STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF CLIMATE, COASTAL AND ENERGY
STATE STREET COMMONS
COASTAL PROGRAMS
100 W. WATER STREET, SUITE 7B
DOVER, DELAWARE 19904
PHONE
(302) 739-9283

December 19, 2024

Hannah Wertz
AZ-RI Consultants
919 W. 34th Street, #4706
Baltimore, MD 21211

RE: Delaware Coastal Management Program — Federal Consistency Determination Concurrence for HUD 423 Collins Drive (FC 2025.0005)

Dear Hannah Wertz,

The Delaware Department of Natural Resources and Environmental Control (DNREC) Coastal Management Program (DCMP) completed its review of the above referenced project, dated and received by this office on October 31, 2024 by AZ-RI Consultants on behalf of the U.S. Department of Housing and Urban Development (HUD).

PROPOSED ACTION

HUD proposes to provide financial assistance to Central Delaware Habitat for Humanity for the construction of a single-family home at 423 Collins Drive, Dover, Delaware. Prior to beginning construction, Habitat for Humanity will obtain a Sediment and Stormwater Management Plan approval from the Kent Conservation District.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act (CZMA) of 1972, as amended, each federal agency activity within or outside the coastal zone that can have reasonably foreseeable effects on any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The National Oceanic and Atmospheric Administration (NOAA) is required to review and approve a proposed state management program for it to become effective. Under the CZMA implementing regulations, Federal Consistency with Approved Coastal Management Programs (15 CFR 930), subpart C, federal agencies are advised to provide

state agencies with a consistency determination at the earliest practicable time in the planning or reassessment of an activity, and before the federal agency reaches a significant point of decision-making in its review process. The term "consistent to the maximum extent practicable" in 15 CFR 930.32 means fully consistent with the enforceable policies of a management program unless full consistency is prohibited by existing law applicable to the federal agency.

PUBLIC PARTICIPATION

In accordance with 15 CFR §930.42, the public was invited to participate in the review of Central DE H4H Collins Drive. Public notice of this proposed action was published in the Delaware State News, The News Journal, and DNREC public notices list service on November 24, 2024. The public was given 20 days to comment on this notice. No public comments were received in response to this notice.

FEDERAL CONSISTENCY ANALYSIS

The DNREC DCMP coordinates the review of consistency determinations with agencies administering the enforceable and advisory policies of the program. The following agencies participated in this review:

DNREC, Division of Air Quality
DNREC, Division of Fish and Wildlife

The proposed activity is to be implemented in a manner consistent with the enforceable policies of the DCMP under 7 DE Admin. Code 2201, Section 5.0.

Please be advised that the Division of Air Quality (DAQ) recommends that retrofitted on road and non-road diesel engines be used to reduce emissions associated with the project construction. This includes equipment that is used on-site, as well as equipment that is used to transport materials to and from the site. DAQ also recommends the use of dust suppressants and measures to prevent the transport of dust off-site from material stockpile, material movement, and use of unpaved roads.

Please note that the following Delaware air quality regulations may apply: Particulate Emissions from Construction and Materials Handling (7 DE Admin. Code 1106) and Excessive Idling of Heavy-Duty Vehicles (7 DE Admin. Code 1145).

CONCURRENCE

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that the HUD 423 Collins Drive project as proposed is consistent to the maximum extent practicable.

Pursuant to 15 CFR 930.46, HUD shall notify the DCMP of any proposed modifications to activities after receiving a decision from the DCMP. Modifications will be subject to supplemental

federal consistency review if effects to any coastal use or resource will be substantially different than originally described.

Please be advised that this federal consistency review does not negate the need for other authorizations that may be required. Thank you for the opportunity to evaluate this federal activity. If you have any questions, please contact me or Mike Snyder of my staff at (302) 739-9283.

Sincerely,

Jesse Hayden (Dec 19, 2024 15:01 EST)

Jesse Hayden, Administrator
Delaware Coastal Management Program

JH/mts

cc: File FC 2025.0005
Tina Merrill, DNREC DAQ
Danielle Minter, DNREC DFW