



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:** Sussex County Habitat For Humanity (Milton, DE)

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

Contact Name/Title: Hannah Wertz

Federal Agency Contractor Name (if applicable): \_\_\_\_\_

Federal Agency: U.S. Department of Housing and Urban Development  
(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: 919 W. 34th Street, #4706

City: Baltimore State: MD Zip Code: 21211

E-mail: wertz@az-ri.com Telephone #: 717-668-1680

### II. Federal Consistency Category:

- Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)
- Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)
- Federal Financial Assistance (15 C.F.R. Part 930, Subpart F)
- Federal License or Permit Activity (15 C.F.R. Part 930, Subpart D)
- Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)

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

Please see ATTACHED letter for full Project Description.

Address for this project: 28292 Fisherman Drive, Milton, DE 19968. The project includes construction of one residential home.

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

AZ-RI has reviewed the above-reference project and has determined it to be consistent with the Delaware Coastal Management Program. This determination is based upon the following findings: the project is located in an existing neighborhood in the City of Milton, Delaware, will connect to municipal sewer and water, and is located in an area with ready access to stores, transportation, schools, healthcare, and other services.

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

**Policy 5.1: Wetlands Management**

No wetlands are present on the Subject Property.

**Policy 5.2: Beach Management**

The proposed home is not located on or in proximity of a public or private beach.

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

The proposed home will connect to municipal water and sewer. SCHFH ensures each home has appropriate drainage and permeable surface to ensure proper drainage. SCHFH does not utilize oil in the construction of homes nor use oil to heat or cool homes. SCHFH builds within all zoning codes, and will make every effort, to the best of its ability, to comply with all

**Policy 5.4: Subaqueous Land and Coastal Strip Management**

N/A. The project does not include and is not located on an industrial site. The home will be built in a pre-existing neighborhood surrounded by single family homes.

**Policy 5.5: Public Lands Management**

N/A. The project does not include construction on public lands.

**Policy 5.6: Natural Lands Management**

N/A. The Subject Property will not be acquired for nature preserves.

**Policy 5.7: Flood Hazard Areas Management**

The project is not located in a 100-year flood plain.

**Policy 5.8: Port of Wilmington**

The project is located in Milton, DE.

**Policy 5.9: Woodlands and Agricultural Lands Management**

The project is not located in woodlands or agricultural lands. The home will be built in a pre-existing neighborhood surrounded by single family homes.

**Policy 5.10: Historic and Cultural Areas Management**

Delaware SHPO reviewed 8 project sites in Milford, DE along with the proposed single new construction project in Milton, DE (being discussed on this form) in one review. No adverse effects were noted for 28292 Fisherman Drive (1 Milton site). The full SHPO response has been forwarded to the Delaware Coastal Management Program. AZ-RI is in the process of requesting a separate determination letter for the single Milton site. If received, this will also be forwarded to Delaware Coastal Management Program.

**Policy 5.11: Living Resources**

The project will not threaten existing habitat of native species.

**Policy 5.12 Mineral Resources Management**

N/A.

**Policy 5.13: State Owned Coastal Recreation and Conservation**

The project is not located in an area contiguous to state owned lands whose natural condition or present state of use would maintain or enhance the conservation of natural, cultural, or historic resources for recreational use.

**Policy 5.14: Public Trust Doctrine**

N/A.

**Policy 5.15: Energy Facilities**

N/A.

**Policy 5.16: Public Investment**

The project is located in an existing neighborhood in the City of Milton, Delaware, will connect to municipal sewer and water, and are located in an area with ready access to stores transportation, schools, healthcare, and other services.

**Policy 5.17: Recreation and Tourism**

N/A.

**Policy 5.18: National Defense and Aerospace Facilities**

N/A.

**Policy 5.19: Transportation Facilities**

N/A.

**Policy 5.20: Air Quality Management**

SCHFH builds residential single family homes that utilize electricity and propane to heat and power all homes. These energy sources limit the amount of contaminants released into the air. Any emissions from the project is expected to be de minimis.

**Policy 5.21: Water Supply Management**

The new home will connect to municipal water.

**Policy 5.22: Waste Disposal Management**

The new home will connect to municipal sewer.

**Policy 5.23: Development**

The project is located in the City of Milton, DE in an existing residential neighborhood.

**Policy 5.24: Pollution Prevention**

SCHFH, to the best of its ability, acts in a manner that minimizes any present or future threats to human health or the environment through responsible waste disposal.

**Policy 5.25: Coastal Management Coordination**

N/A.

**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:	Hannah Wertz	Date: 01/25/24

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 checked="" type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	