



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

SEP 08 2015

Ms. Patricia L. Snow, Manager
Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, Oregon 97301-2540

Dear Ms. Snow:

Thank you for the Department of Land Conservation and Development's July 28, 2015, request to incorporate into the Oregon Coastal Management Program a Geographic Location Description and changes to Table 7 (Federal Licenses and Permits Which Must be Certified for Consistency with the Oregon Coastal Management Program), which were developed in accordance with 15 C.F.R. § 930.53. You requested that these changes, as described below, be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management's¹ *Program Change Guidance (July 1996)*. The Office for Coastal Management's decision deadline for the request received on July 29, 2015, was extended to September 8, 2015.

Based on our review of your submission, we concur that the changes are RPCs and we approve the incorporation of the changes to Oregon Coastal Management Program. The approved Geographic Location Description and changes to Table 7 can be applied for Federal Consistency only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4) and the Office for Coastal Management's *Addendum to the July 1996 Program Change Guidance (November 2013)*. Please include in the public notice the list of changes provided in this letter, and please send a copy of the notice to the Office for Coastal Management.

¹ NOAA's Office for Coastal Management was formerly the Office of Ocean and Coastal Resource Management and the Coastal Services Center; these two offices were integrated in September 2014 into the Office for Coastal Management.

CHANGES APPROVED

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Effective in State
ADDED:		
State of Oregon Geographic Location Description	State of Oregon Geographic Location Description (Table 7, Oregon Coastal Management Program Document)	Date on which the public notice of the Office for Coastal Management's approval is published
MODIFIED:		
Table 7 – Federal Licenses and Permits Which Must be Certified for Consistency with the Oregon Coastal Management Program	Table 7, Oregon Coastal Management Program Document	Date on which the public notice of the Office for Coastal Management's approval is published

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management received no comments on this RPC submission.

Thank you for your cooperation in this review. Please contact Jackie Rolleri at (301) 563-1179, if you have any questions.

Sincerely,



Joelle Gore, Chief
Stewardship Division

Enclosure(s): Proposed Revisions to Table 7 of the Oregon CMP (strikethrough version); and Revised Table 7 of the Oregon CMP (clean version)

TABLE 7

FEDERAL ~~ACTIVITIES~~, 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) Permits and licenses required under Sections 402 and 405 of the Clean Water Act as amended.~~
- ~~A) B) 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.*~~
- ~~A) 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.)~~
- ~~B) C) 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)~~
- ~~D) Permits for at-sea incineration of chemical or toxic wastes.*~~

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

- ~~A) A) Permits and licenses required under Sections 10 (obstruction or alteration of navigable waters) and 11 (establishment of harbor lines) of the River/Rivers and Harbor/Harbors Act of 1899. (33 U.S.C. §§ 403 and 404)*~~
- ~~B) 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) 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 – ~~Minerals~~Bureau of Ocean Energy Management Service:

- ~~A) Plans for the issuance or approval of leases, permits, easements, rights-of-way, exploration plans, development, and plans, production in areas leased under 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 Lands Act~~
- ~~A) energy development. (43 USC U.S.C. §§ 1331 et seq.)*~~
- ~~B) Permits and licenses required for offshore drilling, mining, and development.~~
- ~~→ 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 (16 USC 1539), except for permits for taking for scientific research purposes. (16 U.S.C. § 1539)~~

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

- A) Permits for construction of bridges ~~under~~ (33 USC U.S.C. §§ 401, 4591-507491-502, and 525-534.)
- B) Permits for deep-water ports. (33 CFR 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 power plant hydro-electric facility~~ siting and transmission lines-
- A) ~~B) pursuant to the Federal Power Act. (16 U.S.C. §§ 792 to 823a)~~ Permits and licenses required for ~~interstate pipelines 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) ~~Licenses 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)

~~Interstate Commerce Commission:~~

- C) Section 202(b) of the Federal Power Act (16 U.S.C. § 824(a) (b)). Orders for interconnection of electric transmission facilities.*

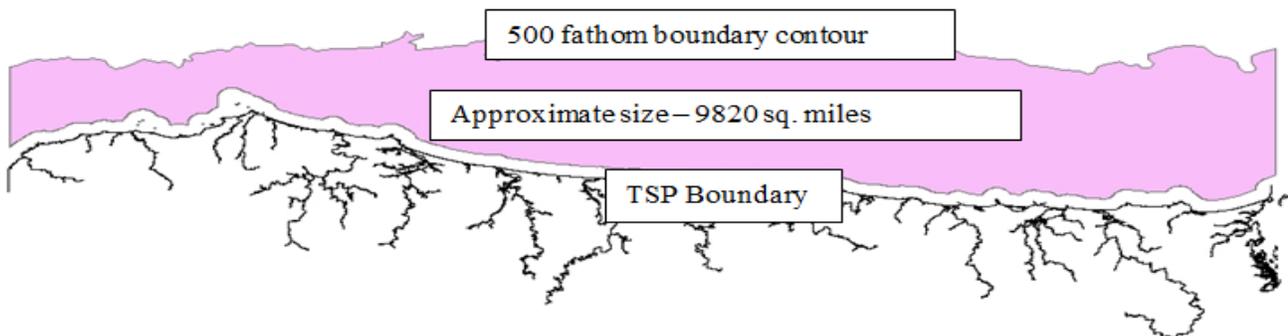
Surface Transportation Board:

Certificates for Rail Line Abandonments to the extent abandonment involves removal of trackage or disposition of right of way.

~~* A consistency certification is required if the activities allowed by the license or permit would affect land or water uses in the coastal zone.~~

~~→ The geographic area included extends from the territorial sea to 128° W and from 48° N to 40° 32'.~~ Rail line abandonments included are the Burlington Northern Branch line from Portland to Astoria, the Southern Pacific Branch ~~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.

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~~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.

TABLE 7

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- 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.)*
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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)*
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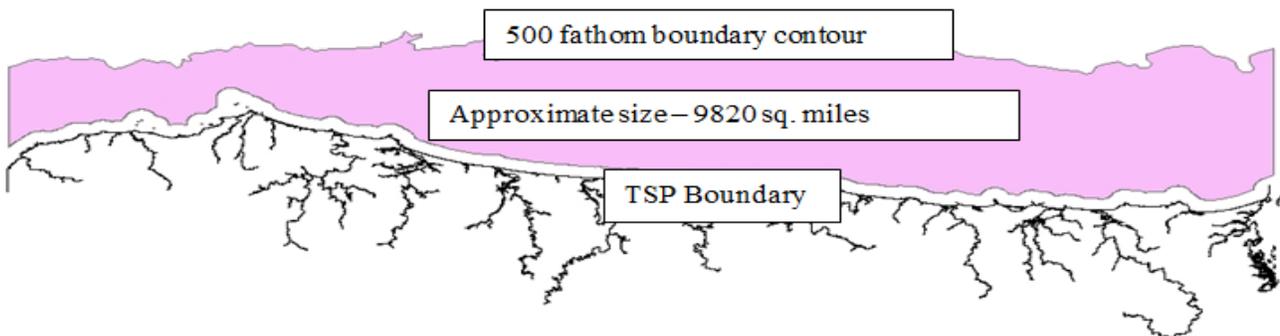
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