

**Pham, Bo**

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**From:** Pham, Bo  
**Sent:** Tuesday, October 13, 2009 6:05 PM  
**To:** Bulavinetz, Richard  
**Subject:** RE: Salem & Hope Creek CZMA

good, please hang on to the information highlighted below. it's a crucial aspect on how to coordinate with the states for their CZMA determination.

the point I was trying to get at for the second part of the question was that...

the states always want to see our DSEISs before making their CZMA consistency determination, but the DSEISs don't come out until about 9 months after the LRA is submitted. therefore, they're always interested in our schedule so that they can have a reason to give applicants regarding a delayed determination.

**Bo Pham**

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**From:** Bulavinetz, Richard  
**Sent:** Friday, October 09, 2009 3:55 PM  
**To:** Pham, Bo  
**Cc:** Bulavinetz, Richard  
**Subject:** Salem & Hope Creek CZMA

Per the quests below:

PSEG submitted their consistency certification to NJ (cc the NRC) in mid-Aug (by letter dated August 18, 2009), to request concurrence of PSEG's consistency determination for Salem and Hope Creek.

If the NJ Department of Environmental Protection does not respond within 6 months after submittal of the coastal zone consistency certification by PSEG for the Salem & Hope Creek relicensing requests, than concurrence is presumed. If the state has not issued a decision to the request for concurrence within 3 months of its submittal, then NJ DEP must notify PSEG of the status of the request and the basis for delay [(15 CFR 930.62); (16 USC § 1456 c(3)(A) (Sect 307 of the Coastal Zone Management Act) & (NJ "General Guidance for Federal Consistency (D) (July 2004))].

The second half of your quest was rather open-ended, so I'm not sure if my interpretation below results in an insufficient response or in overkill:

PSEG needs to provide sufficient information per the requirements of the NJ Coastal Management Program to show that they

have complied with NJ's coastal consistency program and have assessed the coastal effects of the proposed activity.

NEPA documents are not necessary, but can be provided as part of the assessment (15 CFR 930.58).

The information required by NJ to assess the coastal effects of a proposal are found in "Coastal Management Rules", New Jersey Administrative Code Title 7, Chapter 7 (N.J.A.C. 7:7) "Coastal Permit Program Rules" and Title 7, Chapter 7E (N.J.A.C. 7:7E) "Coastal Zone Management".

These chapters detail the level of information required by the state (from the applicant) for specific habitats, ecosystems, and species of concern in order for the state to determine whether or not the proposed activity and its impacts are consistent with the state's coastal management program.

Rich

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**From:** Pham, Bo  
**Sent:** Tuesday, September 22, 2009 5:30 PM  
**To:** Bulavinetz, Richard  
**Subject:** CZMA

rich,  
  
so what did you find out about when you'd expect the CZMA consistency determination to be made and what they need for that determination?

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