

## **PENNSYLVANIA'S LISTED FEDERAL ACTIONS**

### **FEDERAL AGENCY ACTIVITIES OR DEVELOPMENT PROJECTS**

1. **U.S. Department of the Interior - Minerals Management Service**
  - a. OCS oil and gas lease sales (Outer Continental Shelf Lands Act (43 USC 1334, et seq.)).
  - b. Pipeline rights-of-way or easements for oil and gas transmission on the Outer Continental Shelf (Outer Continental Shelf Lands Act (43 USC 1334, et seq.)).
2. **U.S. Department of the Interior - National Park Service**
  - a. Designing, acquiring, constructing, modifying and removing facilities and other national park service amenities (National Park Service Concessions Management Improvement Act of 1997 (16 USC 5951)).
  - b. Acquisitions, transfer, and disposal of land, including granting rights-of-way (National Park Service Concessions Management Improvement Act of 1997 (16 USC 5951)).
3. **U.S. Department of the Interior - U.S. Fish and Wildlife**
  - a. Plans for US Fish & Wildlife Service lands such as National Wildlife Refuges (National Wildlife Refuge System Improvement Act of 1997 (16 USC 668dd)).
  - b. Acquisition, transfer, and disposal of land and interest in land including granting rights-of-way (National Wildlife Refuge System Improvement Act of 1997 (16 USC 668dd)).
4. **U.S. Department of Defense - U.S. Army Corps of Engineers**
  - a. Designing, constructing, reconstructing and modifying navigation channels, mooring areas, anchorages, breakwaters, groins, jetties, barriers, harbors, piers docks, sand bypass systems, habitat areas including wetlands, beach and dune nourishment, erosion control and shoreline stabilization structures (Rivers and Harbors Act (33 USC 1), Water Resources Development Act (42 USC 1962 d-5, d5e, d5f)).
  - b. Dredging, storing, dewatering and disposing of dredged material (Marine Protection, Research and Sanctuaries Act (33 USC 1413), Federal Water Pollution Control Act (33 USC 1344)).
  - c. Establishment of harbor lines (Rivers and Harbors Act (33 USC 404)).
  - d. Land acquisition, transfer and disposal including sites for disposal of dredged material (Rivers and Harbors Act (33 USC 558b)).
  - e. Development of or changes to Nationwide Permits, State Programmatic General Permits or Regional Permits (33 CFR Parts 325 and 330).
  - f. Selection of storage, dewatering and disposal sites for dredged material including dredged material management plans (Marine Protection, Research and Sanctuaries Act (33 USC 1413), Federal Water Pollution Control Act (33 USC 1344)).
5. **U.S. Department of Defense - U.S. Navy**
  - a. Acquisition, design and construction of new or modified defense installations (PL 97-214 (10 USC 2682), PL 85-861 (10 USC 2663)).
  - b. Storage, dewatering and disposal of dredged material including development of dredged material management plans (Federal Water Pollution Control Act (33 USC 1344)).
  - c. Ocean discharge and ballast water exchange programs (Act to Prevent pollution from Ships (33 USC 1902)).
  - d. Base closures, disposal of Defense property, including disposal and reuse plans for base closures (Defense Authorization Amendments and Base Closure and Realignment Act (10 USC 2687, and PL 104-106 (USC 2662)).
  - e. Dredging, storing, testing, sampling, dewatering and disposing of dredged material (Marine Protection, Research and Sanctuaries Act (33 USC 1413), and Federal Water Pollution Control Act (33 USC 1344)).

6. **U.S. Department of Defense - U.S. Air Force**
  - a. Acquisition, design and construction of new or modified defense installations (PL 97-214 (10 USC 2682), and PL 85-861 (10 USC 2663)).
  - b. Base closures, disposal of Defense property, including disposal and reuse plans for base closures (Defense Authorization Amendments and Base Closure and Realignment Act (10 USC 2687), and PL 104-106 (USC 2662)).
7. **General Service Administration**
  - a. Acquisition, design, construction, development, transfer, disposal and leasing of federal lands, structures and facilities (Federal Property and Administrative Services Act (40 USC 471, 472)).
8. **U.S. Department of Homeland Security - U. S. Coast Guard**
  - a. Designation, expansion, modification or abandonment of anchorages, lightering areas, navigation channels and shipping lanes (Ports and Waterways Safety Act (33 USC 1223)).
  - b. Dredging, storing, dewatering and disposing of dredged material (Marine Protection, Research and Sanctuaries Act (33 USC 1413), and Federal Water Pollution Control Act (33 USC 1344)).
  - c. Construction of new or enlarged Coast Guard stations, bases and lighthouses (Ports and Waterways Safety Act (33 USC)).
9. **U.S. Department of Commerce - National Marine Fisheries**
  - a. Development of Fishery Management Plans, amendments and framework adjustments (Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1835))
10. **Environmental Protection Agency**
  - a. Designation of open water sites for dredged and other materials and development of standards for designated sites (Marine Protection, Research and Sanctuaries Act (33 USC 1412)).
  - b. Development of Comprehensive Port Improvement Plans (National Environmental Policy Act (42 USC 4321, et seq.))
11. **U.S. Department of Energy - Federal Energy regulatory Commission**
  - a. Grant of right of eminent domain for rights-of-way for natural gas pipelines (Natural Gas Act (15 USC 717f)).
12. **Department of Transportation - Federal Highway Administration**
  - a. Designing, constructing, reconstructing and modifying roads, highways, bridges, causeways and associated transportation facilities such as rest areas, toll areas and park and ride facilities (Pub. L. 97-449, 103-272, 104-324, and 106-159 (49 USC 104)).
  - b. Land acquisition for highway construction and improvements (PL 85-767 and 105-178 (23 USC 107) and Declaration of Taking Act (40 USC 258a)).
13. **Department of Transportation - Federal Aviation Administration**
  - a. Siting and design, installation, construction, and demolition of aviation facilities and aids to navigation (Air Traffic Management System Performance Improvement Act (49 USC 106)).
14. **Department of Transportation - Maritime Administration**
  - a. Ports and intermodal facilities and operations (Merchant Marine Act (46 USC 861), Defense Production Act, and Executive Orders 10480 and 12656).

## **FEDERAL PERMITS AND LICENSES**

1. **Environmental Protection Agency**
  - a. Water Quality Certifications, NPDES permits and other activities requiring a permit or license under sections 401, 402, 405, and 318 of the Federal Water Pollution Control Act (Sections 401, 402, 405 and 318 of the Federal Water Pollution Control Act (33 USC 1341, 1342, 1345 and 1328)).

- b. Permits pursuant to the Clean Air Act including prevention of significant deterioration permits, nonattainment major new source review permits, and permits for major amounts of hazardous air pollutants (Clean Air Act (42 USC 7401, et seq.))
2. **Nuclear Regulatory Commission**
    - a. Approval for the construction, decommissioning, and modification of nuclear facilities, and the possession and use of byproducts, source and special nuclear material (Atomic Energy Act of 1954 (42 USC 2011), Title II of the Energy Reorganization Act of 1974 (42 USC 5841), the National Environmental Policy Act of 1969, and Nuclear Waste Policy Act of 1982 and its 1987 amendments (10 CFR 71, 72 and 50)).
  3. **Federal Energy Regulatory Commission**
    - a. Licenses required for non-federal hydroelectric projects (Federal Power Act (16 U.S.C. 796(11), 797(e), 800, 801, and 808) HYDROPOWER).
    - b. Orders for interconnection of electric transmission facilities (Section 202(b) of the Federal Power Act (16 U.S.C. 824a(b) HYDROPOWER).
    - c. Certificates of public convenience and necessity for the construction of natural gas pipeline facilities, including both interstate pipelines and LNG terminal facilities (Sections 7 and 7(c) of the Natural Gas Act (15 U.S.C. 717 and 717f(c)). (PIPELINES)
    - d. Permission and approval for the abandonment of natural gas pipeline facilities (Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)). (PIPELINES)
  4. **Department of Defense - Army Corps of Engineers**
    - a. Permits for construction of dams, dikes, bulkheads, revetments, groins, jetties, piers, docks, pipelines, cables, seawalls, wharfs, piers or other structures (Sections 9, 10, 11 and 14 of the Rivers and Harbors Act (33 USC 401, et seq)).
    - b. Discharge of dredge or fill material in navigable waters of the United States, including wetlands (Section 404 of the Federal Water Pollution Control Act (33 USC 1344)).
  5. **Department of Homeland Security - US Coast Guard**
    - a. Permits for the construction or modification of bridges or causeways over navigable waters, including affixed pipelines or other structures (Section 9 or 10 of the Rivers and Harbors Act (33 USC 401 and 403), and General Bridge Act (33 USC 491-507, and 525-534)).
    - b. Construction of deepwater ports (Deepwater Ports Act (33 USC 1501 et seq.)).
  6. **Department of Transportation - Surface Transportation Board**
    - a. Approval for construction, expansion, or alteration of railway services and facilities, water carriers, including commercial ferries and associated facilities, and intermodal facilities and operations (49 USC 10101 et seq., 49 USC 10901 et seq., and 49 USC 13101).
  7. **Department of the Interior - Minerals Management Service**
    - a. Licenses and permits described in detail in OCS oil and gas plans (Outer Continental Shelf Lands Act (43 USC 1338 et seq.)).
  8. **Department of Transportation - Surface Transportation Board and Federal Administration**
    - a. Licenses or Certificates for rail line construction, including line crossings (ICC Termination Act of 1995 (49 USC 10101, et seq.)).
    - b. Licenses or Certificates for design, construction, expansion, curtailment, upgrading, or regulating of railroad facilities, including bridges (ICC Termination Act of 1995 (49 USC 10101, et seq.)).
    - c. Licenses or Certificates for removal of trackage and disposition of right-of-way (ICC Termination Act of 1995 (49 USC 10101, et seq.)).

## **FEDERAL ASSISTANCE**

1. **U.S. Department of the Interior - National Park Service**
  - a. 15.916 Outdoor Recreation, Acquisition, Development and Planning
  - b. 15.918 Disposal of Federal Surplus Real Property for Parks, Recreation, and Monuments
  - c. 15.919 Urban Park and Recreation Recovery Program
2. **U.S. Department of the Interior - US Fish and Wildlife Service**
  - a. 15.600 Anadromous Fish Restoration
  - b. 15.605 Sport Fish Restoration
3. **Environmental Protection Agency**
  - a. 66.001 Air Pollution Control Program Support
  - b. 66.005 Air Pollution Control Survey and Demonstration Grants (construction projects only)
  - c. 66.418 Construction Grants for Wastewater Treatment Works
  - d. 66.419 Water Pollution Control, State and Interstate Program Support
  - e. 66.454 Water Quality Management Planning
4. **U.S. Department of Housing and Urban Development**
  - a. 14.110 Manufactured Home Loan Insurance - Financing Purchase of Manufactured Homes as Principal Residences of Borrowers
  - b. 14.112 Mortgage Insurance for Construction or Substantial Rehabilitation of Condominium Projects
  - c. 14.117 Mortgage Insurance - Homes
  - d. 14.124 Investor Sponsored Cooperative Housing
  - e. 14.125 Mortgage Insurance - Land Development and New Communities
  - f. 14.127 Mortgage Insurance - Manufactured Home Parks
  - g. 14.128 Community Development Block Grants/Entitlement Grants
  - h. 14.129 Mortgage Insurance - Nursing Homes, Intermediate Care Facilities, Board and Care Homes and Assisted Living Facilities
  - i. 14.218 Community Development Block Grants - Small Cities Program
  - j. 14.221 Urban Development Action Grants
  - k. 14.225 Community Development Block Grants/Special Purpose Grants/Insular Areas
  - l. 14.228 Community Development Block Grants/State's Program
  - m. 14.231 Emergency Shelter Grants Program
  - n. 14.239 HOME Investment Partnerships Program
  - o. 14.248 Community Development Block Grants - Section 108 Loan Guarantees
5. **U.S. Department of Transportation - Federal Aviation Administration**
  - a. 20.102 Airport Development Aid Program
  - b. 20.103 Airport Planning Grant Program
  - c. 20.106 Airport Improvement Program
6. **U.S. Department of Transportation - Federal Highway Administration**
  - a. 20.205 Highway Planning and Construction
  - b. 20.506 Urban Mass Transportation Demonstration Grants
  - c. 20.515 State Planning and Research
7. **U.S. Department of Commerce - Economic Development Administration**
  - a. 11.300 Grants and Loans for Public Works and Development Facilities
  - b. 11.301 Business Development Assistance
  - c. 11.302 Economic Development -Support
  - d. 11.304 Economic Development - Public Works Impact Projects
  - e. 11.305 State and Local Economic Development Planning
  - f. 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration

- g. 11.308 Grants to States for Supplemental and Basic Funding Titles I, II, III, IV, and V Activities
  - h. 11.501 Development and Promotion of Ports and Intermodal Transportation
  - i. 11.509 Development and Promotion of Domestic Waterborne Transport Systems
8. **Department of Commerce - National Oceanic and Atmospheric Administration**
- a. 11.441 Regional Fishery Management Councils

## **INTERSTATE CONSISTENCY LIST & GEOGRAPHIC LOCATION DESCRIPTION**

### **GEOGRAPHIC LOCATION DESCRIPTION**

The geographic area for the following list of federal actions is along Ohio's Lake Erie shoreline. The area extends from the Ohio/Pennsylvania border approximately 3 miles westward, to an aqueduct located on Ohio's Lake Erie shoreline. More specifically, the aqueduct is located at the northern terminus of Lake Erie Street in the City of Conneaut, Ohio. The geographic area extends from the Ordinary High Water Mark of 572.8 feet (IGLD 1955), lakeward to the United States/Canadian border located in Lake Erie.

### **FEDERAL AGENCY ACTIVITIES**

#### **1. U.S. Department of Defense - U.S. Army Corps of Engineers**

- a. Designing, constructing, reconstructing and modifying navigation channels, mooring areas, anchorages, breakwaters, groins, jetties, barriers, harbors, piers, docks, sand bypass systems, habitat areas including beach and dune nourishment, erosion control and shoreline stabilization structures (Rivers and Harbors Act (33 U.S.C. 1), and Water Resources Development Act (42 U.S.C. 1962 d-5, d5e, d5f)).
- b. Dredging and disposal of dredge or fill material. This includes disposal of dredged material at designated and undesignated open water sites (Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1413), and Federal Water Pollution Control Act (33 U.S.C. 1344)).
- c. Selection of storage, dewatering and disposal sites for dredged material. This activity would include dredged material management plans (Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1413), and Federal Water Pollution Control Act (33 U.S.C. 1344) of dredged material, (Rivers and Harbors Act (33 U.S.C. 558b)).
- d. Land acquisition, transfer and disposal including sites for disposal 1413), and Federal Water Pollution Control Act (33 U.S.C. 1344) of dredged material, (Rivers and Harbors Act (33 U.S.C. 558b)).
- e. Development of or changes to Nationwide Permits, State Programmatic General Permits, and Regional Permits (33 CFR Parts 325 and 330).

#### **1. Department of Homeland Security - U.S. Coast Guard**

- a. Dredging of access channels, mooring and berthing areas at existing or proposed facilities, and disposal of dredged material (Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1413), and Federal Water Pollution Control Act (33 U.S.C. 1344)).

### **FEDERAL LICENSE AND PERMIT ACTIVITIES**

#### **1. Department of Defense**

- a. U.S. Army Corps of Engineers permits for obstructions or alterations in navigable waters (Sections 9, 10, 11, and 14 of the Rivers and Harbors Act (33 U.S.C. 401, et seq.)).
- b. U.S. Army Corps of Engineers permits for discharge of dredge or fill material in navigable (Section 404 of the Federal Clean Water Act (33 U.S.C. 1344)).