

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION'S LISTED FEDERAL ACTIONS

FEDERAL LICENSES AND PERMITS

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

- Permits and licenses required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Sections 401 and 403);
- Permits and licenses required under Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. Section 1413); and
- Permits and licenses required under Section 404 of the Clean Water Act (33 U.S.C. Section 1344).
- Provided that no individual certification for consistency with the Management Program will be required for activities authorized under the Corps' of Engineers Regional Permit No. 14895R98, which authorizes all activities that comply with the terms and conditions of the regional permit, including the fact that the activity must be located entirely within the permit jurisdiction of the Commission, the activity must qualify under the Commission's regulations for treatment as a minor repair or improvement or be covered by a regionwide permit or an abbreviated regionwide permit, and that the authorization will not become effective until an administrative permit, a regionwide permit, or an abbreviated regionwide permit, as applicable has been issued by the Executive Director of the Commission. A copy of the regional permit is included in the Management Program at Appendix V.

Nuclear Regulatory Commission:

- Permits and licenses required for siting and operation of nuclear power plants pursuant to the Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974.

Department of the Interior—Bureau of Land Management—U. S. Geological Survey:

- Permits and licenses required for drilling and mining on public lands (BLM) (30 U.S.C. Sections 22-42 and 181-287); and
- Permits and licenses for rights-of-way on public lands (43 U.S.C. Section 1761).

Environmental Protection Agency:

- Permits and licenses required under Sections 402 and 405 of the Clean Water Act (33 U.S.C. Section 1342 and 1345); and
- Permits and applications for reclassification of land areas under regulations for the prevention of significant deterioration (PSD) of air quality (42 U.S.C. Section 7474).

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

- Permits for construction of bridges under 33 U.S.C 401, 491-507 and 525-534; and
- Permits for deepwater ports under the Deepwater Port Act of 1974 (PL 93-627) (33 U.S.C. Section 1503).

Department of Transportation—Federal Aviation Administration:

- Certificates for the operation of new airports (Federal Aviation Regulations, Part 139) (49 U.S.C. Section 44706);
- Final approval of airport layout plans that involve the placement of fill into the San Francisco Bay (49 U.S.C 47107(a)(16)).

Federal Energy Regulatory Commission:

- Licenses for construction and operation of hydroelectric generating projects including primary transmission lines (16 U.S.C. Section 779);
- Certifications required for interstate gas pipelines (15 U.S.C. Section 717); and
- Permits and licenses for construction and operation of facilities needed to import, export, or transship natural gas or electrical energy (15 U.S.C. Sections 717 et seq.).

GEOGRAPHIC LOCATION DESCRIPTION

The Commission will review Federal licenses and permits for activities outside the BCDC segment of the coastal zone (for example, on upland areas beyond BCDC permit jurisdiction) but within the nine Bay Area counties. Normally, consistency certifications for such activities will not be required. There are three exceptions to this: (1) if the Commission determines that the license or permit activity can reasonably be expected to affect the BCDC segment of the coastal zone (this determination will be made on a case-by-case basis in the course of the monitoring program described in paragraph b(1)(d), above), and notifies the Federal licensing or permitting agency and the applicant in a timely manner as provided for in 15 C.F.R. Sec. 930.54; (2) if the license or permit activity is located on excluded Federal lands and, but for that fact, would otherwise require a permit under the McAteer-Petris Act or the Suisun Marsh Preservation Act; or (3) if the activity is located outside the Suisun Marsh but within the Marsh watershed as defined in the Suisun Marsh Preservation Act of 1977. In any case, BCDC must comply with 15 C.F.R. Part 930 Subchapter D and obtain NOAA approval to review an unlisted activity.