Coastal Zone
Information
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Report to the Congress on Coastal Zone Management

Public Law 92-583
Fiscal Year 1976

April 1977

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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of Coastal Zone Management

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U.S. DEPARTMENT OF COMMERCE
Juanita M. Kreps, Secretary
National Oceanic and Atmospheric Administration
Robert M. White, Administrator
Office of Coastal Zone Management
Robert W. Knecht, Acting Associate Administrator

THE SECRETARY OF COMMERCE
Washington, D.C. 20230

March 18, 1977

Dear Mr. President:

I have the honor to transmit herewith, for submission to the Congress, the Annual Report for the Fiscal Year 1976 as required by Section 316 of the Coastal Zone Management Act of 1972 (16 USC 1451).

Respectfully,

Juanita M. Kreps

The President
The White House
Washington, D. C. 20500

Enclosure

Report to the President from the Secretary of Commerce on the Implementation of the Coastal Zone Management Act during Fiscal Year 1976

This report to the President is submitted in compliance with Section 316 of the Coastal Zone Management Act of 1972, as amended. The Secretary of Commerce, who is charged with the administration of this statute, is required to submit a report on November 1 on the operation of the program during the preceding fiscal year.

Congress has included in the requirement for an annual report specific areas which are to be covered. This fourth report on the coastal management program is organized to respond item by item to the 11 specified topics. The three additional areas added by the amendments to the coastal zone law enacted on July 26, 1976, are included. Three of the requirements, items four to six, are not covered because no activity occurred in the areas in question. They deal with programs that have been disapproved (none), activities found not to be consistent with approved state programs (none) and regulations issued during the year (none). Copies of the regulations in effect during the year are included with the annual reports of previous years.

Because the requirement of the statute is to prepare a report for submission before November 1, there was not time to cover those activities of the Office of Coastal Zone Management of the National Oceanic and Atmospheric Administration during the transition fiscal year quarter in 1976. These months will be included in the report submitted for fiscal year 1977.

Fiscal year 1976 saw the first state coastal zone program reach approvable status. It was a significant occasion for this Department to certify that the State of Washington had met the detailed and stringent requirements of the coastal management law and thus merit Federal matching funds for program administration.

The year also saw Congress complete action on a major expansion of the basic coastal zone law and the addition of an energy impact program. This latter program, authorized at $1.2 billion over 10 years, is a major development in national policy. The program authorizes the Federal Government to assist coastal states and local communities to finance public services and facilities necessary to support coastal energy development which is in the national interest.

This action by Congress, signed into law on July 26 by the President, is a strong vote of confidence in the basic merits of the coastal program as a means of providing national and environmentally sound management of the Nation's coastal areas.

Highlights, Fiscal Year 1976

- Approval of the first state program, meeting the requirements of the national legislation, submitted by the State of Washington. On June 1, 1976, the Secretary of Commerce approved the Washington program enabling a grant to be made to the State to aid in the operation of its program during the year, the first such administrative grant made under the provisions of the 1972 legislation.

- Congress enacted wholesale changes in the basic program, aimed at strengthening the original Act, and in addition provided for a billion-dollar coastal energy impact program. Purpose of the latter is to make available financial assistance where needed by states and local communities faced with the need to provide services and facilities made necessary by energy facilities serving the national interest.

- Four completed programs, two from states and two from geographic segments within coastal zones, were submitted to the office during the year. They are undergoing review with the expectation that it will be approved during fiscal year 1977.

- Initial funding to help states plan for the impacts stemming from an accelerated Outer Continental Shelf oil and gas development program was made available to states. Passed as a supplemental to the fiscal year 1975 budget at the request of President Ford, the funds were distributed during fiscal year 1976.

- Ten Federal agencies distributed guidance to their regional and field offices advising them of the manner in which they should take part in and cooperate with states in the development and implementation of coastal programs.

- The Office of Coastal Zone Management took part in a number of efforts to assess the expected onshore impacts from new Outer Continental Shelf oil and gas operations planned around the United States. A joint study by the office, the National Science Foundation and the Bureau of Land Management in the Department of Interior, was begun. A second study with the Bureau of Land Management on state information needs on OCS impacts was also started.

- The third national estuarine sanctuary was established in Hawaii with a grant of $200,000 with which the state will acquire a 5,900-acre site on the island of Hawaii. The grant is a 50-percent matching grant. (See Appendix 1.)

- Draft regulations were prepared and circulated on a key section of the Act, which requires Federal agencies to conduct their activities in a manner consistent with state programs once approved at the national level.

- The operation of the coastal management program was subjected to a careful audit by the General Accounting Office which, while approving of the basic administration of the program, indicated areas for improvement.

- A program in which doctoral candidates at Stanford University spend a year in Washington to learn how public policy is made was successfully initiated. Eight Stanford Fellows were attached to various offices in Washington dealing with ocean-related policy matters, under the sponsorship of the Sea Grant Program, with participation by the Office of Coastal Zone Management.

- Funding for fiscal 1976 was approved at the level of $18 million, the highest in the program's existence.

- The Coastal Zone Management Advisory Committee held four meetings during the year; six new members of the 15-person body were named. (See Appendix 2.)

316(a)(1) IDENTIFICATION OF THE STATE PROGRAMS APPROVED PURSUANT TO THIS TITLE DURING THE PRECEDING FEDERAL FISCAL YEAR AND A DESCRIPTION OF THOSE PROGRAMS

On June 1, 1976, the Secretary of Commerce signed a document signifying Federal approval of the first state coastal zone program to meet the requirements of the Coastal Zone Management Act of 1972.

Washington's 2,300-mile shoreline consists of 157 miles along the Pacific Ocean, 144 miles along the Strait of Juan de Fuca, 89 miles in Grays Harbor, 129 miles in Willapa Bay, 34 miles along the Columbia River and 1,784 miles bordering Puget Sound and the Strait of Georgia. The state's two largest metropolitan centers, Seattle and Tacoma, are in the coastal zone as are two-thirds of Washington's 3.4 million residents.

The Washington program is based on the state's Shoreline Management Act of 1971 which established a cooperative effort between local governments and the State Department of Ecology. Local governments, including all counties and incorporated cities in the coastal zone, must develop local master programs which are comprehensive plans establishing goals and policies for coastal resource use control. Within its jurisdiction, each local master program plan specifies permissible "environments," ranging from urban areas to shorelands to be preserved in a natural state. Each plan also regulates resource uses within these designated environments. Criteria for regulating resource uses stems from existing legislation, natural resource inventories and guidelines developed by the Department of Ecology. The Department approves local master programs and, based on these programs, develops an overall state management program.

Under Washington law, the means of controlling land and water uses in the coastal zone is through a permit system which deals with coastal issues as they arise. The system is administered by local governments subject to the State Department of Ecology's appellate review and requires a permit for developments valued at $1,000.00 or more on marine water areas, associated wetlands and all land within 200 feet of the ordinary high water mark.

The heart of the Washington coastal zone program, as the state described it in its application for Federal approval, is the control program instituted under the Shoreline Management Act of 1971. Strong support for the Act is provided by the State Environmental Policy Act, also of 1971, and the Environmental Coordination Procedures Act of 1973. The former provides a solid base of information for public decisionmaking and the latter requires coordinated action by state agencies.

The objective of the Shoreline Management Act is to minimize detrimental effects of development along the coastline. The Act is clearly not "anti-development." In fact, it explicitly supports preference for development uses which "are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of, the state's shoreline."

A key provision establishes priorities of uses in "shorelines of statewide significance." The Act spelled out in some detail the basis for declaring

shore areas to be of statewide importance, including a listing of specific geographic areas and a definition of specificity such as lakes with a surface acreage of more than 1,000 acres at the ordinary high water level.

In areas so designated, the priority of uses which are to govern local and state decisionmaking are uses which protect statewide interest in preference to local considerations, which preserve the character of the area, which take into account the long term benefits rather than short term gains and which protect the resources and natural ecology of the shore. The shoreline legislation approved by the voters in a referendum in 1972, specifies that where an alteration of the natural condition of the shoreline is to be permitted, preference is to be given to single-family houses. The second priority is given to ports, the third is for recreational uses and the fourth is assigned to industrial and commercial uses which require, by their nature, location on the coast.

In the guidelines developed by the Department of Ecology, the designated administrative agency, local governments are given four broad categories with which to designate territory in their jurisdiction. The four basic types of areas are natural, conservancy, rural and urban. Beyond this, the guidelines aim to encourage types of uses within each category which are consistent with the designation for the area.

The mechanism established for state review of local decisions is distinctive. Rather than outright authority for the Department of Ecology to deny a local action, the shoreline act provides for the establishment of a Shorelines Hearing Board. The state agency may appeal any local decision with which it disagrees to this board, an independent entity established for this purpose. There are six members on the board, three of whom come from the Pollution Control Hearings Board, plus the Commissioner of Public Lands, a representative of the Washington League of Cities and a representative from county governments.

Participation by Washington in the national coastal zone program has added a major element to the state-adopted program. In addition to the Federal matching funds which Washington used to improve its program, the state involved Federal agencies with interests in the Washington coast to a major degree as a consequence of participation in the national program. Consultation with Federal agencies is one of the requirements for states since programs submitted for approval at the Federal level are subject to scrutiny by all affected Federal bodies.

The effect in Washington has been to open up the discussion between Federal agency representatives on the one hand and state and local officials on the other. For the Federal agencies, the process has been one where the significance of the "Federal consistency" provision of the coastal management law has slowly become recognized. Under this key provision, once a program such as Washington's is approved at the Federal level, subsequent actions by Federal bodies must conform to the state-local program for the coasts.

Washington identified 47 Federal agencies with interests in its coastal area. Special consideration has been given to Indian lands within the state's

coastal zone. The discussions with Federal agencies led to modifications of the overall state program developed by the Department of Ecology. The state document containing its coastal program acknowledges that this process was beneficial. "Many problems were revealed or clarified and positions and policies of federal agencies became known to the state, many for the first time. Many of the federal views identified legitimate deficiencies or desirable modifications to the (state-developed coastal zone) program," the program document states.

In his submittal to the Secretary of Commerce, the Governor of Washington, Daniel Evans, declared, "I certify that the Washington coastal zone management program is now an official program of Washington and the state, acting by and through its several instrumentalities, will strive to meet the intent of the Coastal Zone Management Act of 1972, and the state's corollary legislation; and to do so in a uniform, cooperative and aggressive spirit."

With the program approval Washington was awarded a $2,000,000 grant which was matched $1,000,000 by the State. This additional funding has allowed the State to proceed on an accelerated course of program implementation.

A major part of the funds will be passed on to local governments for basic administration and local master program enhancement. These additional funds will provide local governments with additional staff help for the purposes of increased coordination between the various institutional decisionmakers, as well as to conduct needed special studies for program management.

The management program also provides for:

1) regional treatment of problems by local governments,

2) state program administration,

3) other state agency managerial network enhancement of CZM program related authorities,

4) Federal coordination, and

5) scientific and technical information to improve decisionmaking by

    a) interstate coordination,
    b) energy and CZM,
    c) CZM coordination between the 1st and 2nd tier boundaries, and
    d) OCS activities.

While a number of issues on program weaknesses were raised during the program approval process, the additional funds that are provided to a state under Section 306 of the Act allows the state an increased opportunity to make the desired improvements to their program because of increased fiscal resources to meet their identified needs.

A major benefit of Washington's participation in the Federal program is the provision of significant additional funding for local units of government.

This administrative money will enable the local governments in the state's coastal zone to obtain the staff needed to do a more effective job of guiding future growth.

Formal recognition of the approval of the program was given at ceremonies held in Seattle on June 14, at which time a grant was awarded for administration of the approved program. Among those present was Senator Warren Magnuson of Washington, chairman of the Senate Commerce Committee which produced the coastal zone legislation in 1972.

316(a)(2) LISTING OF THE STATES PARTICIPATING IN THE PROVISIONS OF THIS TITLE AND A DESCRIPTION OF THE STATUS OF EACH STATE'S PROGRAMS AND ITS ACCOMPLISHMENTS DURING THE PRECEDING FEDERAL FISCAL YEAR

ALABAMA

CURRENT STATUS:

Alabama's coastal management efforts were slowed in their second year due to a decrease in staff and uncertainties associated with a legislative review of the Coastal Area Board and coastal management activities. As a result, little progress has been made in the area of organizational networks, although a tentative management boundary has been identified, categories of permissible land and water uses have been proposed, and an initial cut has been made at defining geographic areas of particular concern.

ALASKA

CURRENT STATUS:

The original thrust of the coastal management effort in Alaska was in technical data collection and information dissemination. As a result of the first year's efforts, a considerable amount of data was assembled and a framework for a continuing catalogue of "Data for Decision makers" was developed. The final product of this effort was to be a continuously updated compilation of natural and human environment baseline data and implications of those data for decisions affecting the use of Alaska's coast.

The change of administration in 1974 was greeted by emergence of a key coastal issue -- the accelerated Outer Continental Shelf petroleum leasing schedule proposed by the Federal Government. In response, the coastal management program took on an immediate purpose in addition to its long term objectives. It was selected as the tool by which the state could coordinate its internal efforts and ensure that the state would play a significant role in determining the intensity, location and timing of petroleum-related onshore development.

The crucial role of policy in determining management decisions was recognized and the coastal management program development function was moved to the Division of Policy Development & Planning in the Governor's office.

In response to the apparent imminence of OCS-related onshore impacts, comprehensive management legislation was drafted and introduced during the 1975 legislative session. While the legislature failed to act on the coastal management bill, the effort produced awareness within the state of the importance of the issue.

Alaska, in its second and third year of coastal program development, is moving beyond data collection and analysis and into the institutional, policy and service aspects of coastal management program development.

CALIFORNIA

CURRENT STATUS:

California's coastal management program plan, prepared in response to the Coastal Initiative approved by the voters in 1972 and in accordance with the Federal Coastal Zone Management Act, is under review by the Federal Government.

In a separate application, approval is being requested for funds to be allocated to the San Francisco Bay Conservation and Development Commission to implement the coastal management program for the Bay area.

Operating under its third Section 305 coastal program development grant, California is helping to prepare local implementation programs as well as subregional plans for areas where cumulative impact over time could adversely affect coastal resources and public access.

Meanwhile, at the state level, legislation that would establish authorities to carry out the plan has been approved. Some of the plan's 162 policy recommendations are enacted immediately by the legislation; others will receive further study.

CONNECTICUT

CURRENT STATUS:

Connecticut began its second year of 305 program development during fiscal year 1976. The Coastal Area Management Advisory Board was expanded from a membership of state and regional officials to include ten citizens. Major boundary options were mapped, base maps with resource factor overlaps were completed, initial geographic areas of particular concern were nominated, Federal coordination activity was undertaken and information meetings were held with coastal officials, special interest groups, legislators and citizen groups. Existing state legal authorities have been inventoried. Analysis of basic state management organization options was begun.

DELAWARE

CURRENT STATUS:

Much of Delaware's first year of management program development was devoted to identifying and filling management data voids, developing approaches to delineating areas of critical concern, and permissible uses and priorities of uses.

Efforts during the second year of work included: completion of much of the basic coastal resources and processes research work; application of the general coastal management methodology to the needs and issues affecting the Lewes-Rehoboth portion of the coast; initial determination of geographic areas of particular concern, including identification of unique and rare natural areas worthy of preservation; initial listing of permissible uses; and additional basic examination of existing legal and organizational arrangements.

FLORIDA

CURRENT STATUS:

Florida, in its second year of coastal management planning, is completing the technical background that should provide a basis for boundary determination, identification of permissible uses and designation of geographic areas of particular concern. The state is beginning to deal with the determination of gaps in authorities, the structure of a permanent management entity and the relationship between state, regional and local entities, and among state agencies.

One of the major issues to be addressed in the coming grant year is the weaving together of various existing authorities including the Local Government Comprehensive Planning Act, the comprehensive statewide plan, the Development of Regional Impacts review process, the Areas of Critical State Concern designation procedure and the water district management authorities, into an integrated and coordinated coastal management program.

GEORGIA

CURRENT STATUS:

The momentum of Georgia's coastal management plan development was interrupted during a reorganization within the Office of Planning and Budget and a re-evaluation of the coastal management effort. With a better focus on its end goal/product, Georgia is proceeding with its second year of program planning. It has made substantial progress in determining procedures for citing uses of regional benefit and the technical work undertaken. Good intra-state agency relationships exist in this planning stage. It remains for Georgia to translate this background work into substantive policy and management actions.

GUAM

CURRENT STATUS:

In its second year of coastal program planning, Guam is progressing within the various work elements and will attempt to facilitate island-wide participation by establishing networks (e.g. questionnaires) to receive reaction to various program activities. Harsh climatological conditions -- typhoons -- continue to plague the island.

HAWAII

CURRENT STATUS:

During its second year of coastal management planning, Hawaii developed a management policy proposal that is being used in an effort to draft legislation that would implement the coastal management program. The proposal considers the entire state as the coastal zone, includes policy statements for coastal resources, hazard areas, and shoreline development, and proposes a new mechanism for designation and focused management of areas of particular concern.

ILLINOIS

CURRENT STATUS:

Illinois, in its second year of program development, has been concentrating on substantive elements of its plan, including boundary identification, determination of permissible uses and designation of geographic areas of particular concern. Organization is of key importance in Illinois, where local governments have zoning authority.

The goals and objectives for the coastal zone have been drawn up by the state staff utilizing input from all levels of government, interest groups and citizens. The state will also set broad guidelines on use priorities throughout the coastal zone. These will be more specific than the goals and objectives. For example, the state might say that recreation is a priority for the Waukegon shoreline without getting site specific. The state will be specific when setting priorities in areas of particular concern.

INDIANA

CURRENT STATUS:

Indiana is undertaking its program development in two phases: program identification and program planning. The purpose of program identification is to inventory and analyze physical, social and economic, and administrative and legal information relating to the coastal zone. A major effort is being made to solicit public opinion and interest.

Later, during the program planning phase, Indiana will develop a program for determining overall state program objective and for meeting the specific threshold requirements of the coastal zone management program. Indiana is presently in the data collection phase of its program as part of its first-year grant effort.

LOUISIANA

CURRENT STATUS:

A major thrust in Louisiana's second year of coastal program planning by the State Planning Office was drafting a comprehensive coastal resources program statute for consideration by the 1977 legislature. At the same time, efforts were made to explain the process of coastal resources management to the public and solicit comments and suggestions.

Although the comprehensive bill did not pass, the legislature did approve the state and local Coastal Resources Management Act which designated the Louisiana Coastal Commission as an autonomous policy and decision making body within the Office of the Governor. The 21-member LCC was directed to recommend to the legislature prior to March 1977 an act establishing the framework of a comprehensive state and local coastal management program for the state. The LCC is to disband in August 1978, unless legislatively extended.

MAINE

CURRENT STATUS:

Maine is expanding efforts most strenuously in two areas. It is responding to the desire of coastal towns and communities for additional participation and control of coastal management and attempting to plan for the anticipated exploration for and production of Outer Continental Shelf oil and gas.

The state continued to collect information for final boundaries determination, to nominate and review geographic areas of particular concern, to examine methods of organizing existing legal authorities to meet Federal requirements and to develop a system of determining direct and significant impact.

MARYLAND

CURRENT STATUS:

Maryland's initial efforts in coastal management planning focused on basic research. To date, the state has focused on completing the resources inventory necessary to determine geographic areas of particular concern; initiated a study of onshore development associated with OCS activities; established a public participation framework within which program elements may be reviewed and appropriately modified; completed the draft comprehensive dredge spoil disposal plan; completed inventory and analysis of institutions and authorities for managing coastal areas to determine the remedial action necessary; and worked with relevant state and Federal agencies and local governments in an effort to insure consistency as permissible uses of the coast are identified.

MARYLAND

Following governmental reorganization that placed primary responsibility for coastal planning under the Energy & Coastal Zone Administration, a clearer course of actions toward coastal program approval is emerging. Major objectives of the state's third year of coastal planning are: a greater effort toward soliciting public and local government participation; work on the Baltimore Metropolitan Coastal Area Study; initiation of a coastal use capability study in an effort to develop a management mechanism whereby resources information may be used; work with the Department of State Planning to recommend legislative or other action necessary to meet the requirements for authorities and organizational networking; additional emphasis on state-federal coordination; and preparation of the management program document.

MASSACHUSETTS

CURRENT STATUS:

Now in its third year of coastal plan development, Massachusetts is intent upon developing an approvable coastal management program based upon existing authorities, coordinated by the Secretary of Environmental Affairs. The program has used broad-based public participation and involvement to determine direct and significant use characteristics and geographic areas of particular concern. Federal coordination and public information programs were developed.

MICHIGAN

CURRENT STATUS:

With its second year of coastal management plan development nearly complete, Michigan is attempting to resolve a number of management questions. These include determination of a policy for its relationship to Federal lands and privately owned lands within Indian reservation boundaries. In addition, consideration must be given to determining the lake boundary between Michigan and Ohio.

Michigan has solicited input from citizens through the Shorelands Advisory Committee, regional advisory committees, meetings and hearings on the Shorelands Management Act, workshops and a Great Lakes Shorelands Conference held under the sponsorship of the state legislature. The state was to hold a public meeting in every county and a public hearing in each region on the program this summer.

MINNESOTA

CURRENT STATUS:

Minnesota has received a six-month extension to complete its second year work program. It will be completing special studies on shore erosion and coastal areas soils and geology, mapping alternative coastal boundaries and developing management policies for geographic areas of particular concern. The state also is studying the Duluth/Superior Harbor and the St. Louis Estuary in its effort to designate geographic areas of particular concern. Inventory work has been progressing, but few policy determinations have been made.

MISSISSIPPI

CURRENT STATUS:

Mississippi, in its second year of coastal management planning, has made substantive progress in defining boundaries, permissible land and water uses and geographic areas of particular concern.

Among the work tasks that require stronger focus are a consideration of the national interests in facilities siting and state agency interaction on policy matters. The state is continuing to analyze its current legal framework to determine its adequacy and potential for achieving comprehensive coastal management.

NEW HAMPSHIRE

CURRENT STATUS:

As New Hampshire looks toward the January 1977 legislative session, it is concentrating its work program in three major areas: drafting legislation, which encompasses a public participation effort, hearings and Federal coordination; additional technical work necessary to aid in the promulgation of policies and regulations and completing the management program package.

NEW JERSEY

CURRENT STATUS:

Much of the work accomplished during the past two years has been that mandated under the auspices of the Coastal Area Facilities Review Act. In its third year of program development, the state intends to broaden its efforts to meet the specific requirements of the Act for that area of the northern New Jersey coast not covered by the state's Coastal Area Facilities Review Act.

NEW YORK

CURRENT STATUS:

Regaining momentum lost during a reorganization of state government that necessitated an extension of the first year's grant, the New York coastal management program is attempting to accelerate its efforts to formulate a statewide management structure and to fulfill program requirements so it can apply for management program approval on a segmented basis.

During the first year, the state took steps toward inventorying, mapping and analysis of tidal and freshwater lands. Identification of geographic areas and natural areas of particular concern proceeded with a review of studies of natural resource areas. Goals and objectives were reviewed. Factors that will assist in the delineation of coastal boundaries were identified and regional contractors began working on boundary identification. Beginning efforts were made in public participation and intergovernmental coordination.

NORTH CAROLINA

CURRENT STATUS:

The North Carolina program, being developed under the mandate of the state Coastal Area Management Act, is in its third year of development and the state is drafting the document that will be submitted for Federal approval. Momentum also is evident regarding state fulfillment of the provisions of its Coastal Area Management Act, under which local governments have the primary responsibility for plan development. As of July 1976, local land use plans were completed and reviewed by the Coastal Resources Commission. North Carolina plans to submit a draft program for review in January 1977.

OHIO

CURRENT STATUS:

The momentum of Ohio's coastal planning efforts has picked up, following a statewide lay-off caused by revenue constraints that occurred in September 1975. As Ohio enters its second year of coastal planning, various issues prevail. These include the need to look at urban coastlines, coordinate public participation in state planning within the tradition of strong home rule and examine the organizational structure it would employ in implementing a coastal management program.

In order to be eligible for funding for program implementation, the state must demonstrate that it does have the authority to control uses affecting the shore zone. This control may include Federal, State and local planning and managing capabilities. The recommendations of the legal consultant who reviewed the state and local authorities and administrative procedures for the state during the first year was that the state establish two general types of management areas in the shoreline zone: areas of minimum management and areas of optimal management. Areas of minimum management would provide for direct local regulation consistent with state criteria. In areas of optimal management, where intensive regulation is deemed desirable because of unique value, direct state regulations would be exercised.

OREGON

CURRENT STATUS:

Oregon is operating under a third-year program development grant while awaiting Federal review of the draft management program that it submitted in February 1976.

Oregon has conducted an environmental assessment of its proposed management program; is in the process of developing coastal goals, assisting local governments in preparing comprehensive land use plans and providing planning assistance grants and is coordinating goals of the program with Federal and state agencies.

Additionally, Oregon will attempt to assure that state and national interests are reflected in the management program and will initiate a third phase of a study to utilize and conserve natural resources in the Lower Columbia River Estuary.

Oregon's draft program is undergoing Federal environmental impact reviews.

PENNSYLVANIA

CURRENT STATUS:

Into its third year of coastal management plan development, Pennsylvania has identified geographic areas of particular concern and tentatively established coastal boundaries. It still must concentrate on various aspects, including adoption of a coastal management policy framework and development of a method and organizational structure to implement its management program.

Goals and objectives for the program have been determined by those persons participating in the management program's development. The regional planning commissions have also solicited views on the problems and issues and the regions have prepared documents relating to them. The program is currently formulating long and short term actions, in accordance with the goals and objectives of the program, to deal with these problems and issues. Examples of some of these issues are erosion control, port development and increased public access.

PUERTO RICO

CURRENT STATUS:

Puerto Rico into its second year of coastal program planning is requesting Federal approval for a management plan for the Culebra Segment. That area consists of the island of Culebra, several surrounding islands (of which Culebrita, Luis Penya and North Cay are the most important) and the surrounding coastal waters. That area is located 17 miles east of the island of Puerto Rico. In addition, the Commonwealth continues to refine work being done to enable it to gain Federal approval of its entire plan for comprehensive coastal management in Puerto Rico.

RHODE ISLAND

CURRENT STATUS:

During this fiscal year Rhode Island refined work done in the previous year and prepared a draft coastal resources management program that was submitted for Federal review in July. The Coastal Resources Management Council has been in operation regulating developments along the coastline. The Coastal Resources Center at the University of Rhode Island has served as major staff to both efforts.

SOUTH CAROLINA

CURRENT STATUS:

South Carolina, in its third year of coastal program planning, was unsuccessful in its attempt to pass coastal management legislation during the 1976 legislative session. Following substantial staffing changes the program is again focusing on developing legislation for consideration during the 1977 session and on developing a program that meets the Federal approval criteria.

TEXAS

CURRENT STATUS:

Into its third year of coastal program development, Texas in July 1976 stated its directions in the "Draft Texas Coastal Management Program." In the report, the General Land Office recommended that four basic improvements be made in order that the state may improve management of its coastal zone. Those recommendations are that the Interagency Council on Natural Resources and the Environment be restructured to serve as a policy-level council for reviewing, proposing and coordinating coastal management policies and activities; an organized information system be established and housed in the Governor's office; the "Activity-Assessment Routine" be established for assessing, in advance, the probable economic, environmental and social effects of specific activities planned for particular coastal locations; and the boundary should include coastal waters and only those shorelands closely related to those waters.

VIRGINIA

CURRENT STATUS:

Still in its second year of program development planning, Virginia has been primarily involved with data collection and public discussions of coastal management. In the second year's work, the Commonwealth intends to define its coastal boundary; draft its procedure for determining permissible and priority uses for land and water areas; formulate management program alternatives for areas of particular concern, define procedures for Federal involvement in implementation and administration of the coastal plan; continue to involve the general public and various levels of government in program formulation; prepare a plan outlining integration of agencies required for a comprehensive program and prepare legislative proposals where needed.

In its third year of study, Virginia will define its management strategy, procedure and organization requirements and develop procedures whereby the public will be able to review and comment prior to final coastal management program recommendations.

VIRGIN ISLANDS

CURRENT STATUS:

Now into its second year of coastal program planning, the Virgin Islands has made substantive progress in its data gathering and analysis. Boundary determinations are well advanced and procedures for designating geographic areas of particular concern have been identified. It remains for the Virgin Islands to concentrate on coordination of territorial agencies and work more specifically with the interests within the Federal Government. The Department of Conservation and Cultural Affairs has been identified as the implementation agency. The Virgin Islands is expected to submit its management program for Federal review in early 1977.

WASHINGTON

CURRENT STATUS:

Undertaking the transition from planning to program implementation, Washington will be now concentrating on enhancing the role of local governments in the areas of program administration and enforcement; revising and refining local master programs; conducting studies of particular concern to local communities; establishing closer Federal agency coordination and designing a conflict resolution mechanism; standardizing coastal resource data; and developing model ordinances and guidelines for marine water areas, the Outer Continental Shelf and the second tier of the coastal boundary.

WISCONSIN

CURRENT STATUS:

Wisconsin, into its second year of coastal plan development, made substantive progress toward boundaries determination, took novel approaches toward the issues of regional benefit and conducted a strong public participation program. In looking at the issue of uses, Wisconsin identified the state Environmental Protection Agency's authority to require a state permit any time a use affects more than one locality as a possible source of regulatory authority. The state could define uses of regional benefit as any use required to go through the EPA. As Wisconsin undertakes its third-year program, the issue of organization -- what mechanism will be used to implement the management program -- will become important.

316(a)(3) ITEMIZATION OF THE ALLOCATION OF FUNDS TO THE VARIOUS COASTAL STATES AND A BREAKDOWN OF THE MAJOR PROJECTS AND AREAS ON WHICH THESE FUNDS WERE EXPENDED

What follows is a state-by-state listing of planned expenditures during fiscal year 1976 according to budget category. In each case, the total state expenditure is given, meaning that both Federal and state funds are included.

In the case of several states, allocations have been made subsequent to the end of fiscal year on June 30, 1976, but are charged to the state account for this budget year; such funds are included in the state totals. Funds advanced to the states under the special supplemental appropriation passed at the end of fiscal year 1975 to assist planning for Outer Continental Shelf operations are included. Also included is any other supplemental funding made available to states during the fiscal period covered.

The figures are drawn from the applications for funding under Section 305 received by the Office of Coastal Zone Management. The budget category "indirect charges" refers to overhead.

Some of the state figures are small because the basic program operation occurred under fiscal year 1975 funding. The only fiscal year 1976 funding for such states was via the supplemental appropriation for special Outer Continental Shelf oil and gas development analysis and planning.

ALABAMA

BUDGET CATEGORY	
Personnel	$49,450.00
Fringe Benefits	7,930.00
Travel	4,200.00
Equipment	1,200.00
Supplies	600.00
Contractual Services	107,030.00
Construction	--
Other	9,500.00
Total Direct Charges	$180,000.00
Total Indirect Charges	--
TOTAL	$180,000.00

ALASKA

BUDGET CATEGORY	
Personnel	$ 119,232.00
Fringe Benefits	25,039.00
Travel	23,085.00
Equipment	4,220.00
Supplies	2,560.00
Contractual Services	1,621,314.00
Construction	--
Other	4,550.00
Total Direct Charges	$ 1,800,000.00
Total Indirect Charges	--
TOTAL	$ 1,800,000.00

CALIFORNIA

BUDGET CATEGORY	
Personnel	$ 595,035.00
Fringe Benefits	98,182.00
Travel	75,179.00
Equipment	2,034.00
Supplies	124,038.00
Contractual	703,585.00
Construction	--
Other	147,213.00
Total Direct Charges	$ 1,745,266.00
Total Indirect Charges	$ 54,734.00
TOTAL	$ 1,800,000.00

CONNECTICUT

BUDGET CATEGORY	
Personnel	$ 115,960.00
Fringe Benefits	20,960.00
Travel	2,000.00
Equipment	3,500.00
Supplies	11,900.00
Contractual	320,442.00
Construction	--
Other	22,232.00
Total Direct Charges	$ 496,994.00
Total Indirect Charges	$91,006.00
TOTAL	$ 588,000.00

DELAWARE

BUDGET CATEGORY	
Personnel	$ 226,000.00
Fringe Benefits	46,500.00
Travel	4,000.00
Equipment	11,000.00
Supplies	8,800.00
Contractual	262,700.00
Construction	--
Other	25,740.00
Total Direct Charges	$ 584,740.00
Total Indirect Charges	--
TOTAL	$ 584,740.00

FLORIDA

BUDGET CATEGORY	
Personnel	$229,285.00
Fringe Benefits	34,392.00
Travel	44,384.00
Equipment	--
Supplies	5,050.00
Contractual	764,508.00
Construction	--
Other	66,881.00
Total Direct Charges	$1,144,500.00
Total Indirect Charges	--
TOTAL	$1,144,500.00

GEORGIA SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$23,534.00
Fringe Benefits	3,966.00
Travel	10,000.00
Equipment	--
Supplies	3,000.00
Contractual	60,000.00
Construction	--
Other	--
Total Direct Charges	$ 100,500.00
Total Indirect Charges	--
TOTAL	$100,500.00

HAWAII

BUDGET CATEGORY	
Personnel	$102,114.00
Fringe Benefits	11,492.00
Travel	24,640.00
Equipment	9,801.00
Supplies	1,300.00
Contractual	535,000.00
Construction	
Other	65,653.00
Total Direct Charges	$ 750,000.00
Total Indirect Charges	--
TOTAL	$750,000.00

LOUISIANA

BUDGET CATEGORY	
Personnel	$96,806.00
Fringe Benefits	9,285.00
Travel	7,137.00
Equipment	--
Supplies	3,156.00
Contractual	709,658.00
Construction	--
Other	24,458.00
Total Direct Charges	850,500.00
Total Indirect Charges	--
TOTAL	$850,500.00

SUPPLEMENTAL

Contractual	$214,500.00
TOTAL	$214,500.00

MAINE

BUDGET CATEGORY	
Personnel	$141,643.00
Fringe Benefits	14,872.00
Travel	5,000.00
Equipment	5,000.00
Supplies	15,000.00
Contractual	394,140.00
Construction	--
Other	47,390.00
Total Direct Charges	623,046.00
Total Indirect Charges	63,910.00
TOTAL	$686,955.00

SUPPLEMENTAL

Personnel	$65,100.00
Fringe Benefits	7,200.00
Travel	5,000.00
Equipment	500.00
Supplies	4,500.00
Contractual	118,742.00
Construction	--
Other	--
Total Direct Charges	201,042.00
Total Indirect Charges	17,958.00
TOTAL	$219,000.00

MARYLAND SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel	--
Equipment	--
Supplies	--
Contractual	$208,935.00
Construction	--
Other	--
Total Direct Charges	208,935.00
Total Indirect Charges	22,465.00
TOTAL	$231,400.00

MASSACHUSETTS

BUDGET CATEGORY	
Personnel	$414,109.00
Fringe Benefits	39,048.00
Travel	5,300.00
Equipment	11,000.00
Supplies	11,300.00
Contractual	117,039.00
Construction	--
Other	97,388.00
Total Direct Charges	695,184.00
Total Indirect Charges	2,316.00
TOTAL	$697,500.00

SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$50,877.14
Fringe Benefits	3,929.10
Travel	--
Equipment	3,000.00
Supplies	--
Contractual	100,926.25
Construction	--
Other	4,000.00
Total Direct Charges	162,732.49
Total Indirect Charges	2,763.38
TOTAL	$165,495.87

MICHIGAN

BUDGET CATEGORY	
Personnel	$254,449.00
Fringe Benefits	45,801.00
Travel	--
Equipment	--
Supplies	--
Contractual	302,870.00
Construction	--
Other	--
Total Direct Charges	603,120.00
Total Indirect Charges	51,342.00
TOTAL	$654,462.00

MINNESOTA SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$ 53,723.00
Fringe Benefits	8,058.00
Travel	4,040.00
Equipment	--
Supplies	100.00
Contractual	253,890.00
Construction	--
Other	2,356.00
Total Direct Charges	322,167.00
Total Indirect Charges	18,333.00
TOTAL	$ 340,500.00

MISSISSIPPI SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel	--
Equipment	--
Supplies	--
Contractual	$120,000.00
Construction	--
Other	--
Total Direct Charges	120,000.00
Total Indirect Charges	--
TOTAL	$120,000.00

NEW HAMPSHIRE

BUDGET CATEGORY	
Personnel	$79,375.00
Fringe Benefits	7,150.00
Travel	2,425.00
Equipment	1,000.00
Supplies	8,700.00
Contractual	120,100.00
Construction	--
Other	3,250.00
Total Direct Charges	222,000.00
Total Indirect Charges	--
TOTAL	$222,000.00

NEW JERSEY SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel	--
Equipment	--
Supplies	--
Contractual	$505,500.00
Construction	--
Other	--
Total Direct Charges	505,500.00
Total Indirect Charges	--
TOTAL	$505,500.00

NEW YORK

BUDGET CATEGORY	
Personnel	$125,865.00
Fringe Benefits	39,735.00
Travel	13,500.00
Equipment	1,000.00
Supplies	3,000.00
Contractual	944,300.00
Construction	--
Other	--
Total Direct Charges	1,127,400.00
Total Indirect Charges	42,100.00
TOTAL	$1,169,500.00

NEW YORK SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$17,210.00
Fringe Benefits	5,590.00
Travel	3,500.00
Equipment	--
Supplies	1,600.00
Contractual	525,700.00
Construction	--
Other	--
Total Direct Charges	553,600.00
Total Indirect Charges	6,400.00
TOTAL	$560,000.00

NORTH CAROLINA

BUDGET CATEGORY	
Personnel	$247,793.00
Fringe Benefits	40,010.00
Travel	44,834.00
Equipment	4,600.00
Supplies	10,200.00
Contractual	384,148.00
Construction	--
Other	64,600.00
Total Direct Charges	796,185.00
Total Indirect Charges	30,341.00
TOTAL	$826,526.00

SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$91,188.00
Fringe Benefits	15,045.00
Travel	21,000.00
Equipment	2,900.00
Supplies	4,000.00
Contractual	26,529.00
Construction	--
Other	30,617.00
Total Direct Charges	191,279.00
Total Indirect Charges	22,740.00
TOTAL	$214,019.00

OHIO

BUDGET CATEGORY	
Personnel	$178,927.00
Fringe Benefits	32,206.00
Travel	8,000.00
Equipment	--
Supplies	2,400.00
Contractual	312,566.00
Construction	--
Other	43,000.00
Total Direct Charges	577,099.00
Total Indirect Charges	61,901.00
TOTAL	$639,000.00

OREGON

BUDGET CATEGORY	
Personnel	$193,441.00
Fringe Benefits	24,032.00
Travel	26,300.00
Equipment	3,906.00
Supplies	8,511.00
Contractual	1,029,880.00
Construction	--
Other	59,633.00
Total Direct Charges	1,345,703.00
Total Indirect Charges	--
TOTAL	$1,345,703.00

PENNSYLVANIA

BUDGET CATEGORY	
Personnel	$108,932.00
Fringe Benefits	26,258.00
Travel	8,585.00
Equipment	250.00
Supplies	500.00
Contractual	242,125.00
Construction	--
Other	5,150.00
Total Direct Charges	391,800.00
Total Indirect Charges	46,200.00
TOTAL	$438,000.00

PUERTO RICO

BUDGET CATEGORY	
Personnel	$413,803.00
Fringe Benefits	30,521.00
Travel	7,000.00
Equipment	2,000.00
Supplies	4,000.00
Contractual	--
Construction	--
Other	122,214.00
Total Direct Charges	579,538.00
Total Indirect Charges	56,747.00
TOTAL	$636,285.00

RHODE ISLAND SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel Equipment	--
Supplies	--
Contractual	$177,600.00
Construction	--
Other	--
Total Direct Charges	177,600.00
Total Indirect Charges	--
TOTAL	$177,600.00

SOUTH CAROLINA

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel	$4,000.00
Equipment	2,000.00
Supplies	800.00
Contractual	618,810.00
Construction	--
Other	500.00
Total Direct Charges	626,110.00
Total Indirect Charges	--
TOTAL	$626,110.00

SOUTH CAROLINA SUPPLEMENTAL

BUDGET CATEGORY		
Personnel	--	
Fringe Benefits	--	
Travel	--	
Equipment	--	
Supplies	--	
Contractual	$74,382.59	$14,399.00
Construction	--	
Other	--	
Total Direct Charges	$74,382.59	$14,399.00
Total Indirect Charges	--	
TOTAL	$74,382.59	$14,399.00

TEXAS

BUDGET CATEGORY	
Personnel	$232,443.00
Fringe Benefits	61,891.00
Travel	10,500.00
Equipment	--
Supplies	12,000.00
Contractual	1,027,545.00
Construction	--
Other	94,334.00
Total Direct Charges	1,438,713.00
Total Indirect Charges	--
TOTAL	$1,438,713.00

TEXAS SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	--
Fringe Benefits	--
Travel	--
Equipment	--
Supplies	--
Contractual	$349,054.00
Construction	--
Other	--
Total Direct Charges	349,054.00
Total Indirect Charges	--
TOTAL	$349,054.00

VIRGINIA

BUDGET CATEGORY	
Personnel	$126,583.00
Fringe Benefits	20,253.00
Travel	11,600.00
Equipment	--
Supplies	4,500.00
Contractual	433,844.00
Construction	N/A
Other	8,500.00
Total Direct Charges	605,280.00
Total Indirect Charges	--
TOTAL	$605,280.00

VIRGIN ISLANDS

BUDGET CATEGORY	
Personnel	$125,016.00
Fringe Benefits	10,113.00
Travel	10,000.00
Equipment	4,198.50
Supplies	3,000.00
Contractual	12,000.00
Construction	--
Other	15,672.50
Total Direct Charges	180,000.00
Total Indirect Charges	--
TOTAL	$180,000.00

WASHINGTON (305)

BUDGET CATEGORY	
Personnel	$191,327.00
Fringe Benefits	32,764.00
Travel	14,534.00
Equipment	--
Supplies	15,000.00
Contractual	696,014.00
Construction	--
Other	--
Total Direct Charges	949,639.00
Total Indirect Charges	212,861.00
TOTAL	$1,162,500.00

WISCONSIN SUPPLEMENTAL

BUDGET CATEGORY	
Personnel	$38,100.00
Fringe Benefits	3,800.00
Travel	1,000.00
Equipment	--
Supplies	12,250.00
Contractual	267,650.00
Construction	--
Other	9,000.00
Total Direct Charges	331,800.00
Total Indirect Charges	--
TOTAL	$331,800.00

GRANT TOTALS

FY '76 GRANTS AND SUPPLEMENTS

SECTION 305

BUDGET CATEGORY	
Personnel	$4,657,870.14
Fringe Benefits	718,092.10
Travel	396,543.00
Equipment	71,909.50
Supplies	281,165.00
Contractual	14,570,395.84
Construction	--
Other	964,331.50
Total Direct Charges	21,660,308.08
Total Indirect Charges	804,116.38
Federal Funds	14,932,004.40
Matching Funds	7,532,420.06
GRAND TOTAL	$22,464,424.46

316(a)(7) SUMMARY OF A COORDINATED NATIONAL STRATEGY AND PROGRAM FOR THE NATION'S COASTAL ZONE INCLUDING IDENTIFICATION AND DISCUSSION OF FEDERAL, REGIONAL, STATE, AND LOCAL RESPONSIBILITIES AND FUNCTIONS THEREIN

The strategy evolved to date in the administration of the Coastal Zone Management Act of 1972 has been to provide guidance on the basic elements required to enable a state program to be approved at the Federal level, and to allow states maximum leeway within these limits. This approach is inherent in the original Act, which recognizes the need to accommodate the different state political, legal and geographic situations in addressing coastal issues.

The relationship of the Federal, state and local levels of government in taking part in the program (plus some regional entities) varies, therefore, from state to state and changes even within states if there is a change in leadership at the state capital for instance.

The overall strategy from the national perspective concerning the coastal areas of the country is to do everything possible to encourage the states and territories to organize meaningful management programs. These programs will have as their accomplishment the better utilization of a finite resource of immense value to the country -- the coastal areas -- and will permit both the protection of this resource and its wisest and best use.

Putting this objective into practice involves changed habits among governmental entities and possible restraints on property use. The relationships are evolving ones and probably will remain so for the lifetime of the program.

At the same time, during fiscal year 1976 a number of specific actions were taken affecting intergovernmental relations and the translation of national objectives in the coastal zone into programs designed at state levels in an area traditionally dominated by local governments.

For instance, many state programs have openly acknowledged their obligation to consider the national interest, as required by Section 306(c)(8). This has meant that states have come to acknowledge the legitimate Federal role in coastal areas in areas such as national defense, navigation, transportation, interstate commerce and fish and wildlife.

State programs are addressing how state and local governments should relate their respective authorities to these acknowledged Federal interests. While only one state program is entirely through the Federal review process as of June 30, 1976, the prospect is that more enlightened and better coordinated governmental action will follow as a result of the requirement in the coastal management program that states closely coordinate their work with affected Federal agencies.

Another area of intergovernmental relations which received major attention during the year is the clause in the Act which excludes Federal lands from state coastal programs. A major question raised during the consideration of the State of Washington program is the definition of what was meant by the phrase, Federal lands; that is, should the definition be a broad one or narrow. The matter was referred to the Department of Justice whose opinion favored the broad interpretation of the Act's language.

At the same time, it was acknowledged that even if states were not to be allowed to exercise direct control over Federal lands, broadly defined, there is an obligation on Federal agencies to consider the impacts on the coastal zone adjoining their installations. Such impacts have to be taken into account and made consistent with approved programs.

Within the Federal agency family, major progress was made during the year in acquainting Federal offices with their obligation under the coastal management program to work with state and local authorities. With assistance from the Office of Coastal Zone Management, 10 Federal organizations issued guidelines to their field offices containing instructions on how the offices should make their views known to state coastal program officials.

Another aspect of the evolving national strategy with regard to the coastal zone came in the action Congress took during the year to strengthen the coastal management effort. In addition to the present six program requirements, Congress enacted three new elements. These areas are an explicit statement of what are national priorities in the coastal zone, new areas which coastal states are obliged specifically to take into account in order to be eligible for funding assistance from the national level. The three new elements to be required in the future in state coastal programs are: a planning process to provide for improved access to public beaches and other public attractions in the coast, a planning process for the siting of energy facilities which require coastal locations and a planning process to deal with the problem of coastal erosion.

In each instance, Congress meant that these were aspects of coastal development and protection which states needed to take into account. Many states were already working on one or more of the questions when the new requirements were enacted.

The national strategy for the coastal zone and the relationship of the governmental units involved in translating national policy into state and local practice are probably the most sensitive areas in the program. These will continue to receive top priority attention at the Federal level and will likewise occupy a major share of attention among those responsible for devising state coastal programs that will qualify for Federal approval.

316(a)(8) SUMMARY OF OUTSTANDING PROBLEMS ARISING IN THE ADMINISTRATION OF THIS TITLE IN ORDER OF PRIORITY

In its administration of the Coastal Zone Management Act of 1972, the Office of Coastal Zone Management has encountered a number of problems. Many of these have been identified and adjustments made; others are inherent in the program itself and are not susceptible to easy solutions.

A thorough examination of the program's operation conducted by the General Accounting Office, a draft of which was available in May 1976, pinpointed many areas of difficulty. Recommendations contained in the report have been or are being dealt with.

The GAO report, which included a survey of all state coastal programs and a detailed inspection of six representative programs, found three major difficulties. They were: delays in state program development, inadequate participation by Federal agencies and inadequate monitoring on the part of the national coastal zone office.

On the positive side, the General Accounting Office report commented favorably on the Office of Coastal Zone Management's ability to cut down red tape and to provide quick responses to state requests for aid.

In accounting for the delays experienced in development of state coastal programs,the General Accounting Office report cited three principal reasons: lack of readily available state matching money, absence of legal authority at the state level to meet the requirements of the national legislation and political opposition to the concept of coastal zone management.

The first listed problem area accounting for delay has been recognized by the program's national office and has been dealt with by Congress with the addition of a fourth-year period for program development. In addition, the amendments to the basic legislation provides for an interim period of up to two years after a program is fully developed to put it into place. For instance, it may be necessary for a state to enact legislation in order to meet the requirements for adequate state authority to administer a coastal program. The action this year by Congress was explained as recognition that the three-year period originally envisioned was plainly inadequate.

With regard to the lack of adequate state authority, the Office of Coastal Zone Management has made this a major point in reviewing state applications for third-year funding. States have been made to address the problem, if it existed, of how they proposed to meet the Federal requirements that there be demonstrated the authority in law to carry out state-designed coastal programs. This includes the ability to administer land and water use regulations, control development in order to insure compliance with the management program, resolve conflicts among competing users, and override, if necessary, locally made decisions which adversely affect coastal areas of more than local significance. A compilation has been made of each state law which has authorities affecting a state's coastal zone.

Dealing with the third major reason for delays identified by the General Accounting Office report -- political opposition -- is obviously difficult, especially with the limitations inherent in a federally-sponsored program. Nonetheless, increasing emphasis is being placed on public participation in development of state programs and in providing general public information.

Recognition has been given to the fact that the recent economic downturn has made it especially difficult for any governmental program perceived to be a barrier to full and rapid economic development. To the degree that the coastal management effort has been seen by some as an additional governmental hinderance to full employment, this obviously has hampered development of wide public support for the program.

Efforts were made in the past year, and will be intensified, to demonstrate that solid coastal management programs will enhance business development in a number of major ways, as with better coordinated governmental permit actions and more certainty about siting decisions in the coasts.

A second major area identified in the General Accounting Office report for improved management dealt with Federal agency participation in program development by state officials. The issue was brought home dramatically in consideration of the State of Washington program when it became clear, upon the required Federal review, that more work was required to incorporate the legitimate concerns of affected Federal entities. With some effort, this was in fact accomplished for Washington and the program has now been approved.

Consideration of the Washington program served to put the Office of Coastal Zone Management on alert that more emphasis was needed to insure that state personnel involve directly, and as early as possible, relevant Federal officials.

The General Accounting Office report pointed out that part of the problem involved Federal agencies themselves, which in many cases have been slow to recognize their obligation to take part in state program development since, upon final approval, their actions will be governed by the programs.

Continued emphasis on this latter point by coastal zone officials in Washington led 10 agencies to issue guidance to their regional offices regarding their role in dealing with state coastal management personnel. While this marks a considerable step forward from the conditions described by the General Accounting Office, it is certainly not the final solution. The need for expanded discussion among state, local and Federal officials will continue to receive major emphasis in the administration of the program from the national office.

The third major area of deficiency cited by the General Accountinf Office had to do with the nature of the relationship between representatives of the national coastal office and the states. Basically, the investigators found that the national office was emphasizing too heavily the provision of aid to state program personnel and placing too little attention to the need to evaluate and monitor state progress.

Part of the explanation for this, recognized in the report itself, is that the program is a new and innovative one. Another factor is that personnel available to deal directly with state program offices has been limited. This has resulted in the national office being forced into the function of responding to urgent requests for assistance instead of being able to provide the amount of substantive guidance needed.

Partial recognition of the need to bolster the regional coordination function within the Office of Coastal Zone Management was given during fiscal year 1976. Four regions of the country were made into five, for administrative purposes, and each regional coordinator was provided a full-time assistant.

An overall problem facing the national office, inherent in the program, has been how to balance the need to give the lead to the states on the one hand, with the requirement that certain minimum standards be met in order to qualify for Federal funding on the other.

The solution effected during fiscal year 1976 was the development of "threshold papers" on the seven basic requirements of the coastal zone law. These papers spelled out what the minimum requirements are in each area for states to meet. They were designed to take into account the divergence among the states and the possibility that many states would take different approaches. Despite this divergence, the states have to accomplish certain basic requirements in order to qualify for either continued development funding or, even more difficult, for final Federal approval and administrative funding which enable states to place coastal programs into operation.

A major issue which surfaced during the year, and was brought to the fore by the Washington State program application, is what is meant by the statutory definition of the coastal zone which excludes lands, the use of which is by law subject to the discretion of, or which is held in trust by, the Federal government. The legal question involved is whether such lands, which are to be outside the scope of state coastal programs, are to be defined in a narrow or a broad sense. The impact on state programs would be significant, but since the statutory language was subject to several interpretations, this impact was unclear. The question was referred to the Department of Justice whose opinion was that the phrase should be interpreted to include all lands owned by the United States. This does not mean, however, that effects on property outside Federal installations could be ignored, since the statute requires that Federal activities which directly affect a state's coastal zone be consistent with the state's approved management program to the maximum extent practicable. It is possible that the issue will ultimately end up in court. Because of the problems with the definition, a legislative amendment to clarify the present language may be helpful.

316(a)(9) DESCRIPTION OF THE ECONOMIC ENVIRONMENTAL, AND SOCIAL CONSEQUENCES OF ENERGY ACTIVITY AFFECTING THE COASTAL ZONE AND AN EVALUATION OF THE EFFECTIVENESS OF FINANCIAL ASSISTANCE UNDER SECTION 308 IN DEALING WITH SUCH CONSEQUENCES

The consequences of energy activity on coastal areas vary with the nature of the activity itself and the area affected. In addition, a single energy activity will have several distinct phases, each involving a different work force and having different impacts on the community involved.

Concern about the topic has increased in recent years as the necessity for the country to expand rapidly its offshore oil exploration and production becomes clear. While most attention has focused on the Outer Continental Shelf issue and its implication for coastal areas, other components of the energy picture have unmistakable implication for the coasts as well. For instance, importation of petroleum will require new and expanded facilities in coastal areas, including new deepwater port sites and facilities for handling liquefied natural gas. Coastal sites are frequently proposed for added nuclear plants or other power production units.

The increased pressure to use coastal location for facilities to meet the country's energy needs led Congress to pass legislation this year providing added planning money through the coastal management program to examine the implications of various types of facilities. Also, the Office of Coastal Zone Management has gathered and distributed information on the topic to state coastal program managers and is participating in current efforts to develop objective information on the nature and extent of energy-related impacts on coastal areas.

In addition to providing added planning funds for all energy activity likely to locate in the coastal area, Congress added a $1.2 billion impact program to assist coastal states and communities in managing and controlling the impacts of certain coastal-dependent energy activities.

While estimates vary about the nature and extent of impacts that will follow introduction of the offshore industry and other energy activity into coastal communities, sufficient agreement existed to persuade Congress to make aid available in various forms. To make certain that the aid program does not serve to attract to coastal areas energy facilities that might well be located elsewhere, this aid is restricted to only those energy activities that by their nature must be in the coastal areas.

Likewise, Congress restricted the purposes for which grants from the impact program may be used and placed primary reliance on loans and bond guarantees. These are designed to help communities with one of the obvious consequences of coastal energy development -- communities will have to provide public services and facilities made necessary by new or expanding coastal energy industry and its workers. The concept is that tax revenues from additional workers and new plants should enable the communities to pay back the loans or pay off the bond issue, but that the Federal government should help with the difficulty of acquiring large sums of "front-end" capital required to serve immediate needs.

The new impact program, which will begin to make assistance available by mid 1977, also provides grants when areas can show unavoidable environmental damage as a consequence of a coastal energy activity. The Department of Commerce will request funding for the program with the intent or providing assistance in Spring 1977.

Through the energy impact program, then, Congress has dealt with the most obvious consequences of expanded energy activity in the coasts. Communities and state governments are aided with loans and bond guarantees to provide the public facilities and services needed. If through no fault of the community a loan or bond guarantee cannot be paid off, several types of aid including direct grants are authorized. Planning needs and environmental damage can be dealt with through grant assistance.

There are, however, other less tangible consequences of new energy activities in the coasts. For instance, there could be a disruption of the work force in a community. Workers could be lured from current jobs by higher wages connected with the energy industry. In rural areas, the introduction of a major new industry, such as an offshore platform production plant, may well permanently alter the character of such an area and, unless carefully planned, could be disruptive. There is concern in Alaska over the implications for native communities where the offshore industry will locate.

Another consequence requiring careful planning is the shut-down phase. After an offshore field is depleted, much of the support facilities needed to sustain production will no longer be needed. Care will have to be taken to avoid the boom-bust cycle for communities in such situations.

These considerations underscore the aim of Congress in attaching the energy impact program to state coastal management efforts; that is, to insure that impact assistance coincide with good planning so that environmental damage is minimized, facilities are developed in orderly ways and socio-economic considerations are taken into account.

316(a)(10) DESCRIPTION AND EVALUATION OF APPLICABLE INTERSTATE AND REGIONAL PLANNING AND COORDINATION MECHANISMS DEVELOPED BY COASTAL STATES

There are a number of existing mechanisms that permit a degree of interstate and regional planning and coordination among coastal states. It is the experience of the Office of Coastal Zone Management that these mechanisms need to be supplemented with special entities devoted exclusively to coastal issues. This will become possible during the coming year with the special 90-percent Federal matching fund ng made available as one of the new features of the coastal program amendments passed by Congress on June 30, 1976.

Federal regional councils have been used successfully in aiding the states. The Atlanta Federal Regional Council, for example, has established a coastal zone work group. Membership consists of Federal agency representatives at the regional level and offers states and communities a means of identifying contacts they need in developing their programs and a forum where regional concerns can be aired.

Likewise, the Dallas and Philadelphia Regional Councils have set up special committees dealing with coastal issues affecting Federal agencies. State communications with such bodies allow a sharing of information among states of the same area often faced with similar problems.

Another vehicle for interstate coastal management are the river basin commissions in the New England and Great Lakes areas. In New England, for instance, the commission has established task forces for both coastal management and to deal with Outer Continental Shelf questions. Another example is the Standing Commission on Coastal Zone Management, operating since September 1974, and comprised of the program managers of the eight Great Lakes states and representatives of seven Federal agencies. An ad hoc body which serves as an informal forum for information exchange and issue discussion, the Committee develops common understanding and stimulates new coastal zone policy and procedure.

The Committee held a workshop on erosion rate measurement techniques and control methods in Cleveland this year and has commissioned a study on alternative energy facility siting policies for the Great Lakes shoreline. The Committee plans to develop regional awareness of coastal management issues in 1977, and to consider the best procedures for accomplishing Federal consistency in the Great Lakes region.

Experience with these two bodies has been that state coastal programs personnel are able to exchange technical information in a mutually helpful way. Some discussion of regional policy issues also takes place under the auspices of the basin commissions.

One of the commissions established under the Economic Development and Public Works Act, the Coastal Plains Commission in the southeast, has been active in coastal management considerations. A coastal zone committee has been established with representation from varied levels of government to deal with interstate issues from Virginia to Florida.

Still another means of tackling regional questions has been established on the west coast by the Office of Coastal Zone Management. The Pacific Coastal Forum is a means for program managers in California, Washington and Oregon to deal with issues common to the area. One such issue has been the possible location of terminals for oil shipped from Alaska when the North Slope field begins production. The groups meets on an as-needed basis.

316(a)(11) SUMMARY AND EVALUATION OF THE RESEARCH, STUDIES, AND TRAINING CONDUCTED IN SUPPORT OF COASTAL ZONE MANAGEMENT

A variety of studies and reports have been undertaken by the Office of Coastal Zone Management with the aim of providing guidance to those responsible for developing state programs.

With the new authorization for both national and state funding research and training activities, the coming year will see increased emphasis in this area.

In addition, close liaison with the Sea Grant Program of NOAA has enabled the national office to alert state program personnel of studies done in the marine research centers at major universities around the country supported by Sea Grant.

State program managers often have used funds made available for development of state programs to provide needed research. This has been accomplished customarily by consulting firms, universities or other state agencies.

Research completed during fiscal year 1976 in which the Office of Coastal Zone Management took part includes the following:

"Aesthetic Resources of the Coastal Zone", July 1975.

"Methods of Control of Land and Water Uses in the Coastal Zone", October 1975.

"Coastal Recreation -- A Handbook for Planners and Managers", January 1976.

"Coastal Information: A Guide for Organizing and Indexing Information Collections", February 1976.

"Coastal Mapping Handbook (draft edition)", March 1976.

Projects currently underway include two which deal with the impacts of offshore petroleum activity on coastal communities. A report on state information needs on onshore and nearshore factors involved with offshore petroleum development is being undertaken with the Bureau of Land Management, Department of the Interior. A second, more extensive study also involves the Coastal Zone Office and the Land Management Bureau, together with the National Science Foundation. This study, due to be completed in July 1977, will focus on the quantification of onshore impacts, that is, how to accurately measure the effects on the economy, community budgets, population and the environment as a result of the offshore industry. A methodology will be devised and the Mid-Atlantic region used as a case study.

Other studies and reports in preparation include one dealing with port development as it affects coastal management, a handbook on natural hazards in the coastal region and means of dealing with same, coastal water use management, analysis of state technical information needs for coastal program development and administration, assessment of the onshore impact of a deep sea mining operation and a handbook for energy facility siting.

Research areas receiving initial priority attention in the present year will cover such topics as the monitoring of state permit certification with the aim of improving the efficiency of this activity, guidebooks on the facilities made necessary by 10 specific types of energy facilities that might be located in the coastal region, an examination of the different strategies available for providing public access to beaches and other coastal development of recommendations for strategies to deal with water use management questions, the seaward lateral boundary question and an examination of tourism in the coastal zone.

In addition to maintaining a Coastal Zone Information Center in Washington for use by state personnel and other interested persons, the Office of Coastal Zone Management has been working to develop coastal regional information resources. A prototype regional information center has been established in the Great Lakes area. A second center is scheduled for New England this year.

Appendix 1

The purpose of the Hawaiian estuarine sanctuary is to ensure the long-term protection of a virtually natural area. The acquisition and designation as an estuarine sanctuary of the last perennial, undiverted stream on the Island of Hawaii, its tributaries, and essentially its entire watershed, will protect the integrity of this ecological unit indefinitely. The primary uses of the sanctuary will be to conduct ecological investigations and to serve as a long-term control for assessment of man-introduced stresses in other similar areas, particularly the adjacent Waipio Valley. The latter valley is the first of this series of similar valleys ontthe northeast coast of the Island of Hawaii to undergo development; thus the information gained from ecological studies in Waimanu Valley should be of value to the decision-making processes which occur in Waipio, as well as other similar coastal mountain streams.

The Governor of Hawaii has vested the authority to carry out the requirements of Section 315 of the Coastal Zone Management Act in the Department of Planning and Economic Development (DPED). The DPED, in accordance with this authority, has established the policy and procedures for the nomination, selection and management of the sanctuary site. In compliance with Hawaii's Administrative Procedures Act, the Department of Land and Natural Resources (DLNR) has the responsibility for acquiring the non-public landholdings and administering a management program. Approximately 347 acres of the proposed sanctuary lands are privately owned while the remainder of the lands are under state ownership, managed by the Division of Forestry under the Department of Land and Natural Resources. The privately owned lands are all in the valley floor near the mouth of the stream; presently, however, there are no residential, agricultural or commercial activities within the proposed sanctuary boundaries. The application provides that the lands not already owned by the state may be acquired in fee simple, through direct negotiation with the landowner, or, in the case of Hawaiian Home Lands, through land exchanges. Although it is not anticipated that eminent domain would be used, the state has agreed to employ this method of acquisition if no other alternative exists. The lands within the proposed boundary that are presently under the jurisdiction of the Division of Forestry, DLNR, would be declared an area for special use by a Governor's Executive Order and would then be managed under sanctuary guidelines.

A Management Advisory Committee will be established to guide in the development and implementation of plans concerning the sanctuary. The Committee will also act as a liaison with the public to develop greater understanding of the coastal zone management program in general and the estuarine sanctuary program in particular. There are two existing bodies which could possibly act as the Management Advisory Committee. One is the Natural Area Reserves Commission which was established by law to advise the governor and DLNR on areas suitable for inclusion in the state's Natural Area Reserves System and to recommend permitted uses of the areas established as reserves. The Commission is, however,administered by the DLNR. The state would prefer the Management Advisory Committee to be administratively and politically independent of DLNR policies. As a Commission with statewide interests, it was also felt the Commission may not adequately represent the local interests of the Island of Hawaii.

An alternative Management Advisory Committee to the Reserves Commission could be the Hawaii Outdoor Center Board. This Board was established several years ago by the Hawaii 2000 Commission. Four years ago Hawaii 2000, Inc. was established to discuss and explore the goals of the State of Hawaii for the year 2000. This endeavor led to the establishment of the Hawaii 2000 Commission. This Commission on the Island of Hawaii became very effective in matters concerning environmental education for increasing scientific understanding. Local support and interest are very strong and the Commission has continued to thrive after the completion of the original Hawaii 2000, Inc. program. Since that time its interests and local support have broadened. The Hawaii Outdoor Center Board, established by the Commission several years ago, is composed of specialists from a variety of fields, including a marine biologist and local citizens. Its objectives revolve around preservation and environmental education. The board is on good working terms with the Division of Forestry, local scientists and the general public. Because of their knowledge and interest in the Island af Hawaii, their scientific and educational objectives, and their close ties with the community, the state feels this board would be the ideal choice for the Management Advisory Committee. The Hawaii 2000 Commission and the Hawaii Outdoor Center Board have taken this proposal under consideration.

Since the area is presently uninhabited and relatively inaccessible, the monitoring of scientific experiments, protection of the investment of scientific equipment, and the enforcement of regulations could best be handled by a resident manager. This person would not necessarily be a scientist but would be trained to monitor any equipment left in the valley. Whoever was chosen would also have to establish and maintain a good rapport with visitors and residents of the area who use the valley. This person would be on the staff of the DLNR, probably within the Forestry Division.

The presence of a resident manager and occasional scientists will necessitate the construction of two shelters. They will be built on the east side of the valley, 460 meters (1500 feet) from the beach on an elevated shelf above the old trail. These shelters will house the resident manager's quarters and provide space for scientists or visitors. The site would provide protection from flooding and tidal waters; no channelization or other flood preventative measures would be taken since temporary flooding from heavy rains is a natural occurrence here. Water supplies would be provided by catchments or a well. Sewage disposal facilities would be constructed to have minimal impact on the environment.

Prohibited uses include mining, clearing, logging, construction of buildings or campsites (other than the scientific shelters), introduction of exotic flora or fauna, removal of native species of flora or fauna (except for hand clearing about certain archeological and historical sites), anchoring of vessels within the bay or stream, and alteration or destruction of any archeological or historical sites. In addition, no improvements to accommodate helicopters or boats will be allowed, nor would water diversion from the proposed sanctuary be permitted. Restricted uses, those which will be permitted but under control, include angling for marine fish, removal of the Rahitian prawn from the stream (removal of this exotic introduced species is considered

desirable), access to the valley trails and interpretive trails, and research (most manipulative research, however, would not be permitted). In addition, trails would be improved to allow safer and easier access to the valley.

Although boats or helicopters may be used for emergency rescue service, and to bring in major supplies and scientific instruments, no improvements would be made to accommodate them.

Camping by visitors not housed in the manager's quarters or scientific personnel shelter will be permitted in designated locations just outside the sanctuary boundaries. The two sites on either si e of the valley would minimize the impact of man on the valley and would be located high enough to protect the campers from flooding or tsunami and wild pigs. No effort would be made to protect the valley from floods, since floods are a natural occurrence here.

The valley has been used by local hunters for many years and the hunting of wild pigs will be permitted and initially encouraged. Since the wild pig population (an introduced species) is presently causing considerable destruction in the valley and is a threat to anyone within the valley, the long-term objective would be to phase out the feral population at Waimanu and encourage the use of other areas for hunting. Specific regulations concerning hunting include designated hunting areas, required permits, and check-in and check-out with the resident manager. In addition, no cleaning will be permitted within 15 meters (50 feet) of any stream, and any carcasses must be buried. The permit system and the check-in, check-out system with the resident manager should provide adequate control and monitoring over hunting activities.

Swimming could be allowed in the bay; however, it will be strongly discouraged because of the persistent strong undertows and the frequent occurrence of sharks in the bay.

Appendix 2

The Coastal Zone Management Advisory Committee serves as an advisory body to the Secretary of Commerce on matters pertaining to the implementation of the Coastal Zone Management Act. This body is made up of 15 members coming from different regions and representing a variety of points of view. Its chairman is the Associate Administrator for the National Oceanic and Atmospheric Administration (NOAA).

During the Fiscal Year 1976, the Advisory Committee held four meeting, three in Washington and one in the Virgin Islands. Six new members were appointed for three year terms to replace those members whose terms had expired.

The Committee discussed a wide range of topics including coastal user group involvement in coastal management, extended fisheries jurisdiction, coastal management technical assistance to states, excluded Federal lands in coastal management, program evaluation, the California program and how it applies to other state efforts, a review of 306 approval criteria and an analysis of the coastal energy impact fund. Additional topics dealt with other Federal agency actions and how they might impact state coastal management programs.

At the September 11-12, 1975, meeting in Washington, D. C., a resolution was passed recommending that the coastal program manager for the state be given the responsibility for establishing research and training priorities under Section 310 of the Act. A resolution passed in St. Thomas, Virgin Islands, on January 15 supporting Congressional enactment of the amendments to the Coastal Zone Management Act, S. 586. The Washington, D. C., meeting during May 1976 produced a resolution asking the Administrator of NOAA to examine the implications of H.R. 6218, Outer Continental Shelf legislation before Congress, and its impact on coastal management.

The committee formed a task force on state assistance to assist states with public participation, an area which state coastal zone managers indicated requires assistance from the national level. Two committee members have assisted the Great Lakes states by individually conferring with state coastal zone managers and their staffs on methods of enhancing specific state public participation programs and at regional meeting.

Items of continuing concern to the Committee are the relationship of new Outer Continental Shelf (OCS) leasing with the design, formulation, and approval of the coastal management programs of the states; the excluded Federal lands issue; and the integration of the energy impact program under the new legislation with the basic coastal zone management program.

COASTAL ZONE MANAGEMENT ADVISORY COMMITTEE

Chairman: Dr. John W. Townsend, Jr.
Associate Administrator
Nat'l. Oceanic and Atmospheric Administration (NOAA)
6010 Executive Blvd.
Rockville, Maryland 20852

Executive Secretary: Dr. Richard J. Keating
Congressional Liaison
Office of Coastal Zone Management
National Oceanic and Atmospheric Admin.
3300 Whitehaven Street, N.W.
Washington, D.C. 20235

Members:

Adams, Janet K.
President, California Coastal Alliance
Post Office Box 4161
Woodside, California 94062

Allen, Donald G.
Vice President
New England Electric System
20 Turnpike Road
Westboro, Massachusetts 01581

Bertrand, Emanuel
General Manager
Lagoon Marina
St. Thomas, V.I. 00801

Cahn, Robert
Writer-in-Residence
The Conservation Foundation
1717 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Herdendorf, Dr. Charles E.
Center for Lake Erie Area Research
484 West 12th Avenue
Ohio State University
Columbus, Ohio 43210

Jennings, Ann
Conservation Chairman
S.C. LaConte Chapter, Sierra Club
4822 Carter Hill Road
Columbia, South Carolina 29206

Jones, Robert P.
Executive Director
Southeastern Fisheries Association
330 South Adams Street
Tallahassee, Florida 32301

Honorable Tom McCall
News Commentator, KATU-TV
2300 S.W. Broadway Drive
Portland, Oregon 97201

McWilliam, John A.
General Manager & Chief Executive Officer
Toledo-Lucas County Port Authority
241 Superior Street
Toledo, Ohio 43604

Moody, O. William
Administrator, Maritime Trades Dept.
AFL-CIO
Washington, D.C. 20006

Moseley, Dr. Joe C.
Executive Director, Texas Coastal and Marine Council
Post Office Box 13407
Austin, Texas 78711

Nayudu, Dr. Y. R.
Marine and Coastal Zone Resources Management Counsultant
Box 323, Mile 2½ Glacier Highway
Juneau, Alaska 99801

Savit, Carl
Senior Vice President, Technology
Western Geophysical Company
Post Office Box 2469
Houston, Texas 77001

Spellman, John (Vice Chairman)
County Executive
King County Courthouse
Seattle, Washington 98104

Whitney, Scott C.
Professor of Law - College of William & Mary
Williamsburg, Virginia 23122

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