



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 24, 2026

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

**RE: Delaware Coastal Management Program — Federal Consistency Determination
Concurrence for HUD W6th Street Laurel (FC 2026.0028)**

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, submitted on behalf of the US Department of Housing and Urban Development (HUD). The review commenced on July 14, 2026, upon receipt of an administratively complete submission dated July 10, 2026. The due date of September 11, 2026, was extended by 15 days to September 26, 2026, pursuant to 15 CFR 930.41(b).

PROPOSED ACTION

HUD proposes to provide community project funding to Sussex County Habitat for Humanity for the construction of three new single-family homes along W. 6th Street in Laurel, Sussex County, Delaware (Parcels 432-8.05-29.00, 432-8.05-56.00, and 432-8.05-59.01). Approximately 0.2 acres of tree clearing is planned on parcel 432-8.05-59.01, scheduled to take place in winter of 2026/27. No project activities are proposed within wetland areas. Sediment and stormwater management requirements will be completed with Sussex County Conservation District prior to construction.

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 the HUD W6th Street Laurel project. Public notice of this proposed action was published in the Daily State News and The News Journal on July 31, 2026. The notice was also posted on DNREC public notices webpage in English and Spanish. The public was given 20 days to comment on this notice. No public comments were received in response.

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
DNREC, Division of Parks and Recreation
DNREC, Division of Watershed Stewardship

Please be advised that the Division of Air Quality 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: Particulate Emissions from Construction and Materials Handling (7 DE Admin. Code 1106), Open Burning (7 DE Admin. Code 1113), Conformity of General Federal Actions to the State Implementation Plan (7 DE Admin. Code 1135), 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).

The DCMP noted that the wetlands present on parcel 432-8.05-59.01 are part of the Nanticoke River Natural Area. The Division of Parks and Recreation recommends avoiding building structures on the portion of the property that is Natural Area, and the Division of Fish and Wildlife (DFW) recommends a minimum 100 ft buffer be left intact

around the perimeter of the wetland. Lot lines, roadways, and infrastructure should not be placed within this buffer zone. Additionally, DFW recommends that tree clearing not occur from April 1 to July 31, to reduce impacts to nesting birds and other wildlife species that utilize forests for breeding.

The DCMP has considered the possible coastal effects of this project, including impacts on wetlands, Natural Areas, and sensitive species. To minimize impacts to natural resources, the project proposes to avoid disturbance to the wetland within the Natural Area, and to clear trees outside of recommended time of year restrictions, while providing housing resources in a residential area.

CONCURRENCE

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that the project as proposed 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 Stephanie Zmina at (302) 739-9283.

Sincerely,



Jesse Hayden (Sep 24, 2026 09:38:54 EDT)

Jesse Hayden, Administrator
Delaware Coastal Management Program

JH/sz

cc: File FC 2026.0028
Scott Rifkin, AZ-RI
Justin Hathaway, HUD
Elaine Webb, DWS
Tina Merrill, DAQ
Faith Garcia, DFW
Benjamin Schlusser, DPR