

August 5, 2026

Neil Jacobs, Director
National Oceanic and Atmospheric Administration
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Washington, DC 20230
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Sent via electronic communication

RE: Federal review of California coastal management program
[Docket No. 260623-0150; RTID: 0648-XA006]

Dear Director Jacobs:

On behalf of the California Natural Resources Agency (CNRA), I provide these comments regarding the recently initiated federal review of California's Coastal Management Program (CCMP).

Over 50 years ago, our national leaders passed the Coastal Zone Management Act (CZMA) to enshrine coordination between the federal government and 35 coastal states to manage American coastlines. The intent of this bipartisan-supported law was clear: federal-state coordination on coastal activities is necessary to grow our economy, protect local communities and help coastal environments thrive. This vital federal law enables each coastal state to meaningfully engage with federal decision-makers on coastal activities that impact local communities and state resources. States do so through a tailored Coastal Management Program (CMP) that is approved by your agency, the National Oceanic and Atmospheric Administration (NOAA).

On May 20, California leaders and state agencies learned through a press release that the U.S. Commerce Secretary directed NOAA to undertake a formal review of California's CMP. This directive contained several false assertions, including that California maintains "obstructionist policies that delay critical national infrastructure in the name of environmental extremism." This abrupt review of our state's CMP is deeply troubling.

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It takes place outside the normal federal review cycle, was initiated without any prior communication to our state's coastal agencies and was announced with inaccurate assertions about coastal management in California.

In response to this announcement, tens of thousands of Californians are making their voices heard to convey their support for California's coastal programs. Californians are united—regardless of geography or political affiliation—that local communities and state policymakers must have a say in what happens along our coast. This letter complements this important input from businesses and communities by correcting the record on California's CMP.

A. Federal and state agencies have worked together for decades to successfully manage our coast.

California has effectively implemented our CMP since 1978, when it was certified by NOAA. Over these five decades, this federal-state partnership has protected California's coastal resources while bolstering California's coastal economy. State agencies, for example, have partnered with the U.S. Navy for decades to limit impacts from military vessel traffic, sonar, and explosives on fisheries, recreation and marine wildlife while protecting public access and without diminishing military operations and readiness. Likewise, state agencies also regularly coordinate with the U.S. Army Corps of Engineers to enable sediment dredging needed for shipping passage and to utilize dredged sand to reinforce California's beaches.

This partnership has helped to grow California's coastal economy. Our state's globally significant economic output includes our \$51 billion coastal economy.¹ Our state's vital economic sectors—commercial fishing, international maritime shipping, tourism and recreation, and aquaculture—rely on careful, well-coordinated coastal management. These sectors collectively generate hundreds of thousands of jobs.²

State-federal partnership through CZMA has stewarded balanced economic development and coastal protection. Under California's CMP, our state's ocean economy has more than doubled since 2001, generating over \$60 billion in economic output in 2024. California operates 11 major commercial ports, including the Ports of Los Angeles, Long Beach, Oakland and San Diego, which collectively handle nearly one third of all exports activity in the U.S and support over 3 million jobs nationwide.³ More than 50% of all goods shipped from Asia to the U.S. transit through the Ports of Los Angeles and Long Beach alone, with the majority of those goods leaving California to supply the rest of the nation. Additionally,

¹ National Oceanic and Atmospheric Administration 2024 Marine Economy Report, California (<https://coast.noaa.gov/data/digitalcoast/pdf/marine-economy-california.pdf>).

² Ibid; California Ocean Protection Council, 2026-2030 Strategic Plan, "Sustainable Blue Economy" (2025).

³ California Association of Ports Authorities Study (see <https://californiaports.org/portsday23/>).

our coastal military installations provide incomparable training and testing ranges. The San Diego area houses the U.S. Navy's Third Fleet, including five active carrier strike groups and approximately 100 ships, 400 aircraft, and 68,000 personnel. This formation, along with the 55,000-member First Marine Expeditionary Force out of Camp Pendleton, forms the tip of the spear for U.S. response operations in the Pacific and is critical to countering potential threats across the region and worldwide.

In addition to serving as military and trade centers, many of our coastal cities have grown into globally significant hubs for business, innovation, education, recreation and tourism. At the same time, our state has opened more than 2,500 ways for people to reach the shoreline, launched more than 1,000 miles of the California Coastal and Bay Trails, restored more than 50,000 acres of environmental habitat, removed almost 24,000 acres of fill in San Francisco Bay, and invested more than \$2 billion in protecting our coast from extreme events, conserving coastal landscapes and expanding public access.

B. California coastal state agencies have efficiently reviewed and consulted on activities prioritized by the current Department of Commerce.

Five types of coastal activities were highlighted as reasons for this federal review, so it is critical to clarify facts regarding each of these activities on California's coast. California has a strong record of permitting and regulating the identified sectors, as described below and in forthcoming detailed comments from our state's coastal agencies (the California Coastal Commission, San Francisco Bay Conservation and Development Commission and the California State Coastal Conservancy).

1. Spaceport infrastructure

California is proud to host Vandenberg Space Force Base, which is an essential installation to our national security and an important launch site for space-bound travel. Over several decades, the California Coastal Commission (Coastal Commission) has reviewed over 135 projects related to space-launch activity under its federal consistency authority granted by the CZMA. Only two of these 135-plus projects received a finding of non-concurrence by state agencies. In those two cases, state agencies conveyed concerns based on unresolved procedural issues regarding rocket launches and impacts on local communities and natural resources. In each of these two cases, non-concurrence by state agencies *did not* prevent these projects from moving forward.

2. Desalination projects

Over the past five decades, the Coastal Commission has approved construction of several dozen desalination facilities along our coast. In the past five years, the Coastal Commission has approved two municipal desalination projects, one in Orange County and one in Monterey County, as well as one pilot scale project, in Mendocino County. The only

desalination project proposed for the San Francisco Bay was approved by the San Francisco Bay Conservation and Development Commission (BCDC) in 1990.

The Coastal Commission has denied only one desalination project. This decision to deny this project in 2022, based on coastal safety concerns, is unrelated to the CZMA and would not have been impacted by the existence of California's CMP. The only desalination project in California that has gone through the CZMA review process, a pilot project in federal waters, received streamlined concurrence from state agencies.

3. Undersea cables

The Coastal Commission has reviewed 19 undersea fiber optic cable projects under the CMP over the past 30 years. It has concurred with each and every one of these projects. BCDC has approved about 100 cable projects in San Francisco Bay since 1998. State agency reviews have helped projects protect coastal resources, including through measures to address commercial and recreational fishing grounds and gear; more accurate maps to improve navigational safety; siting that avoids and offsets damage to sensitive marine habitats; and safeguards against accidental entanglement of endangered marine life, such as whales and sea turtles.

4. Pipeline maintenance

Pipeline repair and maintenance projects are routinely reviewed and permitted under state law rather than the CZMA. The Coastal Commission regularly reviews and approves pipeline repair and maintenance projects under state law, permitting five to 10 per year on average. Also under state law, BCDC has approved at least 75 new fuel pipeline permit applications since 1998 without a single denial. Review of such projects typically focuses on the way the work is conducted rather than whether or not it should be completed. California has never objected to a pipeline repair and maintenance project under its CMP federal consistency authority.

5. Offshore oil production

California coastal state agencies have conducted numerous reviews of proposed offshore oil and gas development for the past five decades, including under its CZMA authority. State agencies have authorized all such projects when safely designed to protect coastal resources, including oil prevention and response safeguards and appropriate siting criteria. The Coastal Commission has concurred with nearly 90% of the 243 offshore oil and gas projects it has reviewed over the past 48 years. The state has also routinely authorized repairs to oil and gas infrastructure needed for existing production, including in sensitive marine protected areas. Overall, California's review of oil and gas projects under the CZMA has resulted in improved drilling and project designs to address significant spill risks and to minimize impacts to vital shipping lanes and fisheries.

Since the catastrophic oil spill off Santa Barbara in 1969, California residents have been deeply concerned about the health, safety and environmental risks of offshore oil and gas drilling. These public concerns were reinforced by significant oil spills along the coast and in the San Francisco Bay. Such spills, each releasing at least tens of thousands of oil into the water, took place in 1971, 1990, 1997, 2007 and 2015.

Concerns that can lead California to object to a federal or federally regulated project include unmitigated oil spill risks from corrosion or outdated monitoring systems, significant damage to marine ecosystems, water quality degradation, and navigational hazards for commercial shipping lanes. It is essential that California, and other coastal states, retain these rights to object to activities that involve unacceptable risks to their coastal economies, public health, and safety.

C. Federal agencies have existing pathways to advance coastal projects that they consider critically important.

The CZMA provides the federal government with discretion to proceed with its own projects despite an objection from a coastal state agency. In cases where a state objects to a “consistency determination” for a federal agency activity, the CZMA encourages the state and federal agencies to find a resolution to the dispute but ultimately allows the federal government to proceed with its project. In such circumstances, state agency review processes provide a transparent public process to voice concerns, disclose impacts, and pursue opportunities for resolution of disagreements.

In other cases, a private activity or project requires a “consistency certification” from state agencies because it needs a federal permit, license, or financial support. If a state agency objects to a consistency certification, CZMA allows for an appeal to the U.S. Secretary of Commerce. The Secretary may override the agency objection if the activity is deemed to be necessary for national security or has benefits to the national interest that outweigh its adverse impacts and no reasonable alternative is available.

D. California has clearly met the legal requirements under the CZMA for its Coastal Management Program.

Congress passed CZMA to “encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and aesthetic values as well as the needs for compatible economic development.”⁴

⁴ 16 U.S.C. §1452

Once NOAA determines that a program satisfies the requirements of the CZMA and grants final approval, it may no longer examine the content of the approved program, only the adequacy of its execution.⁵ As both a court and NOAA have found, “NOAA may not use its power over funding to accomplish indirectly what it may not accomplish directly: enforce alteration of the approved program itself.”⁶

California’s CMP was approved in 1978, and the state has acted consistently with that federally approved plan for over 45 years, as NOAA’s recent draft findings in 2025 make clear. NOAA has no legal basis to attempt to decertify California’s program based on unsupported assertions that it has failed to promote certain preferred industries of this current federal administration.

For more than three decades, California has earned excellent reviews for its coastal management program from NOAA. In fact, NOAA concluded in its 2025 draft report that “the State of California is successfully implementing and enforcing its federally approved coastal management program, adhering to the terms of the federal financial assistance awards, and addressing coastal management needs identified in... the Coastal Zone Management Act.” This report’s findings detail a rigorous review process and demonstrate California’s strong performance in managing its coast.

E. This review threatens local communities’ input on federal decision-making on our coast.

California’s CMP provides public transparency on federal actions affecting our coast and enables California residents to engage on these topics. In many cases, members of the public only learn about and only are able to comment on the impacts of projects managed, licensed or permitted by federal agencies because of state agencies’ review processes under our CMP. Examples include military training and testing activities, closures of public beaches and coastal campgrounds, and leasing of offshore waters for energy development.

Federal projects are often modified—and improved—through these state agency reviews enabled under CZMA. Examples include adding the adoption of oil spill prevention and response plans for offshore drilling, protecting working waterfronts and commercial and recreational fishing opportunities, restoring of critical coastal habitats such as wetlands, and limiting discharge of sewage into coastal waters. Removing this important avenue for local, community knowledge and feedback on federal projects is counter to the spirit of the CZMA.

⁵ State of Cal. By & Through California Coastal Comm’n v. Mack, 693 F. Supp. 821, 825 (N.D. Cal. 1988).

⁶ *Ibid.*; see 84 Fed. Reg. 38118, 38121 (Aug. 6, 2019).

F. This review targeting California also threatens other coastal states.

The CZMA empowers 35 states across our country to review decisions that impact coastal businesses, communities, and resources to determine if they are consistent with the states' coastal policies. For decades, coastal states have used the CZMA to protect their distinct economic and cultural needs, recreational and environmental resources, and public values of their coastal communities. Every coastal state, for example, has used the CZMA to combat erosion, protect fisheries, and preserve public coastal access, communities and the industries on which they rely.

This federal law recognizes that coastal states have unique knowledge and on-the-ground expertise about how best to manage shared coastal resources of national significance. As a result, it gives states meaningful oversight of federal projects as well as federally permitted or licensed projects that can impact the coast. Conversely, as the Coastal States Organization recently noted, diminishing coastal states' rights to review federal actions under the CZMA would "muzzle the voices of communities, small businesses, and states to speak out about federal government actions along the coast that affect their lives and livelihoods."⁷

Coastal states have concurred with approximately 95 percent of federal activities through consistency determinations over the last 50 years. In California, this concurrence rate is even higher, 96 percent of the more than 3,700 federal and federally regulated projects have received concurrences. States have approved the vast majority of federal activities while occasionally, when necessary, raising concerns with federal actions that would harm coastal communities and economies.⁸ For example, states have used the federal consistency process to protect the interests of fishermen and of homes losing land to coastal erosion.

This federal review is taking place just one year after NOAA performed an exhaustive review of California's coastal management program. This is without precedent. This review has been initiated as the federal Administration pursues unprecedented actions targeted at California including the expansion of new offshore oil drilling for the first time in four decades. It is important to note that the federal administration's proposed expansion of offshore oil production in other states, including Florida, North Carolina and South Carolina, were stopped when those states' leaders expressed concerns.

⁷ Coastal States Organization, Organization Opposes Bill Attacking Coastal Zone Management (March 6, 2025) <https://coastalstates.org/coastal-states-organization-opposes-bill-attacking-coastal-zone-management-act/>.

⁸ *Ibid.*

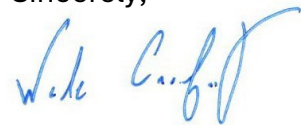
The timing of this review is also inconsistent with established patterns and practices of CZMA management and raises concerns that this review is driven by specific federal priorities for California coast. This unfounded review by NOAA of California's Coastal Management Program opens the door for future federal administrations to decertify or defund any coastal state's management program if they disagree with a state's application of its own environmental laws to industries or projects favored by the federal administration.

In summary, California has a clear and verifiable track record of responsibly exercising its authority under the CZMA to enable balanced coastal development. There is no legal basis to decertify California's CMP. It is improper for NOAA to perform a federal review of a state's coastal management program based on preferred projects of this federal Administration.

Attempting to decertify our state's program would mute the voices of those communities impacted by federal coastal activities and ignore the input of experts that know our coast best. Attempts to decertify California's program create a dangerous precedent that threatens every coastal state in our country from having meaningful engagement in activities that impacts its coasts.

I urge the Administration to refocus on needed state and federal cooperation to manage our coast that has been the hallmark of this law for nearly five decades.

Sincerely,



Wade Crowfoot
California Secretary for Natural Resources