



STATE OF DELAWARE

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF CLIMATE, COASTAL AND ENERGY

STATE STREET COMMONS

100 W. WATER STREET, SUITE 7B

DOVER, DELAWARE 19904

**COASTAL
PROGRAMS**

PHONE
(302) 739-9283

September 23, 2026

Nathaniel Alper
AZ-RI Consultants
919 W. 34th Street
Baltimore, MD 21211

**RE: Delaware Coastal Management Program — Federal Consistency
Determination Concurrence for HUD Hurley Park Drive Seaford (FC 2026.0031)**

Dear Nathaniel Alper,

The Delaware Department of Natural Resources and Environmental Control (DNREC) Coastal Management Program (DCMP) has completed its review of the above referenced project, dated and received by this office on July 28, 2026. The review request was submitted on behalf of the U.S. Department of Housing and Urban Development (HUD).

PROPOSED ACTION

Sussex County Habitat for Humanity is proposing to utilize HUD Community Project funding for the construction of nine new single-family homes along Hurley Park Drive in Seaford, Delaware. Project activities will be implemented in accordance with all recommendations resulting from the Section 106 National Historic Preservation consultation and comply with an approved sediment and stormwater management plan.

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 also 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 HUD Hurley Park Drive Seaford. Public notice of this proposed action was published in the Delaware State News, The News Journal, and DNREC public notices webpage on August 21, 2026. The notice was posted in the Seaford Public Library and made available in English, Spanish, and Haitian Creole. The public was given 20 days to comment on this notice. No public comments were received.

FEDERAL CONSISTENCY ANALYSIS

As a networked program, the DCMP coordinates consistency determination reviews with agencies administering enforceable mechanisms supporting the policies of the program pursuant to Section 5.0 of the DCMP Federal Consistency Policy and Procedures document. The following agencies participated in this review:

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

Please be advised that DNREC Division of Air Quality (DAQ) recommends that all diesel-powered equipment should use ultra-low sulfur diesel fuel when operating. The use of properly maintained equipment and idling minimization practices is also recommended to further reduce localized air quality impacts.

The following Delaware air quality regulations may apply: Air Quality Permits (7 DE Admin Code 1102), Particulate Emissions from Construction and Materials Handling (7 DE Admin. Code 1106), Control of Stationary Generator Emissions (7 DE Admin Code 1144), Excessive Idling of Heavy-Duty Vehicles (7 DE Admin. Code 1145), and Regulations Governing the Control of Noise (7 DE Admin. Code 1149).

CONCURRENCE

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that the project is consistent to the maximum extent practicable.

Pursuant to 15 CFR 930.46, the applicant 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 at (302) 739-9283.

Sincerely,



Jesse Hayden (Sep 23, 2026 11:13:16 EDT)

Jesse Hayden, Administrator
Delaware Coastal Management Program

JH/mts

cc: File FC 2026.0031
Justin Hathaway, HUD
Scott Rifkin, AZ-RI
Tina Merrill, DAQ
Faith Garcia, DFW