



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:	618 W. 8th Street, Laurel
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I. Federal Agency or Non-Federal Applicant Contact Information:

Contact Name/Title: Katie Millard

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: P.O. Box 759

City: Georgetown State: DE Zip Code: 19947

E-mail: katie@sussexcountyhabitat.org Telephone #: 201-230-2745

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):

Sussex County Habitat for Humanity received \$500,000 in FY22 Community Project Funding, appropriated by Congress in the Consolidated Appropriations Act, 2022, (P.L. 117-103), to construct 10 new, scattered site, single-family homes for affordable homeownership across Sussex County. All homes will be targeted to low-income Sussex County households making at or below 60% of area median income. This project will directly increase the number of affordable homeownership opportunities for low-income families. One home will be located at the end of West 8th Street in Laurel, DE 19956 (Sussex County Tax Parcel ID: 432-8.05-13.04). The 0.4-acre lot will be built out with a stick-framed house on concrete block foundation with a crawl space, a shed, and an asphalt driveway. The organization anticipates minor leveling with no major changes to the topography. The total development cost of the home is expected to be \$220,000, including \$50,000 of Community Project Funding.

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

Sussex County Habitat for Humanity 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 town of Laurel, 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

618 W. 8th St. will be constructed to minimize the adverse effects to wetlands in the Laurel area. The proposed home will be constructed more than 100 feet outside of the wetlands boundary and will preserve more than 50 feet of riparian buffer.

Policy 5.2: Beach Management

N.A. 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. Additionally, 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 state codes related to coastal water management.

Additionally, this project will disturb less than 5,000 sq. ft. and an individual residential detached unit, exempting it from both sediment control and stormwater management requirements.

Policy 5.4: Subaqueous Land and Coastal Strip Management

N/A. This project is not an industrial site. It will be built in a pre-existing neighborhood surrounded by single family homes.

Policy 5.5: Public Lands Management

N/A. This project does not include construction on public lands. Sussex County Habitat for Humanity owns all land involved in this project.

Policy 5.6: Natural Lands Management

N/A. This project does not include construction on public lands. Sussex County Habitat for Humanity owns all land involved in this project.

Policy 5.7: Flood Hazard Areas Management

Property not located in a 100-year flood plain.

Policy 5.8: Port of Wilmington

N/A. Project located in Sussex County.

Policy 5.9: Woodlands and Agricultural Lands Management

N/A. This project is not located in woodlands or agricultural lands. It will be built in a pre-existing neighborhood surrounded by single family homes. Pursuant to 5.9.5.1, this development is directed to a smaller community with adequate in-place public services and facilities.

Policy 5.10: Historic and Cultural Areas Management

Project approved through State Historic Preservation Office.

Policy 5.11: Living Resources

Per environmental review, this project does not threaten existing habitat of native species.

Policy 5.12 Mineral Resources Management

N/A.

Policy 5.13: State Owned Coastal Recreation and Conservation

N/A. This land is not 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

This project is located in an existing neighborhood, it will be serviced by existing facilities, and is provided ready access to stores, transportation, 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

Sussex County Habitat for Humanity 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.

Policy 5.21: Water Supply Management

This home will connect to municipal water and does not require withdraws from ground or surface waters.

Policy 5.22: Waste Disposal Management

This home will connect to municipal sewer and does not require the construction of an onsite septic system. The project does not include hazardous materials or underground storage tanks.

Policy 5.23: Development

This project complies with 5.23.1.1.3 - "Established urban centers, small and large, should be revitalized and recognized for the values of their in place structures facilities and institutions. Development will be in relative proximity to established downtown development districts and located in a previously established neighborhood, discouraging "sprawl"."

Policy 5.24: Pollution Prevention

Sussex County Habitat for Humanity, 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:	Katie Millard	Date:	1/15/24

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