

APPENDIX C.

LISTED FEDERAL ACTIVITIES SUBJECT TO CONSISTENCY REVIEW

I. FEDERAL AGENCY ACTIVITIES

All Federal Agencies

- . Any development activity conducted by the agencies listed below on excluded federal lands if that activity affects the coastal zone. (16 U.S.C. §§ 1456(c) (1) and (c) (2))

Department of Commerce/National Marine Fisheries Service

- . Fisheries management plans - consistency reviews of these plans are based on the general policies that address fish and wildlife management. (16 U.S.C. §§ 1801-1882)

Department of Defense/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 land and water including construction or expansion of buildings or acquisition of land. (10 U.S.C. § 2802)

Department of Defense/Army Corps of Engineers

- . Proposed projects, authorizations for dredging, channel works, breakwaters, other navigation works, erosion control structures, reservoirs, dams, beach nourishment, and other public works projects. (33 U.S.C. § 403)

Department of Homeland Security/Coast Guard

- . Location, design, and acquisition of new or enlarged installations. (14 U.S.C. § 92)

Department of the Interior/Fish and Wildlife Services

- . Acquisition and management including master plans of National Wildlife refuges. (16 U.S.C. §§ 668dd-668ee; Pub. L. No. 105-57)

Department of the Interior/National Park Service

- . Acquisition and management including master plans of national parks and seashores. (16 U.S.C. §§ 1-460)

Department of Transportation/Federal Aviation Administration

- . Construction, maintenance, and demolition of federal aids to navigation. (49 U.S.C. § 44502)

Environmental Protection Agency

- . Designation of Ocean dumping and incineration sites, including at-sea incineration. (33 U.S.C. §§ 1412(c))

General Services Administration

- . Disposal of surplus federal land, property acquisition and building construction. (40 U.S.C. §§ 601-619)

II. FEDERALLY LICENSED OR PERMITTED ACTIVITIES

Department of Defense/Army Corps of Engineers

- . Section 9 permit; Rivers and Harbors Act of 1899. (33 U.S.C. § 401)
- . Section 10 permit; Rivers and Harbors Act of 1899. (33 U.S.C. § 403)
- . Section 404 permit; Clean Water Act and amendments. (33 U.S.C. § 1344)
- . Section 103 permit; Marine Protection Research and Sanctuaries Act of 1972 as amended. (33 U.S.C. § 1413)

Department of Energy/Federal Energy Regulatory Commission

- . License for non-federal hydroelectric projects; Section 4(e), Federal Power Act. (16 U.S.C. § 797(e))
- . Abandonment of gas pipeline; Section 7, National Gas Act. (15 U.S.C. § 717(f))
- . Certificates authorizing construction, or operation of, or facilities for transportation or storage of natural gas; Section 7, Natural Gas Act. (15 U.S.C. § 717(f))
- . Options and orders for permission for delivery of imported LNG. (15 U.S.C. § 717(b)). This activity was formerly under the jurisdiction of the Department of Energy/Economic Regulatory Administration.

Department of the Interior/Bureau of Land Management and Minerals Management Service

- . Permit for pipeline rights-of-way for oil and gas transmission on Outer Continental Shelf (OCS). (43 U.S.C. § 1334(e))

Department of the Interior/Minerals Management Service

- . Plans for the exploration, development and production of OCS resources. Oil or gas leasing activities are specifically exempted. (43 U.S.C. § 1351)

Department of Transportation and Department of Homeland Security/Coast Guard

- . License for the construction and operation of deepwater ports; Deepwater Port Act of 1974. (33 U.S.C. § 1503)
- . Permit for construction or modification of bridge structures across navigable waters of the United States. Section 9, Rivers and Harbors Act of 1899. (33 U.S.C. § 401)

Department of Transportation/Federal Aviation Administration

- . Permit and license for the construction, operation, or alteration of airports. (49 U.S.C. § 44702 and 47112)

Environmental Protection Agency

- . National Pollution Discharge Elimination System (NPDES) permit; Section 402 and 403, Federal Water Pollution Control Act. (33 U.S.C. §§ 1342 and 1343) Ocean dumping permit (exercised jointly with Army Corps of Engineers); Section 102, Marine Protection Research and Sanctuaries Act of 1993 as amended. (33 U.S.C. § 1412)

National Surface Transportation Board

- . Abandonment of rail lines. (49 U.S.C. § 10903)

Any state objections or conditions under this activity must be limited to those that do no interfere with interstate rail operations or seek to impose pre-abandonment requirements. This activity was formerly under the jurisdiction of the Interstate Commerce Commission.

Nuclear Regulatory Commission

- . Permit and license required for the construction and operation of nuclear plant. (42 U.S.C. § 2133)

III. FEDERAL FINANCIAL ASSISTANCE ACTIVITIES

The following is a list of the federal programs requiring consistency review through the intergovernmental review process, pursuant to federal Executive Order 12372. While program titles may differ from those listed in the New Hampshire Coastal Program and Final Environmental Impact Statement, July 1988 (NHCP Program Document), the nature of the programs and the corresponding program numbers remain the same. Programs identified in the NHCP Program Document that are not listed below have either been eliminated or are no longer subject to intergovernmental review. For the most up to date list of federal programs requiring intergovernmental review, please visit the Catalog of Federal Domestic Assistance (CFDA) web site at: <http://www.cfda.gov>. Please note, this list is subject to change. For additional questions, please contact the NHCP Federal Consistency Coordinator identified in Appendix I.

DEPARTMENT OF AGRICULTURE

- 10.025 Plant and Animal Disease, Pest Control, and Animal Care
- 10.411 Rural Housing Site Loans and Self-Help Housing Land Development Loans
- 10.415 Rural Rental Housing Loans
- 10.664 Cooperative Forestry Assistance
- 10.760 Water and Waste Disposal Systems for Rural Communities
- 10.763 Emergency Community Water Assistance Grants
- 10.768 Business and Industry Loans
- 10.769 Rural Business Enterprise Grants
- 10.901 Resource Conservation and Development
- 10.904 Watershed Protection and Flood Prevention
- 10.906 Watershed Surveys and Planning

DEPARTMENT OF COMMERCE

- 11.300 Investments for Public Works and Economic Development Facilities
- 11.302 Economic Development - Support for Planning Organizations
- 11.303 Economic Development - Technical Assistance

- 11.405 Anadromous Fish Conservation Act Program
- 11.407 Interjurisdictional Fisheries Act of 1986
- 11.419 Coastal Zone Management Administration Awards
- 11.420 Coastal Zone Management Estuarine Research Reserves
- 11.426 Financial Assistance for National Centers for Coastal Ocean Science
- 11.427 Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program
- 11.433 Marine Fisheries Initiative
- 11.463 Habitat Conservation
- 11.474 Atlantic Coastal Fisheries Cooperative Management Act
- 11.550 Public Telecommunications Facilities Planning and Construction

DEPARTMENT OF DEFENSE

- 12.100 Aquatic Plant Control
- 12.101 Beach Erosion Control Projects
- 12.104 Floodplain 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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.157 Supportive Housing for the Elderly
- 14.181 Supportive Housing for Persons with Disabilities
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.866 Demolition and Revitalization of Severely Distressed Public Housing
- 14.872 Public Housing Capital Fund

DEPARTMENT OF THE INTERIOR

- 15.506 Water Desalination Research and Development Program
- 15.605 Sport Fish Restoration Program
- 15.611 Wildlife Restoration
- 15.614 Coastal Wetlands Planning, Protection, and Restoration Act
- 15.615 Cooperative Endangered Species Conservation Fund
- 15.616 Clean Vessel Act
- 15.628 Multi-State Conservation Grant Program
- 15.632 Conservation Grants Private Stewardship for Imperiled Species
- 15.904 Historic Preservation Grants-in-Aid
- 15.916 Outdoor Recreation - Acquisition Development and Planning

DEPARTMENT OF TRANSPORTATION

- 20.106 Airport Improvement Program
- 20.205 Highway Planning and Construction
- 20.316 Railroad Rehabilitation and Improvement Financing Program
- 20.500 Federal Transit – Capital Investment Grants
- 20.505 Federal Transit – Metropolitan Planning Grants

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Support
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.419 Water Pollution Control State, Interstate, and Tribal Program Support
- 66.432 State Public Water System Supervision
- 66.433 State Underground Water Source Protection
- 66.454 Water Quality Management Planning
- 66.456 National Estuary Program
- 66.802 Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements
- 66.818 Brownfields Assessment and Cleanup Cooperative Agreements

DEPARTMENT OF ENERGY

- 81.041 State Energy Program

DEPARTMENT OF HOMELAND SECURITY

- 97.012 Boating Safety Financial Assistance
- 97.014 Bridge Alteration
- 97.110 Severe Loss Repetitive Program