

REDELEGATION OF AUTHORITY FROM
THE UNDER SECRETARY OF OCEANS AND ATMOSPHERE
DELEGATIONS OF AUTHORITY

TYPE OF ACTION: Add _____ Change X Abolish _____

AUTHORITY DELEGATED TO: NOAA General Counsel

TYPE OF AUTHORITY: Statutory, Regulatory and Administrative

SOURCE OF AUTHORITY: Reorganization Plan No. 4 of 1970, as amended;
and Department Organizational Order 10-15.

AUTHORITY TO DO WHAT: Under Reorganization Plan No. 4, as amended, the NOAA General Counsel “serves as the Legal Officer for all legal matters which may arise in connection with the conduct of the functions of the National Oceanic and Atmospheric Administration.” As the Legal Officer for NOAA, the NOAA General Counsel is delegated authority to perform all functions involving activities having recognizable legal attributes under statutes administered by NOAA or under authorities delegated to the Under Secretary/Administrator pursuant to Department Organizational Order 10-15, including any future amendments thereto.

The NOAA General Counsel may delegate any authority s/he has to any employee of the NOAA General Counsel’s office or any other appropriate NOAA employee with the concurrence of their supervisor subject to such conditions in the exercise of that authority as the NOAA General Counsel may prescribe.

RESERVED AUTHORITY: The Under Secretary/Administrator reserves the authority to:

- (i) make the following findings in consistency appeals under 307(c)(3)(A) of the Coastal Zone Management Act (CZMA), 16 U.S.C. § 1456(c)(3)(A): whether the activity is consistent with the objectives of the CZMA

or otherwise necessary in the interests of national security; and

- (ii) decide appeals of rulings of administrative law judges in civil penalty and permit sanction proceedings, including interlocutory appeals and appeals from initial decisions of administrative law judges.

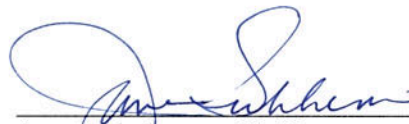
Nothing in this Delegation shall preclude the Under Secretary/Administrator from exercising any of the authority so delegated.

EFFECT ON OTHER DELEGATIONS:

This Delegation combines into one document several documents delegating authority to the NOAA General Counsel over the last twenty (20) years, streamlines while maintaining those delegations, and updates the authority delegated to reflect recent amendments to Department Organizational Order 10-15.

All prior delegations by the Under Secretary/Administrator to the NOAA General Counsel are superseded including: Delegation by the Under Secretary/Administrator to the NOAA General Counsel dated March 3, 1992, at Transmittal # 29 in the NOAA Organizational Handbook, and amendments thereto at Transmittal # 62 (Aug. 30, 2006) and Transmittal # 72 (Jan. 18, 2008).

APPROVING OFFICIAL:



Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere

EFFECTIVE DATE:

22 Feb 2013