

(A), REGARDING THE LOCATION, CONSTRUCTION AND OPERATION OF A DEEPWATER PORT;

(D) REQUEST ALL DOCUMENTS, REPORTS OR OTHER INFORMATION FROM THE FEDERAL SECRETARY UNDER THE FEDERAL ACT WHICH ARE NECESSARY TO ASSIST THE STATE IN THE PROCESSING OF AN APPLICATION;

(E) SET REASONABLE FEES PERMITTED UNDER THE FEDERAL ACT FOR THE USE OF A DEEPWATER PORT FACILITY AND STATE LAND-BASED FACILITIES DIRECTLY RELATED TO A DEEPWATER PORT FACILITY; AND

(F) THE SECRETARY OF NATURAL RESOURCES SHALL OBTAIN THE SUGGESTIONS AND COMMENTS OF THOSE DEPARTMENTS HAVING RESPONSIBILITY ASSOCIATED WITH THE DUTIES ENUMERATED IN THIS SUBSECTION.

3-605. STATE'S DECISION ON APPLICATION SITE.

(A) IF THE STATE HAS QUALIFIED AS AN ADJACENT COASTAL STATE UNDER THE FEDERAL ACT, THE GOVERNOR SHALL PRELIMINARILY DETERMINE THE STATE'S DECISION ON THE PENDING APPLICATION, AND SUBMIT HIS RECOMMENDATION TO THE LEGISLATURE, UNDER SECTION 3-605 (D).

(B) THE STATE'S DECISION SHALL CONSIST OF ONE OF THE FOLLOWING:

(1) APPROVAL OF THE APPLICATION;

(2) DISAPPROVAL OF THE APPLICATION; OR

(3) CONDITIONAL APPROVAL OF THE APPLICATION, UNDER WHICH APPROVAL WOULD BE GRANTED IF THE APPLICATION WERE AMENDED TO REMOVE CERTAIN INCONSISTENCIES WITH STATE PROGRAMS RELATING TO ENVIRONMENTAL PROTECTION, LAND AND WATER USE OR COASTAL ZONE MANAGEMENT.

(C) IN THE PRELIMINARY DETERMINATION OF THE STATE'S DECISION, THE GOVERNOR SHALL CONSIDER FACTORS INCLUDING:

(1) ENVIRONMENTAL REVIEW CRITERIA INCLUDING:

(I) THE EFFECT ON THE MARINE ENVIRONMENT;

(II) THE EFFECT ON OCEANOGRAPHIC CURRENTS AND WAVE PATTERNS;

(III) THE EFFECT ON ALTERNATE USES OF THE OCEANS AND NAVIGABLE WATERS, SUCH AS SCIENTIFIC STUDY, FISHING AND EXPLORATION OF OTHER LIVING AND NONLIVING RESOURCES;

(IV) THE EFFECT OF LAND-BASED DEVELOPMENTS RELATED TO DEEPWATER PORT DEVELOPMENT;