



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

Ashley Keesling
Partner Engineering and Science
1515 Mockingbird Lane, Ste 840
Charlotte, NC 28209

**RE: Delaware Coastal Management Program — Federal Consistency Determination
Concurrence for HUD King Street Lofland Park Seaford (FC 2026.0029)**

Dear Ashley Keesling,

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 28, 2026, upon receipt of an administratively complete submission.

PROPOSED ACTION

HUD proposes to provide bridge loan funding for maintenance and repair activities to an assisted living facility, Lofland Park Center, at 715 E King St, Seaford, Delaware. The activities include various repair/replacement of external and internal building components, such as railings, HVAC system, windows, roofing, parking lot asphalt pavement coating, and the repair of a bulkhead and boardwalk on the bank of Williams Pond adjacent to the Nanticoke River.

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 King Street Lofland Park Seaford project. Public notice of this proposed action was published in the Daily State News and The News Journal on August 21, 2026. The notice was also posted on DNREC public notices webpage in English, Spanish, and Haitian Creole. 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 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 Division of Fish and Wildlife (DFW) notes that the Nanticoke River is utilized during upstream migration and spawning of several aquatic species of concern, including American shad, blueback herring, alewife, American eel, and largemouth bass. To minimize impacts to these species, DFW states in-water work or work that introduces sedimentation should not take place between March 1 to June 30.

It is important to note that federal consistency concurrence with the funding of this project does not exempt the applicant from other state and federal authorization requirements. For this project site, the Sussex County Conservation District should be consulted for Sediment and Stormwater Plan requirements, and the DNREC Division of Water should be contacted regarding any necessary subaqueous land permits and/or leases. For federal authorizations, an Army Corps of Engineers permit may be required for the bulkhead repair, and an additional CZMA federal consistency review by the DCMP may be required.

CONCURRENCE

Based on its review and pursuant to 15 CFR 930, the DCMP concurs that HUD funding of the King Street Lofland Park Seaford 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 14:20:45 EDT)

Jesse Hayden, Administrator
Delaware Coastal Management Program

JH/sz

cc: File FC 2026.0029
Angelique Crews, Partner Sci
Anna Krick, Partner Sci
Piotr Zych, Partner Sci
Michael Nelson, Partner Sci
Justin Hathaway, Partner Sci
Elaine Webb, DWS
Tina Merrill, DAQ
Faith Garcia, DFW