

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing Geoprofessional Business Association Member Firm



November 3, 2023

Delaware Department of Natural Resources and Environmental Control
Delaware Coastal Programs
100 West Water Street, Suite 7B
Dover, Delaware 19904

Re: Coastal Zone Management Act Federal Consistency
Clayton Controller
New Castle County, Delaware

To Whom It May Concern:

On behalf of Eastern Shore Natural Gas (Applicant), Geo-Technology Associates, Inc. (GTA) is submitting this application for the construction of the of the proposed natural gas controller station. To facilitate the Application's review, GTA is submitting the following information for your review and processing:

1. Completed Coastal Zone Management Act Federal Consistency Form;
2. Site Location Map;
3. USGS Topographic Map; and,
4. 2022 Aerial Imagery;

The applicant, Eastern Shore Natural Gas, is proposing to construct, own, operate, and maintain a natural gas controller station, in the Clayton area of Kent County, Delaware. The proposed gas controller station would be located within existing maintained lawn and paved areas. The proposed controller would not impact tidal waterbodies.

3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009 (410) 515-9446

◆ Abingdon, MD ◆ Baltimore, MD ◆ Laurel, MD ◆ Frederick, MD ◆ Waldorf, MD ◆ New Castle, DE ◆ Georgetown, DE
◆ Somerset, NJ ◆ NYC Metro ◆ Pittsburgh Metro ◆ Quakertown, PA ◆ Scranton/Wilkes-Barre, PA ◆ York, PA
◆ Northeastern, OH ◆ Sterling, VA ◆ Nashville, TN ◆ Charlotte, NC ◆ Raleigh, NC ◆ Orlando, FL

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Delaware Department of Natural Resources and Environmental Control

Re: ***Clayton Controller***

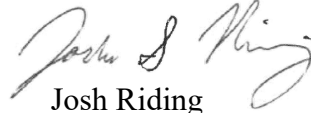
November 3, 2023

Page 2

GTA is confident that the enclosed information for the Clayton Controller satisfies the general and regional conditions for the Coastal Zone Management Act. Should you have any questions or need additional information, please contact this office at (410) 515 9446.

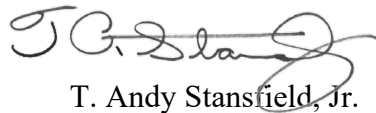
Sincerely,

GEO-TECHNOLOGY ASSOCIATES, INC.



Josh Riding

Environmental Scientist



T. Andy Stansfield, Jr.

Vice President

JSR/MAJ/TAS

17763

L:\Shared\Project Files\2023\17763 - Clayton Controller\WET\Reports - Permitting\CZM\17763 CZM Cover Letter.doc

**Completed Coastal Zone Management
Act Federal Consistency Form**



Initial Review: _____
Updated On: _____
Complete: _____
Official Use Only

Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

Project/Activity Name: _____

I. Federal Agency or Non-Federal Applicant Contact Information:

Contact Name/Title: _____

Federal Agency Contractor Name (if applicable): _____

Federal Agency: _____
(either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

E-mail: _____ Telephone #: _____

II. Federal Consistency Category:

Federal Activity or Development Project
(15 C.F.R. Part 930, Subpart C)

Federal License or Permit Activity
(15 C.F.R. Part 930, Subpart D)

Outer Continental Shelf Activity
(15 C.F.R. Part 930, Subpart E)

Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)

Federal Financial Assistance
(15 C.F.R. Part 930, Subpart F)

III. Detailed Project Description (attach additional sheets if necessary):

IV. General Analysis of Coastal Effects (attach additional sheets if necessary):

V. Detailed Analysis of Consistency with DCMP Enforceable Policies (attach additional sheets if necessary):

Policy 5.1: Wetlands Management

Policy 5.2: Beach Management

Policy 5.3: Coastal Waters Management (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

Policy 5.4: Subaqueous Land and Coastal Strip Management

Policy 5.5: Public Lands Management

Policy 5.6: Natural Lands Management

Policy 5.7: Flood Hazard Areas Management

Policy 5.8: Port of Wilmington

Policy 5.9: Woodlands and Agricultural Lands Management

Policy 5.10: Historic and Cultural Areas Management

Policy 5.11: Living Resources

Policy 5.12 Mineral Resources Management

Policy 5.13: State Owned Coastal Recreation and Conservation

Policy 5.14: Public Trust Doctrine

Policy 5.15: Energy Facilities

Policy 5.16: Public Investment

Policy 5.17: Recreation and Tourism

Policy 5.18: National Defense and Aerospace Facilities

Policy 5.19: Transportation Facilities

Policy 5.20: Air Quality Management

Policy 5.21: Water Supply Management

Policy 5.22: Waste Disposal Management

Policy 5.23: Development

Policy 5.24: Pollution Prevention

Policy 5.25: Coastal Management Coordination

VI. JPP and RAS Review (Check all that apply):

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

JPP

RAS

None

*If yes, provide the date of the meeting(s): _____

VII. Statement of Certification/Determination and Signature (Check one and sign below):

FEDERAL AGENCY CONSISTENCY DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

FEDERAL AGENCY NEGATIVE DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION. Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:			
Printed Name:		Date:	

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

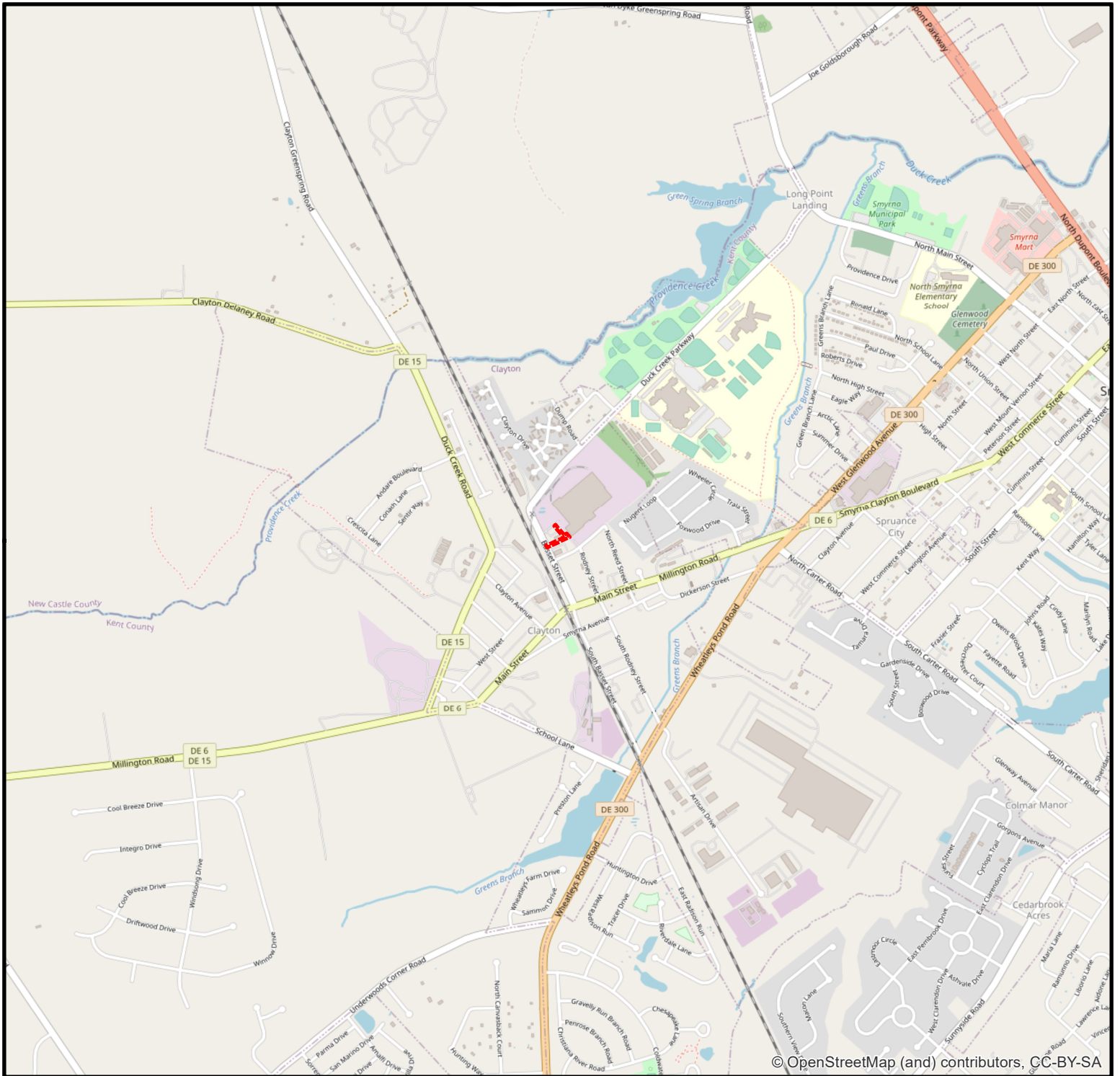
Federal Consistency Review Deadlines:

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

OFFICIAL USE ONLY:

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates: _____ to _____	Comments Received: <input type="checkbox"/> NO <input type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	

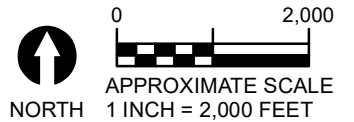
**Site Location Map, USGS Topographic
Map, and 2022 Aerial Imagery**



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LEGEND

 REVIEW AREA



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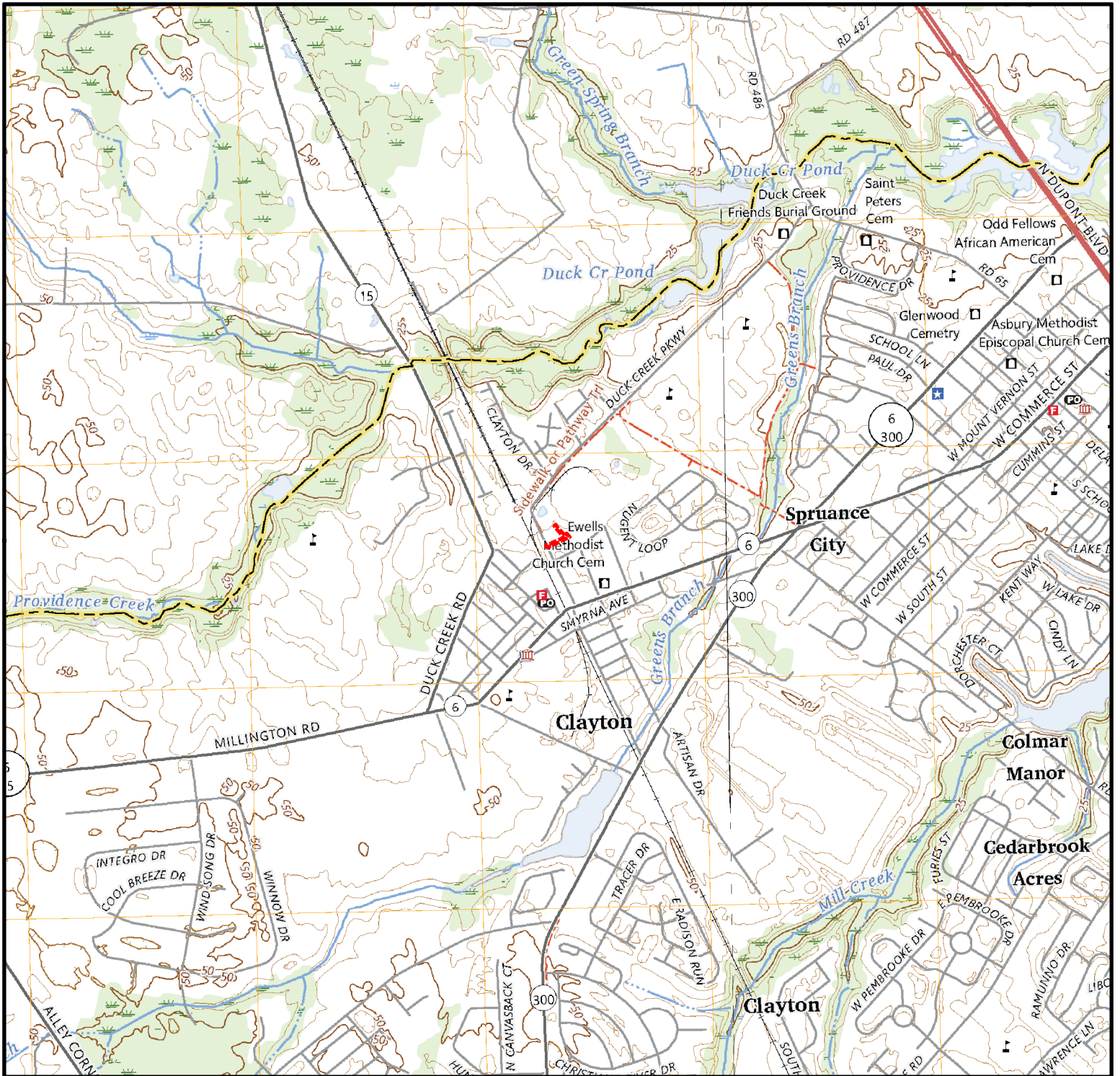
3445-A BOX HILL CORPORATE CENTER DRIVE
 ABINGDON, MARYLAND 21009
 PHONE: 410-515-9446
 FAX: 410-515-4895
 WWW.GTAENG.COM

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**SITE LOCATION MAP
 CLAYTON CONTROLLER**

KENT COUNTY, DELAWARE

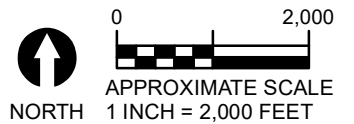
JOB NO.	17763	SCALE:	1"=2,000'	DATE:	OCTOBER 11, 2023	DRAWN BY:	JSR	REVIEW BY:	MAJ/TAS	FIGURE:	1
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SOURCE: UNITED STATES GEOLOGICAL SURVEY (USGS), CLAYTON AND SMYRNA, DELAWARE QUADRANGLES, 7.5 MINUTE TOPOGRAPHIC MAP SERIES, DATED 2023.

LEGEND

 REVIEW AREA



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**USGS TOPOGRAPHIC MAP
 CLAYTON CONTROLLER**

KENT COUNTY, DELAWARE

JOB NO.	17763	SCALE:	1"=2,000'	DATE:	OCTOBER 11, 2023	DRAWN BY:	JSR	REVIEW BY:	MAJ/TAS	FIGURE:	2
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SOURCE: 2022 BASE AERIAL IMAGERY PROVIDED BY MICROSOFT CORPORATION

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 REVIEW AREA



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**2022 AERIAL IMAGERY
 CLAYTON CONTROLLER**

KENT COUNTY, DELAWARE

JOB NO.	17763	SCALE:	1"=100'	DATE:	OCTOBER 11, 2023	DRAWN BY:	JSR	REVIEW BY:	MAJ/TAS	FIGURE:	3
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