

MARINE AND COASTAL RESOURCES

Coastal Zone Management Act* 16 U.S.C. §§1451-1465

Purpose

The purpose of the Act is to preserve, protect, develop, and, where possible, restore the resources of the coastal zone. [CZMA §303(1)] The coastal zone includes coastal waters and the adjacent shorelands. [CZMA §304(1)]

Federal grants

The Secretary of Commerce may make grants to any coastal state for administering the state's **coastal management program** (CMP) if the state matches the grants according to specified ratios. [CZMA §306(a)]

Each **CMP must include** an identification of the coastal zone to be managed; a specification of permissible land and water uses within the zone; an inventory of areas of particular concern; a listing of the laws, regulations, and decisions that the state intends to use to restrict the use of land and water within the zone; guidelines on the priorities of uses in particular areas; a description of the proposed organizational structure for implementing the program; a planning process for protection of and access to public beaches; a planning process for managing the effects of energy facilities (including those for oil and gas exploration and development); and a planning process for ways to control shoreline erosion. [CZMA §306(d)]

The Act establishes the **conditions and procedures** for grants to states for the administration of CMPs. [CZMA §306(d)]

The Secretary may make grants to any eligible coastal state for the **preservation or restoration** of certain recreationally, ecologically, or aesthetically important areas; the **redevelopment** of certain urban waterfronts and ports; the provision of **access to public beaches**; and the development of a coordinated State process for the regulation and permitting of **aquaculture**. [CZMA §306A(b)] The Secretary may also make grants to coastal states for certain specified coastal zone enhancement objectives or for the implementation of approved program changes. [CZMA §309(b)]

Coastal Zone Management Fund

The Act authorizes the Secretary to promulgate regulations for coastal states to repay loans made to them

pursuant to CZMA §308 as it existed before November 5, 1990. Such amounts shall be deposited into the Coastal Zone Management Fund and used for demonstration projects with a high potential to improve coastal zone management, emergency grants to address unforeseen or disaster-related circumstances, awards recognizing excellence in coastal zone management, and program development grants. [CZMA §308]

Consistency

Activities of federal agencies that affect the coastal zone shall be consistent with approved state CMPs to the maximum extent practicable. [CZMA §307(c)(1)]

Applicants for required **federal licenses and permits** (including persons who submit development or production plans for areas leased under the Outer Continental Shelf Lands Act) must submit "**consistency certifications**" stating that their proposed activities, if they affect coastal zones, comply with any applicable approved CMPs. [CZMA §307(c)(3)]

No such federal license or permit shall be granted unless the state concurs, or the Secretary determines that the proposed activity is consistent with the objectives of the Act or necessary in the interest of national security. [CZMA §307(c)(3)]

A federal agency shall not approve a **grant to a state or local project** that is not consistent with the applicable CMPs, unless the Secretary finds the project consistent with the purposes of the Act or necessary in the interest of national security. [CZMA §307(d)]

Review of state performance

The Secretary must conduct continuing reviews of state programs and must withdraw approved funding from states that fail to adhere to an approved CMP or the terms of a grant. [CZMA §312]

National Estuarine Research Reserve System

The Act establishes the National Estuarine Research Reserve System, consisting of areas designated by the Secretary as national estuarine reserves. The Secretary shall promote the use of the System for research purposes, make grants to coastal states for the management of estuarine reserves, and make grants to coastal states or individuals for estuarine research. [CZMA §315]