

**NEW HAMPSHIRE COASTAL PROGRAM
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 Service

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. §§ 521-593)

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

Licenses and permits, and renewals and amendments thereof, for non-federal hydroelectric projects and primary transmission lines under Sections 3 (11), 4 (e & f), and 15 of the Federal Power Act. (16 U.S.C. § 796 (11), 797, and 808)

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

Certificates authorizing construction and operation of interstate natural gas facilities, including both pipelines and terminal facilities, under Sections 3 and 7 of the Natural Gas Act. (15 U.S.C. § 717b and § 717f)

Options and orders for permission for import or export of natural gas under Section 3 of the Natural Gas Act. (15 U.S.C. § 717b)

Department of the Interior/Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement

Permits, licenses, easements, rights-of-way, or other grant of authority, for construction and maintenance of pipelines for oil and gas transmission on the Outer Continental Shelf under the Outer Continental Shelf Lands Act. (43 U.S.C. §1334 et seq.)

Plans for the exploration, development and production of Outer Continental Shelf resources, and any other permits or authorizations granted for activities described in detail in Outer Continental Shelf exploration, development and production plans, under the Outer Continental Shelf Lands Act. (43 U.S.C. § 1331 et seq.)

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 permit, 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 not 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**DEPARTMENT OF AGRICULTURE**

10.025 Plant and Animal Disease, Pest Control, and Animal Care
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
10.904 Watershed Protection and Flood Prevention

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
11.407 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

DEPARTMENT OF DEFENSE

12.104 Floodplain Management Services

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

14.872 Public Housing Capital Fund

DEPARTMENT OF THE INTERIOR

15.506 Water Desalination Research and Development

15.605 Sport Fish Restoration

15.611 Wildlife Restoration and Basic Hunter Education

15.614 Coastal Wetlands Planning, Protection, and Restoration

15.615 Cooperative Endangered Species Conservation Fund

15.616 Clean Vessel Act

15.628 Multi-State Conservation Grant

15.904 Historic Preservation Fund 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 Metropolitan Transportation Planning and State and Non-Metropolitan Planning and Research

* Activities funded, wholly or in part, by the Federal Department of Transportation's Highway Planning and Construction Program, commonly referred to as the Federal-Aid Highway Program, are excluded from federal consistency review by the NHCP except for the following:

- Highway construction or reconstruction
- Bridge construction, reconstruction, replacement or rehabilitation
- Construction of truck weigh stations or rest areas

- Construction of bus storage or maintenance facilities
- Work that alters the hydrology of freshwater perennial streams, tidal waters or tidal wetlands
- Work in tidal waters or tidal wetlands to mitigate the impacts of an existing transportation facility

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
66.454 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
97.110 Severe Loss Repetitive Program