

STATE JURISDICTION AND FEDERAL WATERS

STATE COASTAL MANAGEMENT PROGRAMS, OCEAN MANAGEMENT AND COASTAL AND MARINE SPATIAL PLANNING

Office of Ocean and Coastal Resource Management (OCRM)
National Oceanic and Atmospheric Administration (NOAA)
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PURPOSE

For over 35 years coastal states, NOAA and other federal agencies have used the Coastal Zone Management Act (CZMA) as a means to address ocean management issues in state and federal marine waters through the CZMA federal consistency provision. To provide a more comprehensive and coordinated inter-jurisdictional approach to ocean management in the interest of stewardship, in 2010, President Obama issued Executive Order 13547 (July 22, 2010), establishing a new National Ocean Policy, including the development of regional Coastal and Marine Spatial (CMS) Plans.

States, NOAA, the National Ocean Council (NOC) and other interested parties are discussing how to address activities in federal waters through the CZMA, particularly related to the interplay among federally approved state coastal management programs (approved by NOAA/OCRM under the CZMA), state ocean management planning efforts and the Administration's National Framework for Coastal and Marine Spatial Planning (CMSP).

In summary, states have jurisdiction out to 3 nm (9 nm for a few states), but may review actions in federal waters through the CZMA federal consistency provision. States may incorporate into their coastal management programs state ocean management plans for state marine waters and "geographic location descriptions" in federal waters where federal license or permit activities would be subject to state CZMA review. Finally, state coastal management programs, state ocean management plans and the use of the CZMA federal consistency provision (including "geographic location descriptions" and administrative efficiencies in NOAA's federal consistency regulations) will be important considerations when developing regional CMS Plans under the new National CMSP Framework.

This document describes:

1. The distinction between state ocean jurisdiction versus state interests in federal waters;
2. How states can apply their coastal management programs and state ocean management plans to federal waters through the CZMA; and
3. How the CZMA can be used as a vehicle for working with states, federal agencies and tribes in developing regional CMS Plans under the new National CMSP Framework.

¹ Updated from the April 2011, version to reflect OCRM's approval of the Rhode Island SAMP and Geographic Location Description and Massachusetts Ocean Plan as part of the states' coastal management programs.

1. STATE JURISDICTION AND FEDERAL WATERS

The United States has a territorial sea that extends from the shoreline out to 12 nautical miles (nm).² Coastal state jurisdiction only extends to 3 nm, except that state jurisdiction for Texas, Puerto Rico and Florida's Gulf coast extends to 9 nm.³ Great Lakes states have jurisdiction to the international boundary with Canada; there are no federal waters in the U.S. Great Lakes.

All marine waters beyond 3 nm (or 9 nm where applicable) and out to 200 nm are federal waters and states have no jurisdiction in federal waters unless specifically authorized by Congress (e.g., the Deepwater Port Act gives an adjacent coastal state veto authority over proposed ports in federal waters). The CZMA does not give states jurisdiction in federal waters and state coastal management programs cannot include enforceable/regulatory policies for federal waters. This means that enforceable policies in state coastal management programs and state ocean management plans can only be written to apply to state waters/areas of state jurisdiction. A state may incorporate its ocean management plan into its coastal management program under the CZMA. Once NOAA approves the incorporation, the enforceable policies contained in the state ocean management plan may be applied to federal actions in federal waters through the CZMA federal consistency provision. States may, as part of their coastal management programs and state ocean management plans, study federal waters and identify uses, resources and areas of federal waters that are of interest to the state, but may not establish enforceable/mandatory policies for federal waters or establish priority uses for federal waters.

Example: The Rhode Island Ocean Special Area Management Plan (SAMP). The SAMP is a planning and regulatory component for the State of Rhode Island to encourage the development of renewable energy in marine waters while maintaining the existing activities that occur in Block Island Sound, Rhode Island Sound and the Atlantic Ocean. On May 11, 2011, OCRM approved the incorporation of the SAMP into Rhode Island's NOAA-approved coastal management program. On July 22, 2011, the NOAA Administrator, Dr. Jane Lubchenco, and the Governor of Rhode Island, Lincoln D. Chafee, publicly announced NOAA's approval at a ceremony in Narragansett, RI. On September 30, 2011, OCRM approved a "Geographic Location Description" (GLD) that encompasses the federal waters study area of the Ocean SAMP.

Under state law, the SAMP applies to state waters (out to 3 nm). The enforceable policies in the NOAA-approved SAMP apply to: (1) Federal agency activities in federal waters

² The "shoreline" is determined by an international construct known as the baseline. 1 nm is about 1.15 statute miles so 12 nm is 13.81 statute miles.

³ The Submerged Lands Act of 1953, 43 U.S.C. §§ 1301-1315, extended state jurisdiction to ocean waters and submerged lands to 3 nm, or for Gulf coast states, beyond 3 nm if such a boundary existed at the time the state became a member of the Union *and* that boundary is approved by Congress (hence the Texas, Puerto Rico and Florida jurisdictions to 9 nm). (*See also* 48 U.S.C. § 1705, *et seq.*) President Reagan extended the U.S. territorial sea from 3 nm to 12 nm, but the extension did not extend state jurisdiction to the new 12-mile zone. Proclamation No. 5928, 3 C.F.R. 547 (1988). The CZMA definition of "coastal zone" was amended in 1990, in part, to state that the coastal zone extends to "seaward to the outer limit of State title and ownership under the Submerged Lands Act (43 U.S.C. 1301 et seq.)"

through the CZMA federal consistency provision if coastal effects are reasonably foreseeable (15 C.F.R. part 930, subpart C); and (2) to federal license or permit activities listed in Rhode Island's coastal management program that are proposed in the federal waters GLD (15 C.F.R. part 930, subparts D and E).

The SAMP includes studies of federal waters and identifies uses, resources and areas of federal waters. The data and maps pertaining to federal waters are not enforceable components of the SAMP, and federal agencies and applicants for federal authorizations are not required to use the data and maps. However, the data and maps contain a substantial amount of environmental, ecological, geologic, and human use information for state and federal waters. This information will be useful for environmental reviews (including reviews under the National Environmental Policy Act and coastal effects analyses under the CZMA), engineering issues (e.g., is the seafloor material compatible for a particular piece of equipment), and other planning and regulatory decisions. Rhode Island could use the data and maps for federal waters to assess coastal effects from a proposed project in federal waters, but Rhode Island's CZMA federal consistency concurrence or objection must be based on enforceable policies contained in the state's NOAA-approved coastal management program.

2. **HOW THE CZMA ENABLES STATES TO ADDRESS ACTIVITIES IN FEDERAL WATERS THROUGH STATE COASTAL MANAGEMENT PROGRAMS AND OCEAN MANAGEMENT PLANS**

- a. **Brief Summary of the CZMA:** Congress enacted the CZMA in 1972 to protect, restore, and enhance natural coastal resources of the United States. *See* 16 U.S.C. §§ 1451-1466. The CZMA authorizes NOAA-approved state coastal management programs and the state National Estuarine Research Reserve System (NERRS) (the NERRS is a network of 28 protected estuarine areas managed by the states which promote coastal stewardship, education and research). There are 34 federally approved state coastal management programs (the one remaining state, Illinois, is developing a coastal management program). State coastal management programs manage the uses and resources of a state's coastal zone, including a state's marine waters, energy facilities, development, public access, coastal hazard mitigation, fishing, etc. The program is voluntary and incentives are CZMA implementation funding and "federal consistency." State coastal zones include state marine waters, bays, estuaries, rivers, etc., and state inland coastal zone boundaries vary from a few hundred feet to entire coastal counties or even the whole state.
- b. **State CZMA Enforceable Policies:** State CZMA enforceable policies are applied to federal actions that have effects on state coastal uses or resources through the CZMA federal consistency provision. An enforceable policy is a state policy that is legally binding under state law (e.g., through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions), by which a state exerts control over private and public coastal uses and resources, and that is incorporated in a state's NOAA-approved coastal management program. *See* 16 U.S.C. § 1453(6a) and 15

C.F.R. § 930.11(h); *see also* OCRM’s Federal Consistency Overview, pages 5-7:
http://coastalmanagement.noaa.gov/consistency/media/FC_overview_022009.pdf.

OCRM has informed states that enforceable policies are given legal effect by state law and that the CZMA does not authorize states to establish regulatory standards/enforceable policies for federal agencies or federal waters. A state policy that would establish standards for federal agencies or federal lands or waters would not meet the CZMA’s definition of “enforceable policy” (i.e., legally binding under state law). States apply their federally approved enforceable policies to federal actions in federal waters through CZMA federal consistency reviews. Enforceable policies must also contain standards of sufficient specificity to guide public and private uses. 15 C.F.R. § 930.11(h).

- c. **The CZMA Federal Consistency Provision:** The Federal consistency provision (16 U.S.C. § 1456 and NOAA’s regulations at 15 C.F.R. part 930) requires that federal actions that have reasonably foreseeable effects on any land or water use or natural resource of the coastal zone (also referred to as coastal uses or resources, or coastal effects) be consistent with the enforceable policies of a state’s federally approved coastal management program. Federal consistency provides states with an important tool to manage coastal uses and resources and to facilitate cooperation and coordination with Federal agencies. Under the CZMA *Federal agency activities* that have coastal effects must be consistent to the maximum extent practicable with the enforceable policies of a state’s federally approved coastal management program. In addition, the statute requires non-federal applicants for federal authorizations and funding to be consistent with enforceable policies of state coastal management programs. There are four types of federal actions under the CZMA:
1. ***Federal agency activities*** — activities and development projects performed by a Federal agency, or a contractor for the benefit of a Federal agency. 16 U.S.C. § 1456(c)(1) – (2) and 15 C.F.R. part 930, subpart C.
 2. ***Federal license or permit activities*** — activities performed by a non-Federal entity requiring federal permits, licenses or other form of federal authorization. 16 U.S.C. § 1456(c)(3)(A) and 15 C.F.R. part 930, subpart D.
 3. ***OCS plans*** — Department of the Interior/Bureau of Ocean Energy Management, Regulation and Enforcement approvals for OCS plans, pursuant to the Outer Continental Shelf Lands Act. 16 U.S.C. § 1456(c)(3)(B) and 15 C.F.R. part 930, subpart E.
 4. ***Federal assistance to state and local governments***. 16 U.S.C. § 1456(d) and 15 C.F.R. part 930, subpart F.

At the heart of federal consistency is the “effects test.” A federal action is subject to CZMA federal consistency requirements if the action will affect a coastal use or resource (in accordance with NOAA’s regulations). The effects test applies to activities and uses

or resources that occur outside a state’s coastal zone, as long as the uses or resources impacted are, in fact, uses or resources of a state’s coastal zone.

A lead state agency coordinates a state’s federally approved coastal management program and state federal consistency reviews. At the federal level, OCRM, among other duties and services, oversees the application of federal consistency; provides management and legal assistance to coastal states, Federal agencies, Tribes and others; and mediates CZMA related disputes. NOAA’s Office of General Counsel for Ocean Services assists OCRM and processes CZMA appeals to the Secretary of Commerce.

Federal Agency Activities and the Effects Test — Federal agency activities, regardless of the location of the activity (within coastal zone, in federal waters, or in another state), provide a state(s) with a consistency determination if the activity will have coastal effects (the coastal uses or resources affected can also be located outside the coastal zone). The federal agency determines whether its activity will have coastal effects. With or without a state ocean management plan or regional CMS Plan, Federal agency activities with coastal effects are subject to state CZMA review through this process. The phrase “Consistent to the maximum extent practicable” means “fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency.” 15 C.F.R. § 930.32(a)(1).

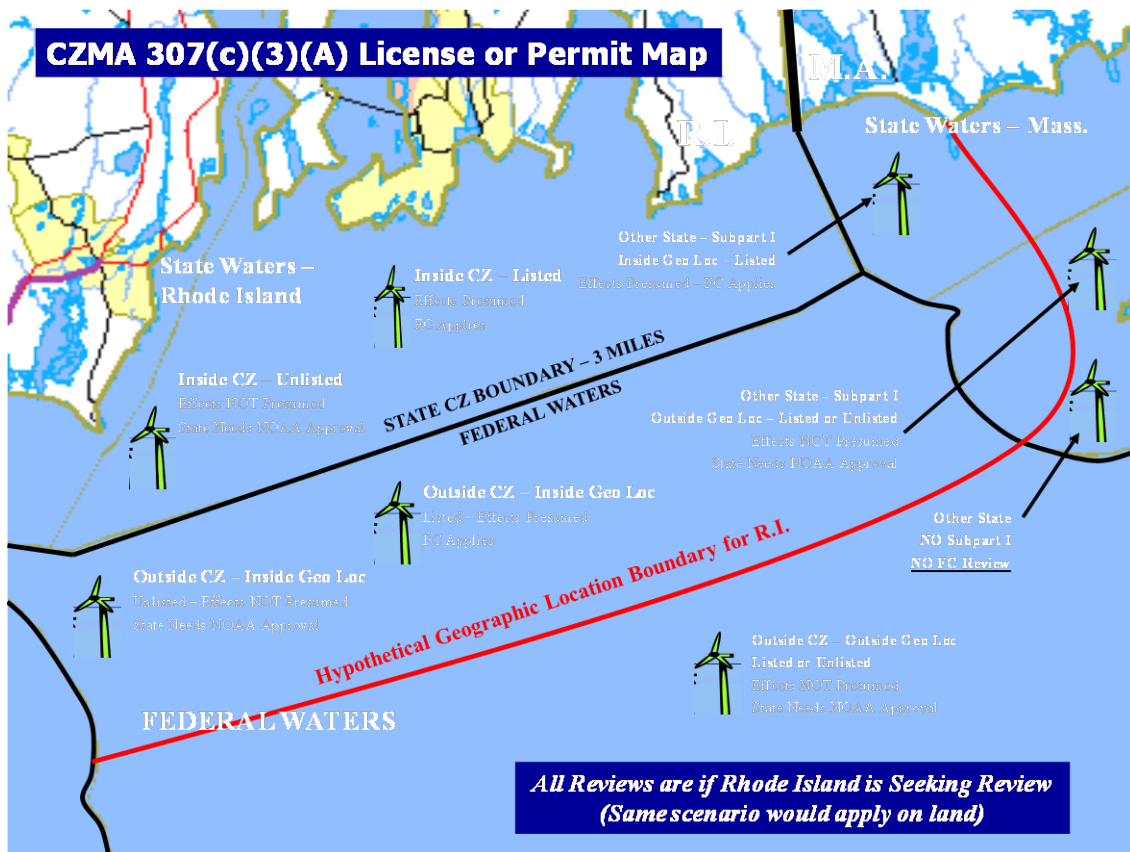
Federal License or Permit Activities and the Effects Test — Federal license or permit activities are subject to state review pursuant to NOAA’s regulations (15 C.F.R. §§ 930.53 and 930.54):

- a. States have Federal Consistency “lists” of federal license or permit activities: to review an activity occurring within the coastal zone, the federal license or permit must be listed in the state’s coastal management program. If the federal license or permit is not listed and a state wants to review the activity in the coastal zone, the state must seek OCRM approval on a case-by-case basis.
 - To review listed federal license or permit activities outside the coastal zone, a state must describe in its coastal management program a geographic location of such activities (Geographic Location Descriptions or GLDs).
- b. A GLD must be based on a showing of reasonably foreseeable coastal effects from the listed federal license or permit activity in the proposed GLD. Therefore, different listed activities may have different GLDs.
 - Federal lands within the coastal zone boundary are automatically GLDs.
- c. If a GLD is not included in a state’s coastal management program for a specific federal license or permit activity, a state may request OCRM approval to review a listed activity outside the coastal zone on a case-by-case basis as an unlisted activity (15 C.F.R. § 930.54).

Proposed GLDs must be geographically specific, apply to specific listed federal license or permit activities, and based on an analysis showing that effects on the state’s coastal

uses or resources are reasonably foreseeable. Implementing this effects requirement, OCRM has stated that the effects analysis does not have to show proof of coastal effects, but should show a reasonable causal connection; the effects analysis cannot be based on speculation or conclusory statements. A GLD does not need to delineate the boundary of where effects are reasonably foreseeable and where they are not; it only needs to show that within the area described effects are reasonably foreseeable.

The map below shows when and how consistency review occurs for federal license or permit activities using the listed and unlisted activity and GLD procedures in NOAA's regulations. With or without a state ocean management plan or regional CMS Plan, states would review federal license or permit activities in federal waters through the listing, unlisted and GLD procedures.

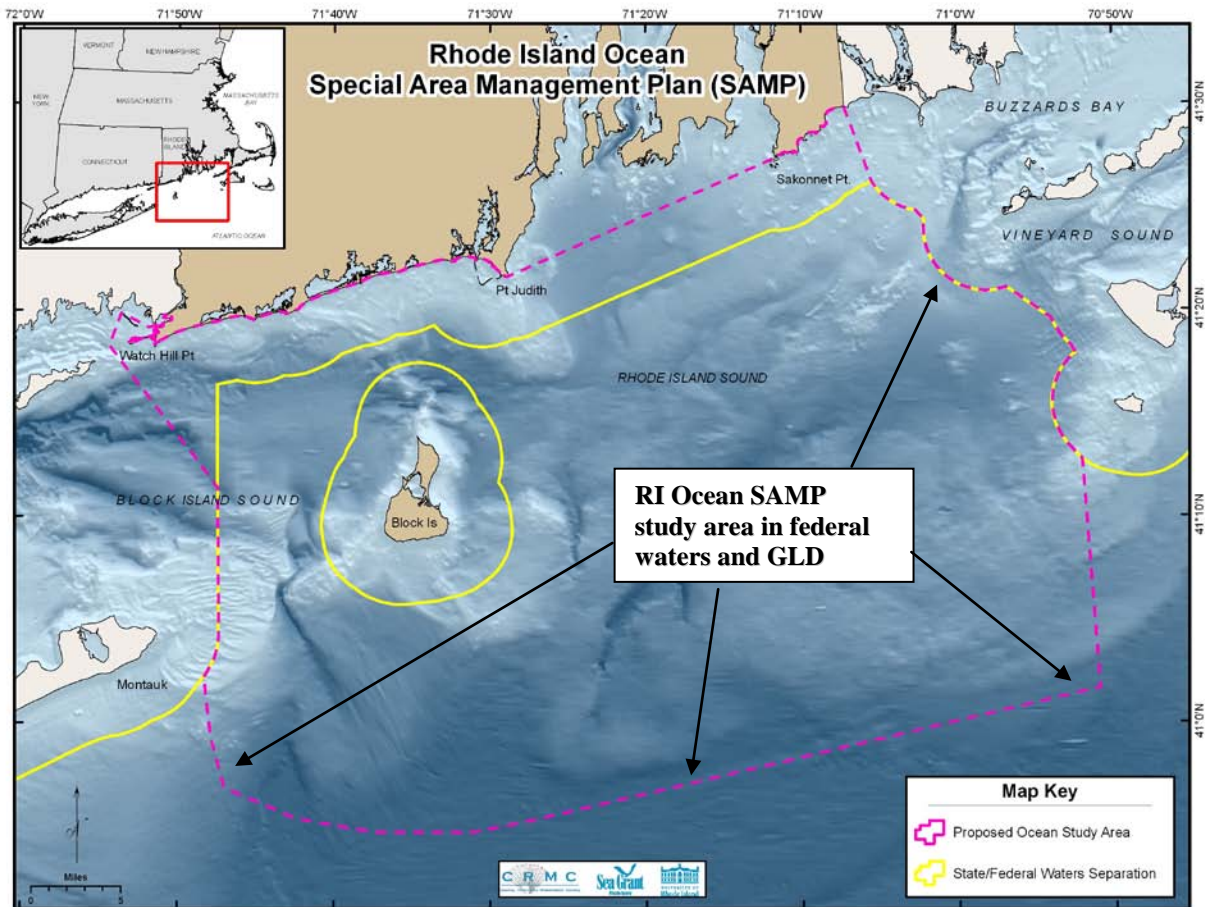


- d. **How States Can Apply Their Ocean Management Plans Through State Coastal Management Programs:** States can develop state ocean management plans for state waters and incorporate such plans and activities into their NOAA-approved coastal management program, e.g., the RI Ocean SAMP and the Massachusetts Ocean Plan have been incorporated into the states' coastal management programs. The CZMA provides authority and incentives for state ocean management planning and encourages states to include ocean planning in their federally approved coastal management programs. See 16 U.S.C. § 1451(f) and (m). States can use CZMA implementation and enhancement funds

to develop state ocean management components for state waters. *See* 16 U.S.C. §§ 1455 (CZMA § 306) and 1456b (CZMA § 309).

State ocean management plans that are incorporated into a state’s NOAA-approved coastal management program would then apply to federal actions, including federal actions in federal waters, through the CZMA federal consistency provision (any enforceable policies in a state ocean management plan would apply to federal actions just like any other state coastal management program enforceable policy). This would occur through the listed activities, unlisted activities and GLD processes described above under the Federal Consistency discussion. It is important to note that GLDs are only for the purpose of reviewing certain federal license or permit activities outside a state’s coastal zone, including federal waters. The GLD itself does not dictate any particular decision by the state; it merely authorizes state review. Therefore, there should not be inconsistency between any GLD and a regional CMS Plan.

In the figure below, the RI Ocean SAMP is that portion of state waters within the 3 nm zone (the yellow boundary line). The RI Ocean SAMP study area also included the federal waters within the purple-dashed line: this area of federal waters is a GLD for CZMA federal consistency purposes.



Reconciling differences between a state ocean management plan that has been incorporated into its state coastal management program and any inconsistent content in a regional CMS Plan. We fully expect that state coastal management program enforceable policies and state ocean management plans/marine spatial plans will inform the CMSP process. If the National CMSP Framework works as intended, these issues should be worked out so that there should not be inconsistencies. If there are inconsistencies, these will be handled through the federal consistency process and application of state enforceable policies, possible mediation, etc.

3. USING THE CZMA TO ASSIST IN THE DEVELOPMENT OF REGIONAL CMS PLANS UNDER THE ADMINISTRATION'S NATIONAL CMSP FRAMEWORK

- a. **The National Ocean Policy and Regional CMSP:** The President established a National Ocean Policy through Executive Order (E.O.) 13547 (75 Fed. Reg. 43022-43027 (July 22, 2010)). The E.O. also provides for the development of regional CMS Plans that build upon and improve existing federal, state, tribal, local, and regional decision-making and planning processes. In practical terms, the National CMSP Framework provides a public policy process for society to better determine how the ocean, coasts, and Great Lakes are sustainably used and protected - now and for future generations. State coastal management programs and state ocean management plans, as well as state-led multi-state ocean management efforts, are expected to inform the development of regional CMS Plans. However, it is important to note that the regional CMS Plans called for in the E.O. are plans that will be developed by Regional Planning Bodies (RPBs) with representation and coordination among federal agencies, states and tribes. These regional CMS Plans, while not necessarily regulatory, would apply to both state *and* federal waters and would be certified by the NOC; regional CMS Plans are not to be confused with state ocean management plans.

It is expected that once a regional CMS Plan is certified by the NOC, federal agencies, states and tribes which are partners on the RPBs would use the CMS Plans when making decisions under their respective statutes and programs. This will enable a more integrated, comprehensive, ecosystem-based, flexible, and proactive approach to planning and managing sustainable multiple uses across sectors and improve the conservation of the ocean, our coasts, and the Great Lakes. The process for developing regional CMS Plans is found in the *Final Recommendations of the Interagency Ocean Policy Task Force* (July 19, 2010). http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf

Regional CMS Plan Approval. RPBs would submit CMS Plans to the NOC for certification for consistency with the E.O. and any associated NOC guidance. The NOC staff would undertake a review and make recommendations to the NOC. In the event the NOC would not certify a CMS plan—in sum or in part—the staff would return the plan to the RPB for corrective action. The transmission would necessarily identify the reasons for non-certification and include recommendations for action which would lead to certification, and the staff would continue to work with the RPB via the RPB federal, state, and tribal co-leads to resolve the issue(s) preventing certification.

b. **Using the CZMA for State Involvement in Development of Regional CMS Plans:**

The CZMA provides states with an important vehicle to participate in the development of CMS Plans under the *Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010)*. States may use the ocean management provisions of the CZMA, their coastal management programs, and state ocean management plans, as well as the state-led multi-state ocean management efforts, as an information base and starting point for RPBs as they begin to undertake the planning process. State coastal management programs would be able to use CZMA implementation and enhancement grants (CZMA §§ 306 and 309 funding) for these efforts. While the Ocean Policy E.O., *Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010)* and regional CMS Plans do not confer jurisdiction in federal waters to states, the regional CMS Plan process provides considerable opportunity for states to provide input into what happens outside of state waters. State coastal management programs, state ocean management plans (and their enforceable policies) and any OCRM-approved GLDs in federal waters will likely play an important part of these discussions.

States are also addressing state ocean management issues through state-led, multi-state efforts, such as the Northeast Regional Ocean Council (NROC), Mid-Atlantic Regional Council on the Ocean (MARCO), and West Coast Governors Agreement. NOAA and other federal agencies are assisting these individual state and multi-state regional ocean partnerships and ocean management efforts. While it is important that these regional ocean partnerships coordinate with RPBs on CMS Plans, what this will look like organizationally and the extent to which they will engage, or membership will overlap, is under discussion in each region as to what will work best for it.

Variability of State Coastal Management Programs. State coastal management processes will inform the CMSP process in each region, and we fully anticipate that regional CMS Plans will account for state policies—in particular NOAA-approved enforceable policies, which are central to the CZMA federal consistency process.

Recognizing the National CMSP Framework’s regional approach, if a common understanding cannot be reached, for example, for compatible uses for a particular area, there may need to be varying descriptions of compatible uses to address a state’s issue or policy or recognition that a state did not agree with the compatible uses for an area.

For implementation, a regional CMS Plan is a planning overlay for decisions made under state and federal mandates; the regional CMS Plan will not itself contain enforceable mandates. So, a proposed federal action will still be subject to the federal consistency procedural requirements and each state’s coastal management program enforceable policies through federal consistency review on a project-by-project basis, just as it occurs now under NOAA’s regulations, unless the regional CMS Plan addresses some federal consistency issues. Under the National CMSP Framework, a regional CMS Plan resulting from a CMSP process involving both federal and state partners should help to minimize federal-state conflicts arising during the federal consistency process. Specifically, a regional CMS Plan having federal and state buy-in provides a common frame of reference which should inform federal agency and state decision-making

regarding the application of the state's coastal management program to a proposed federal action. Decisions so informed are less likely to result in conflict.

Effect of E.O. 13547 on the Federal Consistency “Consistent to the Maximum extent Practicable” Standard. As a matter of law, Executive Orders do not supercede existing statutory authority. In issuing E.O. 13547, the President in supervising agency decision-making under existing laws is guiding discretion which Congress has allocated to a particular agency or official. This is why E.O. 13547 provides that federal agencies will comply with NOC-certified CMS Plans **consistent with existing law**. Accordingly, the E.O. does not mandate certain decisions under a regional CMS Plan and could not be the basis for a consistent-to-the-maximum-extent-practicable argument for a particular federal agency activity. The E.O. does mandate the development of regional CMS Plans and federal agencies do have to participate in the development of the Plans. Likewise, the regional CMS Plans do not contain enforceable policies for states or federal agencies and, while a federal agency will endeavor to adhere to a Plan consistent with its mandate, any consistent to the-maximum-extent-practicable argument must be based on the federal agency's legal mandates and not the regional CMS Plan.

Potential Incorporation of a Regional CMS Plan into a State's Coastal Management Program. In addition, once a regional CMS Plan is certified by the NOC, it may be possible for a state to choose to incorporate the regional CMS Plan into its NOAA-approved coastal management program. The principal benefits of incorporating the Plan into a state coastal management program would be (1) a way for a state to agree to, or buy into, the regional CMS Plan, and (2) potential gains for the state on information and products resulting from the Plan. NOAA needs to determine if a state *could* incorporate a regional CMS Plan into its coastal management program. Even if NOAA determines that a state could incorporate a regional CMS Plan into its coastal management program, a state could not enforce the Plan and the Plan could not be used as an enforceable policy for CZMA federal consistency purposes. The regional CMS Plans are planning overlays for state, federal and tribal decision-making, but will not dictate any particular decision under state, federal or tribal laws.

Neither the CZMA nor the E.O. authorizes NOAA to require a state to incorporate a regional CMS Plan into its coastal management program and states would not have to amend their enforceable policies to comply with a regional CMS Plan, although a state may choose to do so. Likewise, NOAA cannot require a state to adhere to a regional CMS Plan; states need to apply their state laws in state waters and coastal management program enforceable policies to federal actions pursuant to state law. While the goal is to provide a public policy process for society to better determine how the ocean, coasts, and Great Lakes are sustainably used and protected and to better coordinate state and federal decision making, there may be times that a state or federal agency will not be able to adhere to a regional CMS Plan.

Using the Federal Consistency Provision for Regional CMS Plans. The CZMA federal consistency provision may also be used to ensure consistency between state coastal management programs and NOC-certified regional CMS Plans in the following ways:

1. The administrative efficiencies in NOAA's CZMA regulations may be used to facilitate and streamline federal consistency reviews. These administrative efficiencies include creating thresholds for when a federal action would be subject to state CZMA review, using a "general consistency determination" that would cover multiple occurrences of a federal action, and eliminating certain federal actions from consistency reviews (beneficial coastal effects, de minimis coastal effects);
2. RPBs could agree to formally incorporate these CZMA federal consistency administrative efficiencies into a regional CMS Plan;
3. A regional CMS Plan could include measures to ensure that it is consistent to the maximum extent practicable with the enforceable policies of the relevant states' coastal management programs and, vice-versa, states could consider potential changes to the enforceable policies of their coastal management programs to achieve agreed-upon regional CMS Plan objectives;
4. States will likely be able to use the federal consistency provision to concur with a NOC-certified regional CMS Plan as consistent with the enforceable policies of a state's coastal management program. NOC certification of a regional CMS Plan is not final agency action. In and of themselves, CMS Plans would not necessarily be regulatory or constitute final agency decision-making. They are intended to guide agency decision-making, and agencies would adhere to the final CMS Plans to the extent possible, consistent with existing authorities. Accordingly, the NOC staff is continuing to work with NOAA to determine how federal consistency will apply to the RPB's approval of a regional CMS Plan in those instances in which an RPB seeks to submit the Plan for such review by the relevant State coastal management program authorities. Having said that, as described elsewhere in this document, state coastal management programs and federal consistency will have an important role in the *development* of the CMS Plans, not just when a Plan is approved by the RPB or certified by the NOC; and
5. A regional CMS Plan will not change the interstate consistency process. If a state already has interstate consistency approval from NOAA, that approval will not change. A regional CMS Plan may, however: (1) inform another state's review of an interstate activity, e.g., if the reviewing state agreed to the regional CMS Plan, the state may choose not to review a federal action in another state, because it is compatible with the regional CMS Plan; and/or (2) mean that a state may choose to not seek interstate consistency authority from NOAA.