Is Federal funding for the project used for any of the following actions?

- 16 U.S.C. 3505(a)(1): Any use or facility necessary for the exploration, extraction, or transportation of energy resources which can be carried out only on, in, or adjacent to a coastal water area because the use or facility requires access to the coastal water body.

- 16 U.S.C. 3505(a)(1)(A): A project to prevent the erosion of, or to otherwise stabilize, any inlet, shoreline, or inshore area on CBRS units numbered S01 through S08 and LA-07 for purposes other than encouraging development; and in all units, in cases where an emergency threatens life, land, and property immediately adjacent to that unit.

- 16 U.S.C. 3505(a)(2): The maintenance or construction of improvements of existing Federal navigation channels (including the Intracoastal Waterway) and related structures (such as jetties), including the disposal of dredge materials related to such maintenance or construction. A Federal navigation channel or a related structure is an existing channel or structure, respectively, if it was authorized before the date on which the relevant System Unit or portion of the System Unit was included within the CBRS.

- 16 U.S.C. 3505(a)(3): The maintenance, replacement, reconstruction, or repair, but not the expansion, of publicly owned or publicly operated roads, structures, or facilities that are essential links in a larger network or system. While this exception generally prohibits expansions, there is a provision in CBRA that allows for the expansion of highways in Michigan under this exception (see 16 U.S.C. 3505(c)).


- 16 U.S.C. 3505(a)(5): The construction, operation, maintenance, and rehabilitation of Coast Guard facilities and access thereto.

- 16 U.S.C. 3505(a)(6)(A): Projects for the study, management, protection, and enhancement of fish and wildlife resources and habitats, including acquisition of fish and wildlife habitats and related lands, stabilization projects for fish and wildlife habitats, and recreational projects.


- 16 U.S.C. 3505(a)(6)(D): Scientific research, including aeronautical, atmospheric, space, geologic, marine, fish and wildlife, and other research, development, and applications.

- 16 U.S.C. 3505(a)(6)(E): Assistance for emergency actions essential to the saving of lives and the protection of property and the public health and safety, if such actions are performed pursuant to sections 5170a, 5170b, and 5192 of title 42 and are limited to actions that are necessary to alleviate the emergency. This exception applies only to Presidentially declared disasters and should not be used as a justification for any projects that exceed the scope and needs of the true and immediate emergency (Senate Report 97-419, 8 (1982)).

- 16 U.S.C. 3505(a)(6)(F): Maintenance, replacement, reconstruction, or repair, but not the expansion (except with respect to United States route 1 in the Florida Keys), of publicly owned or publicly operated roads, structures, and facilities.

- 16 U.S.C. 3505(a)(6)(G): Nonstructural projects for shoreline stabilization that are designed to mimic, enhance, or restore a natural stabilization system.

Funding activity may be allowable under an exception but requires consultation. The responsibility for complying with the CBRA and the final decision regarding the expenditure of funds for a particular action or project rests with the Federal funding agency.

Please complete the Template for Inter-agency CBRA Consultations and provide to the USFWS.