APPENDIX 4 - LISTED FEDERAL ACTIONS

This appendix contains the listed federal actions—the complete and current list of federal activities that have been determined by Massachusetts to have reasonably foreseeable effects on coastal uses or resources and may therefore be subject to federal consistency review by the Massachusetts Office of Coastal Zone Management (CZM) without further approval from the National Oceanic and Atmospheric Administration or other federal agency, unless otherwise provided in NOAA's Federal Consistency Regulations. It covers the following categories of activities: federal agency activities, federal license or permit activities, federal assistance to state and local governments, and Outer Continental Shelf exploration, development, and production.

Federal Agency Activities

Listed Activities:

- Department of Defense, U.S. Army Corps of Engineers - Dredging, channel improvements, breakwaters, other navigational work, erosion control structures, beach replenishment, dams, selection of dredged material disposal sites, and real property acquisition or disposal.
- Department of Defense, Air Force, Army, Navy - Location, design, acquisition, construction, or disposal of new or enlarged defense installations; establishment of impact, compatibility, or restricted use zones; and erosion control structures.
- Department of Commerce, National Marine Fisheries Service - Fisheries management plans, endangered species act listings, and designation of critical habitat.
- Department of Transportation, Federal Aviation Administration - Location, design, construction, or disposal of aviation communication or air navigation facilities.
- Department of Homeland Security, U.S. Coast Guard - Location, design, construction, enlargement, or disposal of Coast Guard facilities; designation of Security and Safety Zones under the Port and Waterways Safety Act.
- Department of the Interior, Bureau of Ocean Energy Management, Regulation and Enforcement [formerly the Minerals Management Service] - Oil and gas exploration on federal lands on the Outer Continental Shelf (OCS), offshore sand mining leases, offshore mineral leases, and offshore alternative/renewable energy leases.
- Department of the Interior, National Park Service - Location, design, construction, or disposal of facilities; real property acquisition or disposal.
- Department of the Interior, U.S. Fisheries and Wildlife Service - Location, design, construction, or disposal of facilities; real property acquisition or disposal.
- General Services Administration - Location, design, construction, or disposal of federal facilities; real property acquisition or disposal.
- Department of Transportation, Amtrak, Conrail - Railroad expansion, construction, or abandonments.

Federal License or Permit Activities

Listed Activities:

- Department of Defense, U.S. Army Corps of Engineers - Federal Water Pollution Control Act Section 404 permit for the discharge of dredged or fill materials in navigable waters; Rivers and Harbors Act Section 10 permit for obstruction or alteration of navigable waters or Section 11 permit for establishment of harbor lines; Outer Continental Shelf Lands Act Section 4(f) permit for artificial islands, installations, or other devices permanently or temporarily attached to the seabed of the OCS; and Marine Protection, Research and Sanctuaries Act Section 103 permit for transportation of dredged material for the purposes of dumping in ocean waters.
- Department of Commerce - Marine Protection, Research and Sanctuaries Act Section 304(b) approval of activities affecting marine sanctuaries.
- Department of the Interior - Outer Continental Shelf Lands Act Section 5(e) granting rights of way for oil and gas pipelines in the OCS and Endangered Species Act Section 10 permits.
- Department of Transportation, U.S. Coast Guard - Deep Water Ports Act Section 4 license; Rivers and Harbors Act Section 9 permit for construction or modification of bridge structures across navigable waters; and Regattas and Marine Parade permits.
- Federal Energy Regulatory Commission - Licenses for non-federal hydroelectric projects and primary transmission lines under Sections 3 (11), 4 (e), and 15 of the Federal Power Act; orders for interconnection of electric transmission facilities under Section 202 (b) of the Federal Power Act; certificates for the construction and operation of interstate natural gas facilities, including both pipelines and terminal facilities under Section 7 (c) of the Natural Gas Act and Section 311 of the Energy Policy Act of 2005; permission and approval for the abandonment of natural gas pipeline facilities under Section 7 (b) of the Natural Gas Act.
- U.S. Environmental Protection Agency - Federal Water Pollution Control Act permits under Sections: 401 discharge into navigable waters; 402 National Pollutant Discharge Elimination System (NPDES); 403 discharges into territorial seas, the contiguous zone, and ocean waters farther offshore; 404 ocean dumping authorizations; 405 disposal of sewage sludge; and 102 and 104 ocean dumping permits issued in conjunction with the U.S. Army Corps of Engineers.
- Nuclear Regulatory Commission - Energy Reorganization Act Section 102 license for construction and operation of nuclear power plants.
- Other - All federal license or permit activities described in detail in any OCS plan that is submitted to the Secretary of the Interior or designee, or in any amended plans submitted in response to objections of CZM to a previously submitted plan.

Federal Assistance to State and Local Governments

Listed Activities:

- All activities seaward of a line 100 feet inland of the 100-year floodplain.

- Federal assistance for any power generation, mineral extraction, wastewater treatment and associated infrastructure, transportation facility, or land acquisition.

Outer Continental Shelf Exploration, Development and Production

Listed Activities:

- Preparation of any plan for the exploration or development of, or production from, any area that has been leased under the Outer Continental Lands Act or amended plans submitted in response to objections of CZM to a previously submitted plan.