Administration  
Office of Ocean and Coastal Resource Management  
Attn: Mr. John King  
SSMC4 N/ORM3 Rm. 11305

1305 East West Highway  
Silver Spring, MD 20910

The routine program change package may be viewed on the Coastal Management Program's website at [www.nj.gov/dep/cmp/czm\\_news.html](http://www.nj.gov/dep/cmp/czm_news.html). A hard copy of the package is also available from:

New Jersey Department of Environmental Protection  
Coastal Management Office  
Attn.: Ms. Ann Marie Hoagland  
PO Box 418  
Trenton, New Jersey 08625-0418  
(609) 633-2201

For further information regarding this submission, write or call:

New Jersey Department of Environmental Protection  
Coastal Management Office  
Attn.: Ms. Kimberly Springer  
PO Box 418  
Trenton, New Jersey 08625-0418  
(609) 633-2201