

Appendix A: Summary of CZMA Federal Consistency Provisions

	Federal Agency Activities & Development Projects	Federal License or Permit Activities	OCS Plans	Federal Assistance Activities (State & Local Governments)
CZMA § 307 (16 U.S.C. § 1456)	(c)(1) & (2)	(c)(3)(A)	(c)(3)(B)	(d)
15 C.F.R. part 930	Subpart C §§ 930.30 – 930.46	Subpart D §§ 930.50 – 930.66	Subpart E §§ 930.70 – 930.85	Subpart F §§ 930.90 – 930.101
Activity Subject to State Review if it . . .	Affects any land or water use or natural resource of state coastal zone, regardless of location of activity	Affects any land or water use or natural resource of state coastal zone, and activity is listed in state’s CMP or OCRM approves review of unlisted review	Affects any land or water use or natural resource of state coastal zone	Affects any land or water use or natural resource of state coastal zone, and activity is listed in state’s CMP or state reviews unlisted activity
Consistency Requirement	Consistent to the maximum extent practicable with state CMP enforceable policies	Consistent with state CMP enforceable policies	Consistent with state CMP enforceable policies	Consistent with state CMP enforceable policies
Who Decides Effects?	Federal agency	State CMP and OCRM	State CMP and OCRM	State CMP and OCRM
State Review Period	60 days, plus 15 day extension (or alternative period agreed to by state and federal agency)	6 months	3 months – state may extend to 6 months	State clearinghouse schedule
Impact of State Objection	Federal agency may proceed only if provide legal basis for being consistent to the maximum extent practicable	Federal agency may not authorize activity to commence	Federal agency may not authorize activity to commence	Federal agency may not authorize activity to commence
Administrative Conflict Resolution	Mediation by Secretary of Commerce or OCRM (voluntary, non-binding)	Applicant may appeal to Secretary of Commerce to override state objection	Applicant may appeal to Secretary of Commerce to override state objection	Applicant may appeal to Secretary of Commerce to override state objection