

MINNESOTA'S LISTED FEDERAL ACTIONS

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

If a direct federal activity is not addressed in an agreement with the state, and the activity meets or exceeds the "mandatory EAW categories", a federal agency must provide the DNR Waters and appropriate state agency(s) with a consistency determination for any activity affecting any land or water use or natural resources within Minnesota's coastal boundary. The following list is provided to highlight those activities most likely to affect the coastal area. Information about the mandatory EAW categories can be found beginning on page 29 of the Federal Consistency Information Manual (available at <http://files.dnr.state.mn.us/waters/lakesuperior/fcmanual.pdf>).

Department of Agriculture, Forest Service

- Harvest of timber, reforestation, road and trail building and maintenance, fish and wildlife enhancement, shoreline erosion control/bank stabilization, construction and operation of campgrounds and wilderness access points, construction and maintenance of water access sites, exchange and acquisition of federal land, design and construction of administrative site, and site cleanup under RCRA or CERCLA.

Department of Defense, Army Corps of Engineers

- Dredging, channel improvement, breakwaters, other navigational works, erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities and other projects with the potential to impact coastal lands and waters.
- Land acquisition or disposal for spoil disposal or other purposes.
- Habitat creation (islands, marshes, etc. created by dredge material).
- Selection of disposal sites for dredged material from federal harbors and navigation channels.

Department of Defense, Air Force, Army, and Navy

- Location, design, and acquisition of new or expanded defense installations (active or reserve status including associated housing, transportation or other facilities).
- Plans, procedures and facilities for handling storage use zones.
- Establishment of impact, compatibility or restricted use zones.
- Disposal of defense property.

Department of Energy

- Prohibition orders.

Department of Interior, Bureau of Indian Affairs

- Indian trust (reservation) land acquisitions (25 C.F.R. 151)
- Development of trust lands
 - Realty actions: leases, rights of way
 - Environmental review in compliance with tribal/federal mandates
- Inventorying, monitoring and protection of trust resources (Includes adjudicated ceded territory resources in 1854 Authority)
 - Forest management and sales
 - Fish, wildlife & wild rice habitat management/restoration
 - Integrated Resource Management Plans (IRMPs)
 - Solid and hazardous waste compliance (dump caps, USTs, etc.)
 - Natural Resources Damage Assessments (CERCLA, CWA, OPA 90)

Department of Interior, Fish and Wildlife Service

- Management of Natural Wildlife Refuges; land acquisition.

Department of Interior, National Park Service

- National Park Service unit management; land acquisitions.
- Location, design, and acquisition of new or expanded facilities.

Department of Justice, U.S. Marshals Service

- Disposition of property acquired by the Marshals Service.

Department of Transportation, Coast Guard

- Location and design, construction, or enlargement of Coast Guard stations, bases, and lighthouses.
- Location, placement, or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- Expansion, abandonment, designation of anchorages, lighting areas or shipping lanes and ice management practices and activities.
- Ice breaking
- Oil and hazardous material pollution response planning and response activities

Department of Transportation, Federal Aviation Administration

- Location and design, construction, maintenance, and demolition of federal aids to air navigation.

Department of Transportation, Amtrak, Conrail

- Expansions, curtailments, new construction, upgrades or abandonments of railroad facilities or services, in or affecting the state's coastal area.

Department of Transportation, Federal Highway Administration

- Highway construction.

Department of Transportation, Maritime Administration

- Port planning

Environmental Protection Agency

- Activities conducted under the Resource Conservation and Recovery Act (RCRA) of 1976.
- Activities conducted under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980.

Federal Energy Regulatory Commission

- Construction to develop new supplies or to reinforce existing transportation systems

General Services Administration

- Acquisition, location and design of proposed federal government property or buildings, whether leased or owned by the federal government.
- Disposition of federal surplus lands and structures.

Nuclear Regulatory Commission

- The siting, construction and operation of nuclear generating stations, fuel storage, and processing centers pursuant to the Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974.

FEDERAL LICENSES AND PERMITS

Department of Agriculture, Forest Service

- Road/trail access across federal land to nonfederal land to provide access to nonfederal land or to allow development of state, county or township roads and highways (36 C.F.R. 251.110).
- Minerals or energy development (includes mineral exploration, mine development and operation, gravel extraction and quarry stone extraction) (36 C.F.R. 228).
- Recreational uses (shoreline resorts, shoreline homes) (36 C.F.R. 251.50).
- Special events (36 C.F.R. 251.50).
- Utility corridors (power line and pipelines across federal land) (36 C.F.R. 251.50).
- Protection of archeological resources (36 C.F.R. 296).

Department of Defense, Army Corps of Engineers

- Construction of dams, dikes, or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- Approval of plans for improvement made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- Disposal of dredged or fill material into the waters of the U.S. pursuant to the Clean Water Act, Section 404 (33 U.S.C. 1344).
- All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

Department of Interior, Bureau of Indian Affairs

- Archaeological Resources Protection Act Permits for trust lands (25 C.F.R. 262).

Department of Interior, Fish and Wildlife Service

- Fish and Wildlife coordination (17 U.S.C. 661-667).
- Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Department of Transportation, Coast Guard

- Construction or modification of bridges, causeways, or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- Hazardous substances and materials (33 U.S.C. 419).
- Marine event permits (46 U.S.C. 454, 33 C.F.R. 100.15).

Department of Transportation, Federal Aviation Administration

- Permits and licenses for construction, operation, or alteration of airports (F.A.R. Part 157).

Environmental Protection Agency

- NPDES permits and other permits for federal installations, sludge runoff and aquaculture permits and all other permits pursuant to §401, 402, 403, 405, and 318 of the federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- Permits pursuant to the Resource Conservation and Recovery Act (RCRA) of 1976.
- Permits pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980.

- Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300 h-c).
- Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

Federal Energy Regulatory Commission

- Licenses, renewals, or amendments to licenses for nonfederal hydroelectric projects and primary transmission lines under Section 3(11), 4(e), and 15 of the federal Power Act (16 U.S.C. 796 (11), 797 (11), and (808)).
- Orders for interconnection of electric transmission facilities under Section 202 (b) of the federal Power Act (15 U.S.C. 824 a (b)).
- Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under §7 (c) of the Natural Gas Act (15 U.S.C. 717 f (c)).
- Permission and approval for the abandonment of natural gas pipeline facilities under §7(b) of the Natural Gas Act (15 U.S.C. 717 f (b)).
- Regulation of gas pipelines, and licensing of import and export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- Exemptions from prohibition orders (15 U.S.C. 791).

Nuclear Regulatory Commission

- Licensing and determination of the siting, construction and operation of nuclear generating stations, fuel storage, and processing centers pursuant to the Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1974.

Surface Transportation Board

- Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines (49 U.S.C. 10901 et seq.).

FEDERAL ASSISTANCE

Department of Agriculture

- 10.025 Plant and Animal Disease and Pest Control
- 10.405 Farm Labor Housing Loans and Grants
- 10.411 Rural Housing Site Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.420 Rural Self-Help Housing Technical Assistance
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.433 Rural Housing Preservation Grants
- 10.760 Water and Waste Disposal Systems Loans and Grants
- 10.762 Solid Waste Management Grants
- 10.763 Emergency Community Water Assistance Grants
- 10.764 Resource Conservation and Development Loans
- 10.765 Watershed Protection and Flood Prevention Loans
- 10.766 Community Facilities Loans
- 10.767 Intermediary Relending Program

10.768 Business and Industrial Loans
10.769 Rural Business Enterprise Grant Program
10.850 Rural Electrification Loans and Guarantees
10.851 Rural Telephone Loans and Guarantees
10.852 Rural Telephone Bank Loans
10.854 Rural Economic Development Loan and Grant Program
10.901 Resource Conservation and Development
10.904 Watershed Protection and Flood Prevention
10.906 River Basin Surveys and Investigations

Department of Commerce

11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
11.302 Economic Development - Support for Planning Organizations
11.303 Economic Development - Technical Assistance
11.304 Economic Development - Public Works Impact Projects
11.305 Economic Development - State and Urban Area Economic Development Planning
11.307 Special Economic Development and Adjustment Assistance, Sudden and Severe Economic Dislocation (SSED) and Long-Term Deterioration (LTED)
11.405 Anadromous and Great Lakes Fisheries Conservation
11.407 Interjurisdictional Fisheries Act of 1986
11.417 Sea Grant Support
11.419 Coastal Zone Management Program Administration
11.420 Coastal Zone Management Estuarine Research Reserves
11.427 Fisheries Development and Utilization Research/Development Grants/Coop Agreements
11.550 Public Telecommunications Facilities - Construction and Planning

Department of Defense

12.101 Beach Erosion Control Projects
12.104 Flood Plain Management Services
12.105 Protection of Essential Highways, Highway Bridge Approaches, and Public Works
12.106 Flood Control Projects
12.107 Navigation Projects
12.108 Snagging and Clearing for Flood Control
12.109 Protection, Clearing and Straightening Channels
12.110 Planning Assistance to States
12.610 Joint Military/Community Comprehensive Land Use Plans

Department of Housing and Urban Development

14.170 Congregate Housing Services Program
14.174 Housing Development Grants (HoDAG)
14.218 Community Development Block Grants/Entitlement Grants
14.219 Community Development Block Grants/Small Cities Grants

Department of the Interior

15.600 Anadromous Fish Conservation
15.605 Sport Fish Restoration
15.611 Wildlife Restoration
15.612 Endangered Species Conservation
15.614 North American Wetlands Conservation
15.616 Clean Vessel Act
15.904 Historic Preservation Fund Grants-In-Aid

15.910 National Natural Landmarks Program
15.916 Outdoor Recreation - Acquisition, Development and Planning

Department of Transportation

20.005 Boating Safety Financial Assistance
20.106 Airport Improvement Program
20.205 Highway Planning and Construction (Including Intermodal Surface Transportation Efficiency Act Programs)
20.219 Symms National Recreation Trails Fund Act - Grants for Motorized and Non-motorized Trails
20.308 Local Rail Service Assistance Program
20.500 Urban Mass Transportation Capital Improvement Grants
20.509 Public Transportation for Nonurbanized Areas
20.801 Development and Promotion of Ports and Intermodal Transportation
20.998 Transportation Improvement Program

General Services Administration

39.002 Disposal of Federal Surplus Real Property

National Foundation of the Arts and the Humanities

45.007 Promotion of the Arts - State Programs
45.023 Promotion of the Arts - Local Programs

Department of Veteran Affairs

64.005 Grants to States for Construction of State Home Facilities

Environmental Protection Agency

66.001 Air Pollution Control Program Support
66.419 Water Pollution Control - State and Interstate Program Support
66.432 State Public Water System Supervision
66.433 State Underground Water Source Protection
66.435 Water Pollution Control - Lake Restoration Cooperative Agreements
66.438 Construction Management Assistance
66.454 Water Quality Management Planning
66.456 National Estuary Program
66.458 Capitalization Grants for State Revolving Funds
66.500 Environmental Protection - Consolidated Research
66.501 Air Pollution Control Research
66.502 Pesticides Control Research
66.504 Solid Waste Disposal Research
66.505 Water Pollution Control - Research, Development, and Demonstration
66.506 Safe Drinking Water Research and Demonstration
66.507 Toxic Substances Research
66.600 Environmental Protection Consolidated Grants - Program Support
66.700 Pesticides Enforcement Program
66.701 Toxic Substances Compliance Monitoring Cooperative Agreements
66.702 Asbestos Hazards Abatement (Schools) Assistance
66.801 Hazardous Waste Management State Program Support
66.802 Hazardous Substance Response Trust Fund
66.804 State Underground Storage Tanks Program
66.805 Underground Storage Tank Trust Fund
66.807 Superfund Innovative Technology Evaluation Program (SITE)

66.808 Hazardous Waste; Integrated Training and Technical Assistance - Interstate

Department of Energy

81.041 State Energy Conservation

81.049 Basic Energy Sciences, High Energy or Nuclear Physics, Magnetic Fusion Energy, Health and Environmental Research, Program Analysis and Field Operations Management

Federal Emergency Management Agency

83.503 Civil Defense - State and Local Emergency Management Assistance

83.513 State and Local Warning and Communication Systems

83.516 Disaster Assistance