

Federal Consistency Determination

Federal agencies must provide the Maryland CZMP, at the earliest practicable time, a consistency determination for any proposed federally conducted or supported activities directly or indirectly affecting the coastal zone management area. Such consistency determinations must be received at least 90 days before the federal activity or development project reaches a final decision stage likely to restrict the consideration of alternative approaches or measures. In a limited number of cases, federal agencies must also submit a consistency determination for ongoing activities initiated prior to approval of the Maryland CZMP. [15 CFR § 930.36]

The consistency determination from the federal agency must contain:

- A brief statement indicating how the proposed action will be undertaken in a manner consistent to the maximum extent practicable with the Maryland CZMP enforceable policies. The term 'maximum extent practicable' describes the requirement for federal activities to be fully consistent with such programs unless compliance is prohibited based upon the requirements of existing law applicable to the federal agency's operations. [15 CFR §930.32]
- An evaluation of the relevant policies of the Maryland CZMP. [15 CFR §930.39]
- A detailed description of the proposed action, its associated facilities and their combined coastal zone effects.
- Relevant data and information, including time schedules, sufficient to support the federal consistency determination.