

EDO Principal Correspondence Control

FROM: DUE: 10/23/06 EDO CONTROL: G20060815
DOC DT: 09/22/06
FINAL REPLY:

Brian P. Thompson
State of Connecticut

TO:

Lieberman, OGC

FOR SIGNATURE OF :

** GRN **

CRC NO:

Dyer, NRR

DESC:

ROUTING:

Changes to Connecticut's Coastal Management
Program to Update the Federal Consistency Lists

Reyes
Virgilio
Kane
Silber
Johnson
Burns
Collins, RI
Stronsider, NMSS
Cyr, OGC

DATE: 09/29/06

ASSIGNED TO:

CONTACT:

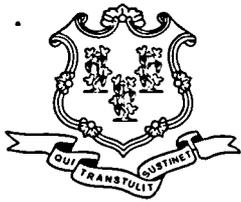
NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Template: EDO-001

ERIDS: EDO-01



**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



September 22, 2006

Jim Lieberman
Office of General Counsel
Nuclear Regulatory Commission
Mail Stop 15B-18
Washington, DC 20555

**Subject: Changes to Connecticut's Coastal Management Program to
update the Federal consistency lists**

Dear Interested Party:

This letter is to notify you that the State of Connecticut is requesting the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management's (NOAA-OCRM's) approval of and concurrence with our proposed changes to our Federal consistency lists, including our lists of Federal agency actions (including Outer Continental Shelf actions), Federal licenses and permits, and Federal assistance programs. These lists are used by Federal agencies as part of the criteria for determining what Federal actions must be submitted to the State of Connecticut for review of their consistency with our Federally-approved coastal management program (CMP). The lists have been updated in accordance with 15 CFR 930 Subparts C-F of the Federal Consistency Regulations. A similar but separate list of interstate activities subject to Federal licenses and permits was previously submitted for Federal and public review in accordance with 15 CFR 930 Subpart I, and approved by OCRM on June 20, 2006. Because of the nature of the proposed interstate items and their potentially foreseeable coastal effects, they are also included in the presently proposed list of activities within Connecticut's coastal zone.

The purpose of incorporating these changes into Connecticut's CMP is to enable the Program to determine, through both in-house technical review and public consultation via the public notice process, whether actions proposed by Federal agencies are consistent with the policies and standards of the State's federally approved coastal management program, so that any adverse impacts to identified coastal resources and uses can be evaluated and addressed, as appropriate. Connecticut's existing Federal consistency lists are more than 25 years old. The proposed updated lists reflect both our experience working with the Federal agencies over that period, and in some cases, the reorganization of those agencies. The descriptions of a number of activities subject to management have been minimally altered to clarify the scope or geographic location of those activities. Other activities have been relocated within the list under the agencies within whose jurisdiction they presently fall, thus resulting in minimal alterations of authorities or organizations involved in the review, or in procedures for coordination and public involvement. A number of previously listed activities that no longer occur have been delisted, while several previously non-existent or unlisted activities have been added. There are also

several listings that are unchanged. Based on the limited number and minimal nature of such alterations, we have concluded that the proposed updates to Connecticut's existing Federal consistency lists constitute a routine program change (RPC) and do not rise to the level of a program amendment.

Under the relevant Federal regulations, we are required to notify interested parties and local, State and Federal officials of this proposed updating of our Federal consistency lists. Therefore, please find enclosed a copy of our public notice which was published on September 22, 2006, our existing Federal consistency list, titled *Connecticut's Federal Activities, Permits and Licenses, and Financial Assistance Programs*, and our proposed revised Federal consistency list, titled *Connecticut's Proposed Federal Consistency Lists*.

If you have any questions regarding this letter, or for more information on the proposed changes, please contact Tom Ouellette, DEP-OLISP, at 860-424-3034 or by email at tom.ouellette@po.state.ct.us, or by mail at DEP-OLISP, 79 Elm Street, Hartford, CT 06106-5127. This notification is required by Federal regulations and no action is necessary on your part if you have no comments. However, you are invited to comment to NOAA-OCRM on whether or not this request constitutes a routine program change pursuant to section 15 Code of Federal Regulations Subpart H. Such comments may be submitted to Mr. John King, Chief, Coastal Programs Division, NOAA/OCRM, 1305 East-West Highway, Silver Spring, MD 20910. Comments must be received by Mr. King no later than October 13, 2006.

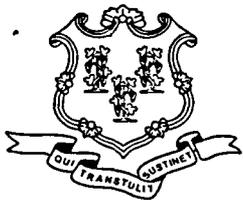
Sincerely,



Brian P. Thompson
Director
Office of Long Island Sound Programs
Bureau of Water Protection and Land Reuse

BPT/to/ko

Enc.



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LONG ISLAND SOUND PROGRAMS

Legal Notice

Under the provisions of 15 CFR 930, Federal Consistency with Approved Coastal Management Programs, the State of Connecticut has, since 1980, had lists of Federal agency actions, licenses and permits, and assistance programs that can result in foreseeable coastal effects in Connecticut. The lists are provided to indicate to Federal agencies which actions require Federal coastal consistency review.

Connecticut has developed proposed revisions to the Federal consistency lists, and is submitting those revisions to the National Oceanic and Atmospheric Administration-Office of Ocean and Coastal Resource Management (NOAA-OCRM) for review and approval as a routine program change (RPC) to Connecticut's federally approved Coastal Management Program (CCMP) pursuant to 15 CFR 923 Subpart H, Amendments to and Termination of Approved Management Programs. The proposed revisions include clarifications of some existing listed items, deletions of some existing items, and addition of certain items. The clarifications include, as appropriate, the addition of statutory citations to the described activities, the relocation of listed items under new or different federal agencies, the relocation of certain activities from one sub-list to another, or the addition of text to better describe the intent of the action. Connecticut's complete proposed Federal consistency list includes certain Federal actions that may occur partially or wholly in the waters of other states and have a reasonably foreseeable coastal effect in Connecticut. That "interstate list" was approved separately by NOAA-OCRM on June 20, 2006.

The newly listed items and deleted items are presented below. Connecticut's existing listings, including interstate items, and the full texts of all presently proposed listings, are available at <http://www.dep.state.ct.us/olisp/index.htm>. The proposed list changes do not rise to the level of program amendments because they do not, to more than a minor degree, alter: 1) the uses presently subject to management; 2) any existing special management areas; 3) the existing coastal boundary; 4) existing authorities or organization; or 5) existing requirements for coordination, public involvement and national interest.

The purpose of incorporating these changes into Connecticut's Coastal Management Program (CMP) is to enable the CMP to conduct Federal coastal consistency review of proposed Federal activities, licenses and permits, and assistance programs to ensure that they are consistent with the CMP. This is notification of the opportunity for public comment to NOAA-OCRM, at the address indicated below, on whether this proposal constitutes a routine program change.

Federal actions proposed to be added in the Federal Consistency List are:

Approved by: 

Federal Activity

Department of Commerce

National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS)

- Designation of essential fish habitat

National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS)

- Designation of a marine sanctuary

Department of Defense

Army Corps or Engineers (ACOE)

- New or changes to existing nationwide, regional, or Connecticut-only general permits
- Dredged material management plans

Department of Defense

All DOD Agencies other than Army Corps or Engineers (ACOE)

- Acquisition or disposal of land

Department of Homeland Security

Coast Guard

- Acquisition or disposal of land
- Construction or reconstruction affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting or containing tidal or coastal waters
- Rules or regulations or changes thereto affecting the operation of moveable bridges over tidal, coastal, or navigable waters
- Area Contingency Plans
- Development of rules or regulations applicable to construction or reconstruction of buildings or changes in land use

Department of the Interior

Bureau of Indian Affairs (BIA)

- Land transfer into trust for native American tribes

Fish and Wildlife Service (FWS)

- Construction or reconstruction affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting or containing coastal waters or tidal wetlands.
- Comprehensive Conservation Plans for wildlife refuges and other wildlife areas, including land protection plans

National Park Service (NPS)

- Construction or reconstruction affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting containing coastal waters or tidal wetlands

Department of Transportation

Federal Aviation Administration (FAA)

- Expansion, land clearing, new construction, safety improvements, and other

federal development activities affecting the layout of airports including proposals for new airports

- Acquisition or disposal of land
- Construction or reconstruction affecting the overall size or configuration of buildings or other facilities (e.g., runways, taxiways, lighting systems, stormwater management system components, paved parking) on any Federally owned or leased property

Environmental Protection Agency (EPA)

- Removal and remedial activities conducted under the Comprehensive Environmental Response, Compensation and Liability Act of 1980,
- Adoption of new or amendment to existing "new source performance standards"

Federal actions proposed to be deleted from the existing Federal Consistency List:

Federal Activity

Department of Energy

- Prohibition orders

Department of the Interior

Fish and Wildlife Service (FWS)

- Preparation and approval of plans and implementing mechanisms pursuant to management of fisheries within 200 nautical mile extended jurisdiction

Minerals Management System (MMS)

- Development of federal minerals ownership rights

Federal License/permit

Federal Energy Regulatory Commission

- Siting, construction, and operation of non-nuclear power plants

Department of Defense

Army Corps of Engineers (ACOE)

- Approval of plans for improvements made at private expense under USACE supervision
- Establishment of harbor lines

Department of Transportation

- Construction or modification of bridges, causeways or pipeline over navigable waters

Environmental Protection Agency (EPA)

- Permits pursuant to the Resources Recovery and Conservation Act of 1976

Federal Assistance

Department of Agriculture

- Business and Industrial Loans (10.422)
- Community Facilities Loans (10.423)
- Industrial Development Grants (10.424)(now 10.769 – Rural Business Enterprise Grants)
- Irrigation, Drainage, and other Soil and Conservation Loans (10.409)
- Resource Conservation and Development Loans (10.414)
- Watershed Protection and Flood Prevention (construction only)(10.904)

- Watershed Protection Flood Prevention Loans (10.419)

Department of Commerce

- Commercial Fisheries Research and Development (11.407)
- Development and Promotion of Ports and Intermodal Transportation (11.501) (now 20.801)
- Economic Development Grants and Loans for Public Works and Development Facilities (11.300)
- Economic Development-Public Works Impact Projects (11.304)
- Local Public Works Capital Development and Investment Act of 1976 Projects (11.310 – now 11.307 – Economic Adjustment)

Department of Housing and Urban Development

- Community Development Block Grants/Discretionary Grants (14.219)(now 13.219 – Community Development Block Grants/Small Cities Program)
- Community Development Block Grants/Entitlement Grants (14.218)
- Disaster Assistance (14.701) (now 14.701 Community Disaster Loans)
- Flood Insurance (14.001)
- New Communities-Loan Guarantees (14.207)
- Various Mortgage Insurance Programs: Mortgage Insurance-construction or Rehabilitation of Condominium Projects (14.112); Mortgage Insurance-Development of Sales-Type Cooperative Projects (14-115); Mortgage Insurance-Investor Sponsored Cooperative Housing (14.124); Mortgage Insurance-Land Development and New Communities (14.125); Mortgage Insurance-Management Type Cooperative Projects (14.126); Mortgage Insurance-Mobile Home Parks (14.127); Mortgage Insurance-Hospitals (14.128); Mortgage Insurance-Nursing Home and Related Care Facilities (14.129)

Department of the Interior

- Additional Water Resources Research (15.950)
- Minerals Discovery Loan Program (15.802)

Department of Transportation

Federal Aviation Administration (FAA)

- Airport Development Aid Program (20.102)

Environmental Protection Agency (EPA)

- Air Pollution Control Survey and Demonstration Grants (construction projects only)(66.005)
- Construction Grants for Wastewater Treatment Works (66.418)
- Sole Source Aquifer Program Grants (_____)
- Solid Waste Management Demonstration Grants (66.452)
- Water Pollution Control-Research, Development, and Demonstration (construction projects only)(66.506)

Outer Continental Shelf (OCS) Activities

Department of the Interior

Minerals Management Service (MMS)

- OCS lease sales and other actions taking place on the Outer Continental Shelf, including but not limited to operating orders, etc.

For a printed copy of the proposed changes or for more information, contact Tom Ouellette, DEP-OLISP, 79 Elm Street, Hartford, CT 06106-5127, by phone at 860-424-3034, or by email at tom.ouellette@po.state.ct.us. Comments on whether this action constitutes a routine program change should be submitted to Mr. John King, Chief, Coastal Programs Division NOAA-/OCRM, 1305 East-West Highway, Silver Spring, MD 20910. Comments must be received by Mr. King no later than October 13, 2006.

September 22, 2006

Connecticut's Proposed Federal Consistency Lists

2006

This list includes items contained in Connecticut's Interstate Federal Consistency List, which was approved by OCRM on June 20, 2006. These interstate items are included here because they also apply within Connecticut's coastal zone. Any list item that does not include within the proposed text a specific reference to another state applies only within Connecticut. If any of the items are not approved by OCRM, they will be removed from our final list.

Federal Activity

Department of Commerce

National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS)

- * Fisheries management plans and implementing mechanisms pursuant to Magnuson-Stevens Act of 1996, as amended; Atlantic Tunas Convention Act of 1975, as amended; Marine Mammals Protection Act of 1972, as amended; and/or the Atlantic Coastal Fisheries Cooperative Management Act of 1993, as amended.
- * Designation of essential fish habitat pursuant to the Magnuson-Stevens Act of 1996, as amended.

National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS)

- * Designation of a marine sanctuary pursuant to Marine Protection, Research and Sanctuaries Act of 1972, as amended.

Department of Defense

Army Corps of Engineers (ACOE)

- * Selection of open water dredged material disposal sites pursuant to the Clean Water Act (33 USC Section 1251 et.seq.), as amended, and/or the Marine Protection, Research and Sanctuaries Act (33 USC Section 1401 et.seq.), as amended.
- * New or changes to existing nationwide, regional, or Connecticut-only general permits issued pursuant to 33 CFR Parts 320 - 330, as amended.
- * Beach erosion control projects conducted pursuant to Section 103 of the Rivers and Harbors Act of 1962, as amended.
- * Flood control projects conducted pursuant to Section 205 of the Flood Control Act of 1948, as amended.
- * Navigation projects conducted pursuant to Section 107 of the Rivers and Harbor Act of 1960, as amended.
- * Snagging and clearing for flood control conducted pursuant to Section 208 of the Flood Control Act of 1937, as amended.
- * Protection, clearing and straightening channels pursuant to Section 3 of the Rivers and Harbors Act, as amended.

Federal Activity

Department of Defense

Army Corps of Engineers (ACOE)

- * Dredged material management plans pursuant to Engineering Circular (E. C.) 1165-100 Policy National Harbor Programs Dredged Material Management Plans, as amended.
- * Acquisition or disposal of land pursuant to 33 USC Chapter 12, as amended, and/or The Property Act (40 USC 101), as amended.
- * Operational plans, procedures, and facilities for handling or storage of hazardous materials.
- * Location, design, acquisition of new or expanded defense installations pursuant to 10 U.S.C. § 2802, as amended, regardless of the facility's active or reserve status, and including associated housing, transportation or other facilities on properties.
- * Establishment or modification of impact, compatibility, security areas, or other restricted use zones pursuant to 10 U.S.C. § 2802, as amended and regardless of whether on the upland or in the water if the establishment or modification of such an area or zone will restrict existing or future public access to or navigation on or through coastal waters.

All DOD Agencies other than Army Corps of Engineers (ACOE)

- * Acquisition or disposal of land pursuant to 10 USC 2661 et seq. 10 U.S.C. § 2802, as amended, and/or The Property Act (40 USC 101) 10 U.S.C. § 2802, as amended.

Department of Homeland Security

Coast Guard

- * Establishment or modification of impact, compatibility, security zones, waterfront safety zones, or other restricted use zones pursuant to 33 USC Sections 1221 et seq. 10 U.S.C. § 2802, as amended, regardless of whether on the upland or in the water if the establishment or modification of such an area or zone will restrict existing or future public access or navigation within the coastal area as defined in Connecticut General Statutes section 22a-93(3).
- * Expansion, abandonment, or designation of anchorages, lightering areas, or shipping lanes pursuant to 33 USC 471 et seq., as amended.
- * Acquisition or disposal of land pursuant to 14 USC 92, as amended, and/or The Property Act (40 USC 101), as amended.
- * Construction or reconstruction pursuant to 14 USC 92, as amended, affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting or containing tidal or coastal waters, as defined in Connecticut General Statutes section 22a-93(5) or tidal wetlands as defined in Connecticut General Statutes section 22a-29(2).

Federal Activity

Department of Homeland Security

Coast Guard

- * Rules or regulations or changes thereto, pursuant to 33 USC 499, as amended, affecting the operation of moveable bridges over tidal, coastal, or navigable waters.
- * Area Contingency Plans developed pursuant to 33 USC Section 1321, as amended.
- * Location, placement, or removal of air or sea navigation devices pursuant to 33 USC 472 et. seq., as amended, except when such actions are part of routine maintenance operations or are intended to reset aids that have shifted due to weather or other causes.
- * Location, design, construction or enlargement of Coast Guard stations pursuant to 14 USC 93, as amended.
- * Development of rules or regulations pursuant to 44 CFR Part 1, as amended, and applicable to construction or reconstruction of buildings or changes in land use.

Department of the Interior

Bureau of Indian Affairs (BIA)

- * Land transfer into trust for native American tribe pursuant to 25 CFR Part 151, as amended.

Fish and Wildlife Service (FWS)

- * Acquisition or disposal of land pursuant to 16 USC Part 742f or 742k, as amended, and/or The Property Act (40 USC 101), as amended.
- * Construction or reconstruction pursuant to 16 U.S.C. § 742f, as amended, and affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting or containing coastal waters or tidal wetlands.
- * Comprehensive Conservation Plans for wildlife refuges and other wildlife areas, including land protection plans, pursuant to The National Wildlife Refuge System Improvement Act of 1997, as amended.

Minerals Management Service (MSS)

- * OCS oil and gas lease sales pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. §§1331 et seq.), as amended.

National Park Service (NPS)

- * Acquisition or disposal of land pursuant to the Property Act (40 USC 101), as amended.
- * Construction or reconstruction pursuant to 16 U.S.C. §§ 1-460, as amended, and affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting containing coastal waters or tidal wetlands.

Federal Activity

Department of Transportation

Federal Aviation Administration (FAA)

- * Expansion, land clearing, new construction, safety improvements, and other federal development activities pursuant to 49 USC 106(n), as amended, and affecting the layout of airports including proposals for new airports.
- * Acquisition or disposal of land pursuant to 49 USC 106(n), as amended, and/or 49 USC 40110, as amended.
- * Construction or reconstruction pursuant to 49 USC 106(n), as amended, and/or 49 USC 40110, as amended, affecting the overall size or configuration of buildings or other facilities (e.g., runways, taxiways, lighting systems, stormwater management system components, paved parking) on any Federally owned or leased property.
- * Location, placement, construction, demolition, or removal of air navigation facilities pursuant to 49 USC 44502, as amended.

Environmental Protection Agency (EPA)

- * Removal and remedial activities conducted under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended.
- * Adoption of new or amendment to existing "new source performance standards" pursuant to 40 CFR Part 60, as amended, including Subparts D, Da and Db, as amended.
- * Designation of open water dredged material disposal sites pursuant to the Clean Water Act (33 USC Section 1251 et.seq.), as amended, and/or the Marine Protection, Research and Sanctuaries Act (33 USC Section 1401 et.seq.), as amended.

General Services Administration

- * Acquisition or disposal of land pursuant to the Property Act (40 USC 101), as amended.
- * Construction or reconstruction pursuant to The Public Buildings Act of 1959, as amended, and affecting the overall size or configuration of buildings or other facilities (e.g., boat launch ramps, stormwater management system components, paved parking, boardwalks) on any Federally owned or leased property abutting or containing tidal or coastal waters, as defined in Connecticut General Statutes section 22a-93(5) or tidal wetlands as defined in Connecticut General Statutes section 22a-29(2).

Federal License/permit

Federal Energy Regulatory Commission (FERC)

- * Certificates of public convenience and necessity pursuant to the Natural Gas Act (15 U.S.C. 717), as amended, the Energy Reorganization Act of 1974, as amended, and/or the Energy Policy Act of 2005, as amended, for gas pipelines and authorizations for the import or export of natural gas if such facilities are proposed within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck.
- * Orders pursuant to the Federal Power Act (16 USC 824a), as amended, directing the interconnection of electric transmission lines, whether permanent or temporary, if such interconnection includes or requires construction of new facilities located within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck River.
- * Licenses and permits pursuant to 16 USC 797, as amended, or re-licenses pursuant to 16 USC 808, as amended, for the construction, operation, or maintenance of dams, water conduits, reservoirs, or other projects affecting either watercourses within Connecticut's coastal area, or the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts, if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.

Surface Transportation Board (STB)

- * New construction, expansion, upgrading, curtailment, abandonment, or demolition of railroad facilities or services pursuant to 49 CFR 249, as amended, in or affecting the coastal area, including actions regarding the Northeast Corridor Improvement Project.

Department of Defense

Army Corps of Engineers (ACOE)

- * Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the United States pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408), as amended.
- * Construct structures or conduct activities in navigable waters pursuant to Sections 9 and 10 of the River and Harbors Act of 1899, as amended.
- * Licenses or permits pursuant to the Clean Water Act, Section 404 (33 U.S.C. 1344), as amended, for the discharge of dredged or fill material into the waters of the United States including such activity outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and/or the Pawcatuck River.
- * Licenses or permits pursuant to section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et. seq.), as amended, within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound.

Federal License/permit

Department of Defense

Army Corps of Engineers (ACOE)

- * Licenses or permits pursuant to Section 10 of the Rivers and Harbors Act of 1899, as amended, for the creation of an obstruction either on watercourses within Connecticut's coastal area, or that alter or modify the course, condition, location or capacity of the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts, if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.
- * Licenses or permits pursuant to Section 9 of the River and Harbors Act of 1899 (33 CFR 321), as amended, for the construction of dams or dikes either on watercourses within Connecticut's coastal area, or that alter or modify the course, condition, location or capacity of the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.
- * Licenses or permits pursuant to Section 10 of the River and Harbors Act of 1899, as amended, for dredging, channel improvements, other navigation works, beach replenishment, erosion control structures, dams or flood control works, creation of artificial islands or other structures, dredging or excavation of materials from offshore borrow areas, and/or maintenance dredging within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck River.

Department of Energy

Nuclear Regulatory Commission (NRC)

- * Licenses and certificates for the siting, construction, operation, or decommissioning of nuclear power plants anywhere in Connecticut pursuant to Atomic Energy Act of 1954, as amended, Title II of the Energy Reorganization Act of 1974 (16 U.S.C. 796 and 797), as amended, and/or the National Environmental Policy Act of 1969, as amended.

Department of Homeland Security

Coast Guard

- * Licenses and permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501 et. seq.), as amended.

Department of the Interior

Fish and Wildlife Service (FWS)

- * Licenses and permits issued pursuant to the Endangered Species Act (16 U.S.C. 1539(a)), as amended.

Federal License/permit

Department of the Interior

Minerals Management Service (MMS)

- * Licenses and permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334, 43 U.S.C. 931(c), and 20 U.S.C. 185), as amended.
- * Licenses and permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to the OCS Lands Act (43 U.S.C. 1334), as amended, and exploration and development plans.
- * OCS exploration and development and production plans pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et. seq.), as amended.

Environmental Protection Agency (EPA)

- * Licenses and permits pursuant to the underground injection control program under Section 1424 of the Safe Drinking Water Act (42 U.S.C. 300h-c), as amended.
- * Licenses and permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857), as amended.

Federal Assistance

Department of Agriculture

- * Water and Waste Disposal Systems for Rural Communities.
- * Resource Conservation and Development (construction only).

Department of Transportation

- * Highway Research, Planning and Construction (construction only).
- * Urban Mass Transportation Demonstration Grants.

**CONNECTICUT'S
FEDERAL ACTIVITIES, PERMITS AND LICENSES,
AND FINANCIAL ASSISTANCE PROGRAMS**

(June 2006)

FEDERAL ACTIVITIES

Federal Agency	Activity or Development Project
Department of Defense Army Corps of Engineers	<ul style="list-style-type: none">-Proposed authorizations for dredging, channel improvements, other navigation works, beach replenishment, erosion control structures, dams or flood control works, maintenance dredging-Land acquisition for spoil disposal or other purposes-Selection of open water disposal sites
Department of Defense All Other Agencies	<ul style="list-style-type: none">-Location, design, acquisition of new or expanded defense installations (active or reserve status), including associated housing, transportation or other facilities-Plans, procedures and facilities for handling or storage of hazardous materials-Establishment of impact, compatibility or restricted uses zones.
Department of Transportation	<ul style="list-style-type: none">-Location, design, construction or enlargement of Coast Guard Stations-Location, placement or removal of air or sea navigation devices.-Expansion, abandonment designation of anchorages, lightering areas, shipping lanes or pilot areas.
Department of Energy	<ul style="list-style-type: none">-Prohibition orders
Department of Interior	<ul style="list-style-type: none">-Proposed land acquisition by the U.S. Fish and Wildlife Service or the National Park Service-OCS lease sales and other actions taking place on the Outer Continental Shelf, including but not limited to operating orders, etc.-Development of federal minerals ownership (FMO) rights
General Services Administration	<ul style="list-style-type: none">-Location and design of proposed federal government property or buildings whether leased or owned by the federal government-Disposal of federal surplus lands and approval
National Marine Fisheries Service (and North Atlantic Fisheries Management Council)	<ul style="list-style-type: none">-Preparation and approval of plans and implementing mechanisms pursuant to management of fisheries within the 200 nautical mile extended jurisdiction

Federal Agency

Amtrak, Conrail

Activity or Development Project

-Expansions, curtailments, new construction, upgradings, or abandonments of railroad facilities or services in or affecting the state, including actions regarding the Northeast Corridor Realignment

LICENSES AND PERMITS

Federal Agency

Department of Defense,
Army Corps of Engineers

License or Permit and Statutory Citation

-Licenses or permits pursuant to Section 10 of the River and Harbors Act of 1912, as amended, for dredging, channel improvements, other navigation works, beach replenishment, erosion control structures, dams or flood control works, creation of artificial islands or other structures, dredging or excavation of materials from offshore borrow areas, and/or maintenance dredging within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck River.

-Licenses or permits pursuant to Section 9 of the River and Harbors Act of 1899 (33 CFR 321), as amended, for the construction of dams or dikes either on watercourses within Connecticut's coastal area, or that alter or modify the course, condition, location or capacity of the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.

-Licenses or permits pursuant to Section 10 of the Rivers and Harbors Act of 1899, as amended, for the creation of an obstruction either on watercourses within Connecticut's coastal area, or that alter or modify the course, condition, location or capacity of the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts, if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.

-Establishment of harbor lines pursuant to Section 11 of the Rivers and harbors Act of 1899 (33 U.S.C. 404,405)

-Occupation of sea wall, bulkhead, Jetty, dike, levee, wharf, pier, Or other work built by the United States pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408)

-Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbor Act of 1902 (33 U.S.C. 565)

-Licenses or permits pursuant to the Clean Water Act, Section 404 (33 U.S.C. 1344), as amended, for the discharge of dredged or fill material into the waters of the United States including such activity outside of the State's coastal zone in Long Island Sound, Fishers

Island Sound, the Byram River, Little Narragansett Bay and/or the Pawcatuck River.

-Licenses or permits pursuant to section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et. seq.), as amended, within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound.

-Construction of artificial islands and fixed Islands and fixed structures in Long Island Sound Pursuant to Section 4(f) of the River And Harbors Act of 1912 (33 U.S.C.)

-Licenses or permits pursuant to 16 USC 797, as amended, or re-licenses pursuant to 16 USC 808, as amended, for the construction, operation, or maintenance of dams, water conduits, reservoirs, or other projects affecting either watercourses within Connecticut's coastal area, or the main stem of the Connecticut River at or south of the dam at Holyoke, Massachusetts, if the proposed activity will result in an alteration, whether temporary or permanent, of the flow characteristics (rates and/or volumes) of the Connecticut River.

Department of
Transportation Coast Guard

-Construction or modification of Bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455

-Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501)

Environmental Protection
Agency

-NPDES permits and other permits for federal installations, discharges in contiguous zones and ocean waters, sludge runoff permits and agriculture pursuant to Sections 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343 and 1328)

-Permits pursuant to the Resources Recovery And Conservation act of 1976

-Permits pursuant to the underground injection Control program under Section 1424 of the Safe Drinking Water Act (42 U.S.C. 300h-c)

-Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857)

Nuclear Regulatory
Commission

-Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969

Federal Energy Regulatory

-Orders pursuant to the Federal Power Act (16 USC 824a), as amended, directing the interconnection of electric transmission lines, whether permanent or temporary, if such interconnection includes or requires construction of new facilities located within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck River.

- Siting, construction and operation of non-nuclear power plants
- Certificates of public convenience and necessity pursuant to the Natural Gas Act (15 U.S.C. 717), as amended, the Energy Reorganization Act of 1974, as amended, and/or the Energy Policy Act of 2005, as amended, for gas pipelines and authorizations for the import or export of natural gas if such facilities are proposed within the coastal area of the State of Connecticut or outside of the State's coastal zone in Long Island Sound, Fishers Island Sound, the Byram River, Little Narragansett Bay and the Pawcatuck River.

Department of the Interior¹
U.S. Geological Survey

- Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 13334, exploration and development plans

Bureau of Land Management

- Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931(c) and 20 U.S.C. 185

Fish and Wildlife Service

- Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a))

FEDERAL ASSISTANCE PROGRAMS

DEPARTMENT OF AGRICULTURE

- 10.409 Irrigation, Drainage, and other Soil and Conservation Loans
- 10.414 Resource Conservation and Development Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.901 Resource Conservation and Development (construction only)
- 10.904 Watershed Protection and Flood Prevention (construction only)

DEPARTMENT OF COMMERCE

- 11.300 Economic Development Grants and Loans for Public Works and Development Facilities
- 11.304 Economic Development - Public Works Impact Projects
- 11.310 Local Public Works Capital Development and Investment Act of 1976 Projects
- 11.407 Commercial Fisheries Research and Development
- 11.501 Development and Promotion of Ports and Intermodal Transportation

¹ These activities may be covered under review of OCS plans. If the listed permits and licenses are part of such plan no separate review will be required.

DEPARTMENT OF DEFENSE

- 12.101 Beach Erosion Control Projects
- 12.106 Flood Control Projects
- 12.107 Navigation Projects
- 12.108 Snagging and Clearing for Flood Control
- 12.109 Protection, Clearing and Straightening Channels

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.001 Flood Insurance
- 14.112 Mortgage Insurance-Construction or Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance-Development of Sales-Type Cooperative Projects
- 14.124 Mortgage Insurance-Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance-Land Development and New communities
- 14.126 Mortgage Insurance-Management Type Cooperative Projects
- 14.127 Mortgage Insurance-Mobile Home Parks
- 14.128 Mortgage Insurance-Hospitals
- 14.129 Mortgage Insurance-Nursing Homes and Related Care Facilities
- 14.207 New Communities-Loan Guarantees
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Discretionary Grants
- 14.701 Disaster Assistance

DEPARTMENT OF THE INTERIOR

- 15.802 Minerals Discovery Loan program
- 15.950 Additional Water Resources Research
- 20.102 Airport Development Aid Program
- 20.205 Highway Research, Planning and Construction (construction only)
- 20.506 Urban Mass Transportation Demonstration Grants

ENVIRONMENTAL PROTECTION AGENCY

- 66.005 Air Pollution Control Survey and Demonstration Grants (construction projects only)
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.452 Solid Waste Management Demonstration Grants
- 66.505 Water Pollution Control-Research, Development, and Demonstration (construction projects only)
- 66.506 Safe Drinking Water Research and Demonstration Grants (construction projects only)
- _____ Sole Source Aquifer Program Grants