

TABLE 7

**FEDERAL LICENSES AND PERMITS WHICH MUST BE CERTIFIED FOR CONSISTENCY
WITH THE OREGON COASTAL MANAGEMENT PROGRAM**

** Asterisks represent federal license or permit activities that, in addition to review within the state's coastal zone, are also subject to review within the Geographic Location Description (GLD).*

Environmental Protection Agency:

- A) Sections 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 ("Clean Water Act") (33 U.S.C. §§ 1341, 1342, 1343, and 1328). National Pollution Discharge Elimination System (NPDES) permits and other permits for Federal installations, discharges in contiguous zones and waters, sludge runoff and aquaculture permits.*
- B) Permits and applications for reclassifications of land areas under regulations for the prevention of significant deterioration (PSD) of air quality. (42 U.S.C. § 7470 et seq.)
- C) Permits and licenses required under Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972 (ocean dumping). (33 U.S.C. § 1412)

Department of Defense – U.S. Army Corps of Engineers:

- A) Permits and licenses required under Sections 10 (obstruction or alteration of navigable waters) and 11 (establishment of harbor lines) of the Rivers and Harbors Act of 1899. (33 U.S.C. §§ 403 and 404)*
- B) Permits and licenses required under Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (Ocean Dumping of Dredging Spoils). (33 U.S.C. § 1413)
- C) Permits and licenses required under Section 404 of the Clean Water Act as amended. (33 U.S.C. § 1344)
- D) Section 4(f) of the Outer Continental Shelf Lands Act of 1953 as amended (43 U.S.C. § 1333(e)). (See 33 C.F.R. Part 322) Prevents obstructions to navigation in navigable waters of the United States including artificial islands, installations, and other devices located on the seabed, to the seaward limit of the outer continental shelf.*

Nuclear Regulatory Commission:

- A) Permits and licenses required for siting and operation of nuclear power plants.

Department of Interior – Bureau of Ocean Energy Management:

- A) Issuance or approval of leases, permits, easements, rights-of-way, exploration plans, development plans, production plans, and other authorizations, as appropriate, pursuant to the Outer Continental Shelf Lands Act (OCSLA) for the construction, operation, maintenance and/or support activities related to OCS energy development. (43 U.S.C. §§ 1331 et seq.)*
- B) Permits to drill, rights-of-use, rights-of-way, and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to the OCSLA; explorations and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and productions plans. (43 U.S.C. §§ 1334 et seq.)*
- C) Issuance or approval of leases, permits, easements, rights-of-way, and other authorizations for renewable energy development pursuant to the OCSLA. (43 U.S.C. §§ 1331 et seq.; 43 U.S.C. § 1337(8)(p)(3); implementing regulations at 30 C.F.R. Part 585)*

Department of the Interior – U.S. Fish and Wildlife Service

- A) Permits for taking of endangered species or acts affecting endangered species issued under Section 1539 (1) of the Endangered Species Act, except for permits for taking for scientific research purposes. (16 U.S.C. § 1539)

Department of Homeland Security – U.S. Coast Guard:

- A) Permits for construction of bridges. (33 U.S.C. §§ 401, 491-502, and 525-534)
- B) Permits for deep-water ports. (33 C.F.R. §§ 158 et seq.)
- C) Determination of Approval of Private Aids to Navigation under 33 C.F.R. Parts 62 and 66.*

Federal Energy Regulatory Commission:

- A) Permits and licenses required for hydro-electric facility siting and transmission lines pursuant to the Federal Power Act. (16 U.S.C. §§ 792 to 823a) Permits and licenses required for marine hydrokinetic projects pursuant to the Federal Power Act. (16 U.S.C. §§ 792 to 823; implementing regulations at 18 C.F.R. Parts 4 and 5)*
- B) Certificates, orders, licenses and exemptions for construction and operation of terminal and interstate facilities needed to import or export natural gas pursuant to Sections 3 and 7 of the Natural Gas Act. (15 U.S.C. § 717f)
- C) Section 202(b) of the Federal Power Act (16 U.S.C. § 824(a) (b)). Orders for interconnection of electric transmission facilities.*

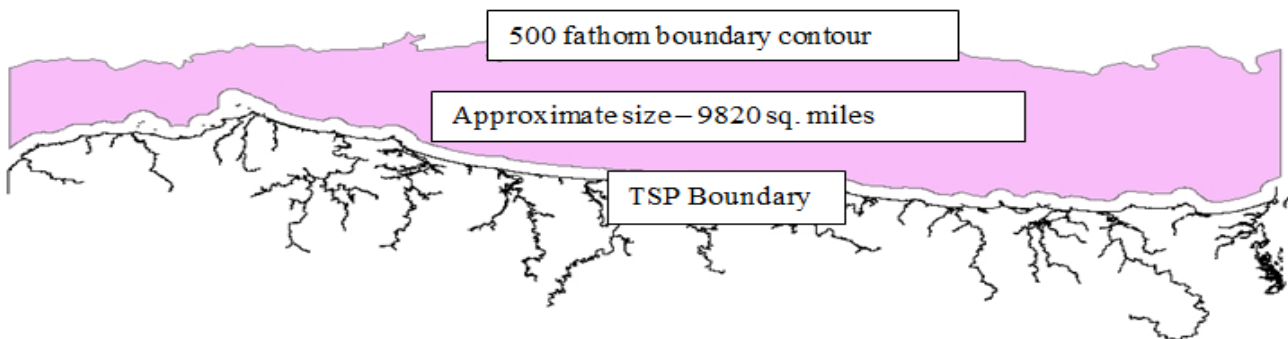
Surface Transportation Board:

- A) Certificates for Rail Line Abandonments to the extent abandonment involves removal of trackage or disposition of right of way. Rail line abandonments included are the Burlington Northern Branch line from Portland to Astoria, the Southern Pacific Branch line from Portland to Tillamook, the Southern Pacific Branch line from Corvallis to Toledo, and the Southern Pacific Branch line from Eugene to Myrtle Point.

GEOGRAPHIC LOCATION DESCRIPTION

Oregon's GLD for federal waters is within the area defined in Oregon Statewide Planning Goal 19 Ocean Resources as the Oregon Ocean Stewardship Area. The Ocean Stewardship Area is delineated and described in the Oregon Ocean Resources Management Plan, and the state's management goals and policy interests for this area are enumerated in Part One of the Territorial Sea Plan. Specifically, the GLD is a polygon starting from the seaward limit of Oregon state jurisdiction at 3 nautical miles (nm) from the shoreline, and extending seaward to a boundary line along the outer continental shelf which approximates the 500 fathom bathymetric contour. (See Figure 1 below for a map of the GLD) The OCMP has on file a list of geographic coordinates that form the GLD boundary line, and can make these available on a project by project basis.

Figure 1. Geographic Location Description Boundary Map



Thresholds:

Federal consistency review of federal license or permit activities is *only* sought for the following types of projects proposed for the GLD. The following thresholds apply to all of the licenses and permits identified in Table 7 as being subject to review within the GLD:

- Any offshore wind or wave power generation facilities or structures(s), of a permanent nature, regardless of size or number;
- Underwater cables to service power generating facilities; and
- Research and monitoring devices such as LIDAR, Met towers or wave energy measurement instruments with a deployment window of 5 years or greater.