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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Coastal Zone Management Task Force

COASTAL ZONE
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STATUS OF STATE COASTAL ZONE MANAGEMENT EFFORTS

U.S. National Oceanic and Atmospheric Administration
Coastal Zone Management Task Force

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ILLINOIS

COASTAL ZONE
INFORMATION CENTER

Governor: Honorable Daniel Walker

Coastal Zone Contact: Anthony Dean, Director, Department of Conservation

Land Use Contact: Harold A. Hovey, Director, Bureau of the Budget

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2234 South Hobson Avenue
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Administrative Structure

Chapter 111.5 of the Revised Statutes of Illinois establishes the Environmental Protection Agency, the Pollution Control Board, and the Institute for Environmental Quality. These agencies maintain regulatory control over air and land resources and over effluent discharges in the State.

The Office of Planning Analysis of the Bureau of the Budget coordinates planning for the intelligent use of the State's natural resources. The Natural Resources Development Board of Illinois is responsible for State review of proposed local projects. The Department of Transportation issues permits for the construction of facilities in or along Lake Michigan. The Department also regulates water diversion and the maintenance of water levels in Lake Michigan. Finally, the Department of Conservation maintains the State Outdoor Recreation Plan and has responsibility for fish, game, parks, and forestry.

Legislation

Filling and Dredging (Chap. 19 Ill. Rev. Stat.-1911, as amended): gives regulatory power to the Illinois Department of Transportation to issue permits for any filling, dredging, construction of bulkheads, placements of outfall structures, or other alteration of the natural shorelines of Illinois' lakes and streams (including Lake Michigan).

Current Activities

The Army Corps of Engineers and the City of Chicago are jointly engaged in the Chicago-South End of Lake Michigan Study of flood control and waste water management. The Corps has also recently concluded a Beach Erosion Control Study for the City of Lake Bluff. The State has now asked the Corps to study erosion along the entire Illinois Lake Michigan shoreline.

The State of Illinois has two coastal counties, Cook County and Lake County. The City of Chicago covers almost the entire shoreline area of Cook County. The City, which is generating a lakefront development plan, is considering the establishment of public ownership of its Lake Michigan shoreline area and the creation of offshore artificial islands to control erosion. The Department of Conservation is in the process of acquiring the Lake Michigan shoreline from Illinois Beach State Park north to the Wisconsin border. The shoreline area would eventually be included into the State Park system.

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ILLINOIS

As a member of the Great Lakes Basin Commission, Illinois also is participating in the development of a comprehensive resource management plan for the Great Lakes region.

Several pieces of legislation to further State control of the Illinois coastal zone are pending in the State legislature. One bill would provide for public access to the beaches bordering Lake Michigan now owned or controlled by local units of government. A second bill, entitled the Lake Michigan Bill of Rights, would create a commission to approve and revise Lakefront Management Plans developed by local units of government. The coastal zone as defined by the bill includes the Illinois waters of Lake Michigan, submerged lands owned by the State, and the shorelines of the Lake up to a distance of one quarter mile inland. Finally, the so-called Regulated Activities Act would require a permit from the Department of Transportation before such activities as drilling for gas or oil, dredging, excavating, or construction of an airport in or on Lake Michigan could take place.

INDIANA

Governor: Honorable Otis R. Bowen, M.D.

Coastal Zone Contact: William J. Andrews, Deputy Director, Department of Natural Resources

Land Use Contact: William J. Watt, Executive Assistant to the Governor

Administrative Structure

The Indiana Department of Natural Resources is most directly involved in coastal resources management on Indiana's 45-mile Lake Michigan shoreline, which includes Lake, Porter and LaPorte Counties. The Divisions of State Parks, Nature Preserves, Water, Fish and Wildlife and Enforcement have significant functions in this particular area of the State.

Specific programs having coastal zone impact are divided among three other State agencies. The Air Pollution Control Board and the Stream Pollution Control Board have direct responsibility for the State's air and water pollution control programs, respectively. The Environmental Management Board has overall coordinating responsibility for environmental control programs, including air, water and noise pollution control, radiation and solid waste disposal. The Indiana Port Commission has responsibility for continuing development, operation and maintenance of public ports.

The Division of State Planning is a part of the Department of Commerce, and is empowered to prepare Statewide plans in cooperation with other State agencies and to provide technical and financial assistance to regional planning groups.

Legislation

Landfills in Lake Michigan (IC 1971, 4-18-13): requires permits be obtained for construction of fills in Lake Michigan by riparian owners. A 1973 Act deletes former provision for mandatory issuance of permits and makes issuance discretionary by the Natural Resources Commission with the approval of the Governor.

Navigable Waters (IC 1971, 14-3-1): vests supervision and control of all navigable waters in the Department of Natural Resources; includes permit authority for uses of water from navigable waters, for taking of sand, gravel or other minerals from navigable waters or for disposal of spoil therein, and for any type of construction in navigable waters. Title to bed of Lake Michigan lakeward of line of Ordinary High Water to the State boundary is in the State of Indiana.

INDIANA

Current Activities

New geologic maps covering both surficial and bedrock materials have recently been completed. Modern soils surveys have been completed for one of the three counties involved and are well advanced in the other two counties. Continuing observations are being made on shoreline erosion problems during the current period of high level on Lake Michigan.

As a member of the Great Lakes Basin Commission, Indiana participates in the preparation and review of a comprehensive joint plan for the water and land resources of the Great Lakes Basin area.

LOUISIANA

Governor: Honorable Edwin W. Edwards

Coastal Zone Contact: Patrick W. Ryan, Executive Director, State Planning Office

Land Use Contact: J. Kelly Nix, Executive Assistant to the Governor

Administrative Structure

The Louisiana Advisory Commission on Coastal and Marine Resources, a ten-member citizen group, advises the Governor directly. Management responsibilities in the State's coastal zone are presently in the hands of three State agencies: the Wildlife and Fisheries Commission is the predominant agency involved in living resource development and use; the Department of Conservation is responsible for non-living coastal resources management such as oil and gas production and mineral extraction; and, the Department of Public Works manages the State's flood protection, navigation, and water resources programs.

State land management planning is handled by the State Planning Office within the Executive Department. The State Planning Office is preparing a State Growth and Conservation Policy which will coordinate closely with any coastal zone management planning.

Coastal zone research is centered within the Louisiana Center for Wetlands Resources, established in 1970 at Louisiana State University. The Center brings together under common administration the University's Coastal Studies Institute, Department of Marine Sciences, and Office of Sea Grant Development.

Legislation

Advisory Commission on Coastal and Marine Resources (Act 35-1971); requires the Advisory Commission on Coastal and Marine Resources to develop and distribute a Coastal Zone Management Plan by September 15, 1973, at which time the Commission is to be disbanded. The Plan is to consider all aspects of coastal and marine resources management including socioeconomic and legal factors, monitoring systems, transportation, power development, waste management, recreation, land use, and resource management. The Commission is further required to determine which of the existing permanent State agencies is most appropriate to implement the management plan as well as the legislative action necessary to institute the policies set forth in the Act.

Superport (Act 444-1972): creates the Deep Draft Harbor and Terminal Authority to represent the State in the development of any "superport" of its coast. The Authority is empowered to purchase or lease bottom lands for use in superport facilities. The Act requires that an environmental protection plan

developed by the Wildlife and Fisheries Commission, the Center for Wetlands Resources, and the Port Authority be employed as a guide in all phases of the superport development program.

Atchafalaya Basin (Act 365-1972): creates the Governor's Atchafalaya Basin Commission and the Atchafalaya Basin Dvision of the Department of Public Works. The Division is required to prepare a land and water use plan for the area in an effort to understand and resolve the competing recreational and developmental demands for uses of the Basin.

Current Activities

The Coastal Resources Unit of the Center for Wetland Resources, Louisiana State University, complete a study called a "Proposed Multiuse Management Plan for the Louisiana Coastal Zone" in December, 1972. The project was prepared for presentation to the Louisiana Advisory Commission on Coastal and Marine Resources. The plan is based upon the relationship between "development corridors," areas where land surfaces are suitable for development and transportation, and "basin areas," wetlands areas conserved for natural resources development.

Having compiled necessary basic data and technical information, primarily through the research efforts of Louisiana's Center for Wetlands Resources, the Louisiana Advisory Commission on Coastal and Marine Resources has organized into subcommittees to analyze specific coastal zone issues and alternative solutions. The Commission is also continuing its study of the impact of State agencies on the coastal zone and is maintaining a "register" of all coastal zone projects proposed or planned in Louisiana.

The Louisiana Advisory Commission on Coastal and Marine Resources is to be disbanded in September, 1973. New legislation has been prepared to keep coastal zone planning alive by forming a Division of Coastal Planning. The Division will be under the direction of the Office of State Planning, which is responsible for the State's Growth and Conservation Policy and land use planning.

MAINE

Governor: Honorable Kenneth M. Curtis

Coastal Zone Contact: Philip M. Savage, State Planning Director

Land Use Contact: Same as above

Administrative Structure

Major State government reorganization has taken place in Maine. The last session of the legislature created seven new departments: Agriculture, Commerce and Industry, Environmental Protection, Finance and Administration, Educational and Cultural Services, Manpower Affairs, and Transportation.

Responsibility for the protection of Maine's major resources is vested in the Department of Environmental Protection, which consists of three divisions: air quality control, water quality control, and land quality control. The State Planning Office in the Executive Department has a Coastal Planning Group which is responsible for an ongoing inventory of the State's coastal zone.

Legislation may be introduced in this session of the legislature to create two new departments: Marine Resources and Conservation.

Legislation

Wetlands Preservation Act (Act 348-1967): authorizes the State Wetlands Control Board to impose "any conditions they feel necessary to protect the public interest" regarding the filling, dredging or altering of coastal wetlands. A permit for such activities requires the approval of both the Control Board and the municipality involved.

Wetlands (Act 541-1967): gives the Wetlands Control Board the further power to "adopt, amend, repeal or modify" orders regarding the alteration of coastal wetlands.

Site Selection (Act 571-1970): requires a license from the Department of Environmental Protection for any commercial, residential or industrial development which occupies a land area in excess of 20 acres, or which contemplates drilling for or excavating natural resources, or which occupies on a single parcel a structure in excess of 60,000 sq. ft. in ground area.

Mandatory Zoning (M.R.S.A. Title 12, Sec. 4811-1971): provides that inland and coastal lands within 250 feet of normal high water are to be subject to State zoning if not put under local zoning by June 30, 1973. The Act authorizes the Maine Environmental Improvement Commission and Land Use Regulation Commission to set standards for such localities to enforce.

MAINE

Land Use Regulation Commission (M.R.S.A. Title 12, Chap. 206-A; 1972): sets up a seven-member Land Use Regulation Commission to extend planning and subdivision control to all "unorganized and deorganized" areas of the State. The Commission is to adopt an official "comprehensive land use guidance plan" not later than July 1, 1973. The plan is to be developed to guide the Commission in classifying lands into protection, management, development, and holding districts. The Commission is further empowered to prepare specific land use guidance standards for the use of air, lands, and waters in the various districts.

Current Activities

The State Planning Office's Coastal Planning Group is coordinating the preparation of the State's "Coastal Development Plan." The State Planning Office defines this as "the essential elements of a plan; a resource inventory and a basic land capability analysis"--a coastal resource data base upon which future plans and policies might be based. An indepth study of Penobscot Bay has been completed to serve as a pilot for the other six regional plans (all to be completed by December, 1974). Inventory and mapping of geography, geology, hydrology, forestry, wetlands, marine environments, water quality, scenic and historic sites, and recreation are to be included.

Legislation to amend the Site Selection Act of 1970 to limit heavy industrial development on the Maine coast to six minor civil divisions is now pending in the State legislature. This bill would further restrict all terminal and oil refinery facilities on the coast to two of these six divisions.

MARYLAND

Governor: Honorable Marvin Mandel

Coastal Zone Contact: Anthony F. Abar, Director, Program Planning and Evaluation, Department of Natural Resources

Land Use Contact: Vladimir Wahbe, Secretary, Department of State Planning

Administrative Structure

The Maryland Department of Natural Resources was created in 1969 in an effort to bring together previously independent departments involved in natural resource management. These included: Forests and Parks; Fish and Game; and Water Resources. The Maryland Environmental Service created in 1970 to provide a regional approach to cities of water, wastewater, and solid waste facilities was also placed in the Department of Natural Resources.

The majority of programs dealing with the State's coastal resources are operated by the Department of Natural Resources. The Department of State Planning is responsible for developing the State Development Plan and its associated land use inventory.

Legislation

Wetlands (Act 241, 1970 as amended): divides the State's wetlands into two categories: State (areas below the mean high tide line) and private (areas not State wetlands which support aquatic vegetation and are subject to regular or periodic tidal action). On State wetlands dredging and filling are prohibited without a permit from the Board of Public Works. The Board makes its decision after receiving recommendations from the Department of Natural Resources. On private wetlands, activities are regulated by the Department of Natural Resources through a permit system operated in accordance with rules and regulations developed by the Department.

Power Plant Siting Act (Act 31-1971): deals with land acquisition, research and certification. The Act requires long-range planning by utilities, a 10-year plan of possible sites for construction, environmental suitability investigation of possible sites by Department of Natural Resources, and streamlined certification procedure. The Maryland Department of Natural Resources has the primary responsibility for administering the program. The program, including research into the environmental effects of power plant operation, is financed by a surtax on electric energy generation.

Shore Erosion Control (Act 245, 1970 as amended): provides for long-term low interest loans for shore erosion protection devices in high erosion areas and technical assistance to shore owners concerning shore erosion measures.

MARYLAND

Twenty to thirty projects with a total cost of approximately $500,000 are funded each year; technical assistance and advice is provided for many more privately-funded projects. The Department of Natural Resources has primary authority for this program.

Current Activities

The Department of Natural Resources is studying ways to provide more comprehensive and coordinated management of the State's coastal resources under its existing authority and powers. Such activities are being coordinated with the Department of State Planning's activities related to development of the State Development Plan and its associated land use inventory.

In the 1973 legislative session, land use legislation which included coastal areas as critical areas was seriously considered by the State legislature but not passed. Coastal zone management legislation was also introduced but not acted upon.

MASSACHUSETTS

Governor: Honorable Francis W. Sargent

Coastal Zone Contact: Arthur Brownell, Commissioner, Department of Natural Resources

Land Use Contact: Robert Marden, Assistant Secretary for Planning

Administrative Structure

Massachusetts State government has undergone major reorganization in the past year. Within the Office of Environmental Affairs, reorganization has brought together a number of agencies, including the Department of Public Health, and the Department of Natural Resources. The Department of Natural Resources now has six major divisions: Water Pollution Control (water quality), Mineral Resources, Conservation Services (wetlands control), Law Enforcement, Water Resources (research and planning), and Marine Fisheries.

A new Intersecretariat Task Force on Land Use has been established that includes five of the executive offices. The Task Force is being set up by the Office of State Planning and Management (within the Office of Administration and Finance) in conjunction with the Department of Community Affairs. Under the Intersecretariat Task Force are a number of other task forces, including one on Ocean Resources. The Coastal Zone Management Subcommittee of the Ocean Resources Task Force has studied the problems of developing the institutional machinery for coastal resource management and suggested legislation to establish such machinery.

Legislation

Hatch-Jones Act (Chap. 131, Sec. 40, Mass. General Laws-1965): requires public hearings, review, and primary local control over permits and projects involving the dredging and filling of coastal and inland wetlands. Local conservation commissions may place restrictive conditions on such projects to preserve fisheries, prevent pollution, prevent flooding, etc.; these conditions may be appealed to the State Department of Natural Resources, which may replace the local decision with protective measures of its own. The State Department of Public Health may also impose conditions to preserve navigability and ensure protection from erosion.

Coastal Wetlands Protection Act (Chap. 130, Sec. 105, Mass. General Laws-1965): authorizes the Commissioner of Natural Resources to take the initiative to adopt, amend, modify, or repeal orders regulating or restricting the altering of coastal wetlands.

Commission on Ocean Management (Executive Order No. 59-1968): creates the Massachusetts Commission on Ocean Management to develop a comprehensive long-range estuarine area management plan. The Commission serves as the nucleus of the Subcommittee on Coastal Zone Management mentioned above.

MASSACHUSETTS

Current Activities

The Coastal Zone Management Subcommittee of the Ocean Resources Task Force published its preliminary report in August, 1972. Among its recommendations were that:

- legislation for coastal resource management be enacted quickly,

- a Coastal Resources Council, chaired by the Governor and having the Secretaries of Community Affairs, Environmental Affairs, Transportation and Construction, and Administration and Finance as part of its membership, be created to serve as the "Board of Directors" of the coastal resources management program,

- the Office of Environmental Affairs become the lead agency in developing a Statewide program by conducting a resource inventory and developing guidelines with the major responsibility for planning exercised by local bodies, and

- an environmental monitoring, inventory, and information system be developed as a data base for decision-making.

The Department of Natural Resources has created a working group under the Commissioner, coordinated by a full-time professional, to begin resource inventory of the coastal zone, coordinate ongoing related coastal zone management departmental programs, and initiate additional research studies.

MICHIGAN

Governor: Honorable William G. Milliken

Coastal Zone Contact: Ralph W. Purdy, Deputy Director for Environmental Protection Branch, Michigan Department of Natural Resources. Alternate: William D. Marks, Chief, Water Development Services Division, Department of Natural Resources

Administrative Structure

The Michigan Department of Natural Resources is the agency responsible for coastal zone planning and management. Water and resources management and regulation activities are centralized within the Department. Water and related land resources planning and recreation planning are also Department responsibilities.

Comprehensive land use planning is also coordinated through the Department's Office of Land Use, with interagency coordination provided by the Inter-Departmental Committee on Water and Land Resources Planning.

Legislation

The Shorelands Protection and Management Act (Act 245 of the Public Acts of 1970): requires the development of a comprehensive plan for the use and development of Great Lakes shorelands. Included in the plan must be an inventory of existing governmental agency plans affecting the shorelands, identification of shoreland problems and recommendations for steps required to establish and implement comprehensive State shoreland planning and management programs.

The Act requires that surveys be conducted to identify high risk erosion areas and critical environmental areas. Upon State designation of such areas local agencies may regulate land use so as to prevent erosion damage to future structures and to assure environmental protection. Provisions are made in the Rules promulgated under the Act for a State permit system to provide controls if local agencies fail to take action.

Current Activities

The inventory of both high risk erosion areas and environmental areas has been completed by staff of the Department of Natural Resources. The critical areas have been identified and designated. Proposed rules promulgated in accordance with the Act are undergoing review and are close to formal adoption. Additional field work is being conducted to gather data for use by local units of government and the Department.

MICHIGAN

The shorelands plan called for in Act 245 has been formally adopted by the Natural Resources Commission upon revision as a result of public hearings. It will soon be submitted to the Governor and legislature. The plan sets forth three basic principles to protect and preserve Michigan's shorelands. The plan proposes: 1) to limit developments to those which specifically require a shoreline location, 2) to require permissible developments to be planned and constructed to harmonize with the capacities of the shoreland ecosystem, and 3) to foster and facilitate public acquisition of significant shoreland environmental areas.

MINNESOTA

Governor: Honorable Wendell R. Anderson

Coastal Zone Contact: Joseph Sizer, Director of Environmental Planning, State Planning Agency

Land Use Contact: Same as above

Administrative Structure

The Minnesota Department of Natural Resources is the State agency most concerned with water and related land resource planning and management. The Department has responsibilities in the areas of recreation, fish and wildlife protection, and flood control, as well as overseeing the State's shoreland zoning program. In an effort to consolidate the coordination of State and local activities pertaining to water and related land resources, the water use planning functions of the Water Resources Planning Commission were recently transferred to the Bureau of Planning of the Department of Natural Resources.

The Environmental Quality Council, composed of departmental directors, serves as a policy-making body in the area of environmental quality and management. The State Planning Agency is responsible for maintaining Statewide coordination of land planning and management in Minnesota.

Legislation

Shoreland Management (Chap. 105.485, Minn. Stat.-1969): requires counties to enact and enforce shoreland zoning ordinances for unincorporated lands within 1,000 feet of the normal high water mark of a lake or pond or within 300 feet of a river or stream. The Commissioner of Natural Resources is responsible for setting zoning standards for the counties.

Surface Use Zoning (Chap. 631, Minn. Stat.-1969 as amended): authorizes the Commissioner of Natural Resources to establish surface use control for watercraft on any public water of the State when so requested by a local unit of government.

Current Activities

As required by the Shoreland Management Act, the coastal counties have developed their classification and regulation schemes based on guidelines established by the Department of Natural Resources. The Shoreland Management Unit of the Department of Natural Resources has recently begun to develop a comprehensive plan for the maintenance of shorelines and the control of dredging, filling, and waste disposal. The Minnesota Pollution Control Agency is presently involved in a cooperative planning effort for Duluth Harbor and is studying water quality problems of the North Shore of Lake Superior.

MINNESOTA

Several pieces of legislation which would provide for increased management in the coastal zone are likely to be enacted during the current legislative session. One bill would expand the Shoreland Management Act to include incorporated as well as unincorporated areas. A second bill, entitled the Critical Areas Act, would authorize the Environmental Quality Council to set criteria for the designation of areas of critical State concern and would require that a unit development plan be drawn up by the local unit of government affected. Finally, a third bill would provide for the designation of wild, scenic, or recreational rivers by the Commissioner of Natural Resources and would require local land use ordinances in the areas through which the rivers flow to meet minimum standards set by the State. A number of rivers within Minnesota's coastal area are expected to be covered by this Act.

MISSISSIPPI

Governor: Honorable William L. Waller

Coastal Zone Contact: Dr. James B. Rucker, Director, Marine Resources Council

Land Use Contact: Dr. Preston T. Bankston, Director, Liaison and Coordination Office

Administrative Structure

The Mississippi Marine Resources Council is an autonomous body reporting directly to the Governor, who serves as Chairman. The Council is, in effect, a "Board of Directors" determining the State's objectives with regard to coastal zone management. The Council has an Executive Director and staff which serves as the operational group. This operational group interfaces with other agencies and coordinates activities in implementing the Council's policies. The Council staff is also actively engaged in coastal zone management planning and project implementation and management.

Other State agencies significantly involved in planning and management in Mississippi's coastal zone include the Marine Conservation Commission which regulates commercial fishing; the State Port Authority; the State Oil and Gas Board and the State Mineral Lease Commission. In addition, the Gulf Regional Planning Commission coordinates long-term planning in the coastal counties of the State (Hancock, Harrison, Jackson and Pearl River). The Commission is active in the areas of land use, transportation, recreation, water and sewage disposal.

Legislation

Marine Resources Council (Act 2034-1970): creates the Mississippi Marine Resources Council to coordinate all plans for "effective, efficient and economic" development of the State's marine resources. The Act also requires the Council to support a program of marine science research and to provide the Governor, the legislature and State agencies with the information necessary for wise decision making in regard to development of Mississippi's marine resources.

Coastal Wetlands Protection Act (H.B. 140-1973): designates the Mississippi Marine Resources Council as the regulatory agency for activities conducted on State-owned public wetlands. These public wetlands are defined as all lands below the watermark of ordinary high tide and all publicly owned accretions above high tide. The Act becomes effective July 1, 1973.

MISSISSIPPI

Current Activities

Coastal zone management is advancing on several fronts in Mississippi. Mississippi's Sea Grant research programs, which have been oriented toward providing solutions to marine problems, is administered by the Universities Marine Center. This administrative body represents the major universities in coordinating Sea Grant research programs and serves as a research arm of the Marine Resources Council. Additionally, the Gulf Coast Research Laboratory, an arm of Mississippi's Institutions of Higher Learning, conducts continuing research programs in marine sciences which provides a data base for coastal zone management programs.

Mississippi's preliminary coastal zone management plan has been completed by the Marine Resource Council's contractor and is presently undergoing review and evaluation by the Council. The plan is being initiated and developed in accordance with the requirements and guidelines of the Coastal Zone Management Act of 1972. This initial management plan includes an inventory of resources, a study of coastal zone users, and the State's goals and objectives for future planning and development. The plan, which is to be continually updated and evaluated, will be followed by plans and programs oriented toward more specific short-term goals. In addition, a Citizen's Advisory Committee and a Technical Advisory Committee will be established to aid the Council in its work.

The Marine Resources Council interfaces with the Gulf Regional Planning Commission in studying problems which are of mutual interest. The Gulf Regional Planning Commission is studying the development of a regional plan for open spaces, recreation, and environmental appearance in Mississippi's coastal counties.

NEW HAMPSHIRE

Governor: Honorable Meldrin Thomson, Jr.

Coastal Zone Contact: James Minnoch, Director of State Planning, Office of Comprehensive Planning

Land Use Contact: Same as above

Administrative Structure

There are four major agencies through which most of the State's natural resource planning programs are carried out. The Office of Comprehensive Planning, attached to the Governor's Office, exercises a supervisory function over resource planning. The Department of Resource and Economic Development conducts outdoor recreation planning and supervises forest and park planning. Major water programs are administered by the Water Supply and Pollution Control Commission. However, the comprehensive planning functions of the Commission are carried out in close cooperation with the Office of Comprehensive Planning.

New Hampshire also has a Council of Resources and Development, which functions as an inter-agency coordinating group consulting on common problems in the field of natural resources and their development. The Council also reviews the sale of surplus State lands. The Chairman is the Director of State Planning

Legislation

Wetlands (Act 215-1967): provides for control over dredging and filling of tidal areas and public waters. The Act authorizes the Port Authority to rule on permits and hold public hearings before any dredging or filling can take place. The Fish and Game Department is also authorized to impose any conditions on the permit issuance it feels are necessary, if fish or wildlife might be affected by the project.

Dredge and Fill (Act 483-A-1969): authorizes the Special Board on Dredge and Fill to promulgate rules and regulations concerning filling and dredging in the tidal areas of the State.

Power Plant Siting (Act 357-1971): sets up an inter-agency Site Evaluation Committee (SEC) chaired by the Director of the Water Supply and Pollution Control Commission. The Act requires a certificate of site approval from the Public Utilities Commission on a finding by the SEC that the new power plant will not unduly interfere with orderly development or have an unduly detrimental effect on the environment. The Public Utilities Commission is to be bound by the SEC's land use decisions.

NEW HAMPSHIRE

Current Activities

The New England Regional Commission awarded a grant of $20,000 to the State of New Hampshire to study and report on the need and mechanisms for participation by the State in the Coastal Zone Management Act of 1972. As a result of this study, which has now been completed, a second grant of $20,000 was recently awarded. The Office of Comprehensive Planning has asked the South Eastern New Hampshire Regional Planning Commission in Exeter to undertake a year-long, comprehensive study as a continuation of the State effort. The Regional Planning Commission, under the direction of Charles A. Tucker, will participate in coastal zone studies and planning under the guidance of the Director of the Office of Comprehensive Planning.

NEW JERSEY

Governor: Honorable William T. Cahill

Coastal Zone Contact: Richard Goodenough, Director, Division of Marine Services, Department of Environmental Protection

Land Use Contact: Richard J. Sullivan, Commissioner, Department of Environmental Protection

Administrative Structure

The agency primarily responsible for coastal zone management activities in the State of New Jersey is the Division of Marine Services of the Department of Environmental Protection. The Division of Marine Services administers the State's wetlands permit and shore protection programs among its other responsibilities. In addition, the Governor has recently established by executive order, a State Planning Council to recommend State policy on developmental activities.

The New Jersey Division of Fish and Game maintains responsibility for an extensive wetlands acquisition program under authority of the Green Acres Land Acquisition Act of 1961.

Legislation

Wetlands Act (Act 27 - 1970): requires that a permit be obtained from the Department of Environmental Protection prior to the dredging, filling, polluting, building upon or otherwise altering of any coastal wetlands. After public hearing are held and wetlands areas to be protected are inventoried, the Department is also empowered to adopt, amend, or repeal orders altering the wetlands.

Current Activities

Mapping of wetlands (under the Wetlands Act of 1970) is being followed by the issuance of regulations on a county-by-county basis. The regulations for Middlesex, Monmouth, Ocean, Atlantic, and Cape May Counties were approved by the Department of Environmental Protection and are now in effect.

Assembly Bill 527 creating an ocean sanctuary extending three miles offshore from Sandy Hook to Cape May has been passed by the State Assembly and is awaiting the approval of the Senate. The Bill provides strict control over development or any activity which might endanger the ecology of the area.

A second proposal, which would broaden the Wetlands Act of 1970 is pending in the New Jersey legislature. This bill, entitled the Major Coastal Areas

NEW JERSEY

Facilities Review Act, designates specific coastal areas where heavy industry and offshore facilities can and cannot be located; no person would be allowed to build or expand a "major facility" in the delineated areas without obtaining a permit from the Commissioner of Environmental Protection.

Governor Cahill has recently declared his opposition to four "superport" sites suggested by the Army Corps of Engineers in New Jersey. He cites the possibility that a large offshore port would add to pressure for the further development of the coastal region. The superport controversy remains an important issue in New Jersey State government.

NEW YORK

Governor: Honorable Nelson A. Rockefeller

Coastal Zone Contact: Henry G. Williams, Jr., Deputy Director, Office of Planning Services
Dr. W. Mason Lawrence, Deputy Commissioner, Department of Environmental Conservation

Land Use Contact: Henry G. Williams, Jr.

Administrative Structure

The New York State Department of Environmental Conservation coordinates State, regional, and local plans for environmental preservation and conservation. Marine coastal zone-related activity is centered in Long Island's Suffolk and Nassau Counties. New York also has an extensive coastal zone on the Great Lakes, comprised of part of the shoreline of Lake Erie and all of the shoreline of Lake Ontario within the United States. The Regional Marine Resources Council of the Nassau-Suffolk Regional Planning Board has been conducting marine coastal research since 1965, and Suffolk County's Departments of Planning and Environmental Control, and the Suffolk Environmental Quality Council have been involved in regional marine coastal and wetlands planning and management in recent months. Several regional planning commissions, regional water resources planning boards, and local planning boards are involved in planning in the Great Lakes coastal zone in New York. The State Office of Planning Services in the Executive Department coordinates local, regional and State planning in New York. The Office recently conducted a study and inventory of Long Island's marine wetlands.

Legislation

Long Island Wetlands Act (L. 1959, c. 545): provides State assistance for preservation and management of marsh areas owned by local governments. The State is empowered to share the cost of such activities on a 50-50 matching basis if the local government first designates the land for conservation purposes.

Department of Environmental Conservation (L. 1970, c. 140): creates a Department of Environmental Conservation with one of its responsibilities to provide for the protection and management of marine and coastal resources and of wetlands, estuaries and shorelines.

Current Activities

Two proposed wetlands bills are awaiting action in the New York legislature. Both bills would provide additional protection to wetlands, including control over dredging, filling or otherwise altering existing wetlands.

NEW YORK

The New England River Basins Commission is sponsoring a local, regional and State cooperative study of Long Island Sound. The multi-year study, begun in 1971, will inventory all present and proposed uses of Long Island Sound's resources. High priority will then be given to plans for preservation of water quality; conservation of wetlands; availability of shorelands for commercial, recreational, and residential use; and the institutional arrangements and legal requirements for conserving and developing the Sound's resources.

NORTH CAROLINA

Governor: Honorable James E. Holshouser, Jr.

Coastal Zone Contacts: James E. Harrington, Secretary, Department of Economic and Natural Resources
Ronald K. Ingle, Assistant Secretary, Department of Administration

Land Use Contact: Ronald F. Scott, State Planning Officer, Department of Administration

Administrative Structure

The North Carolina agencies involved in coastal planning and management fall primarily within the Departments of Administration and Natural and Economic Resources. These agencies include the Divisions of Commercial and Sport Fisheries, Commerce and Industry, Mineral Resources, State Parks, Recreation, and the Office of Water and Air Resources. In addition, the Department of Transportation and Highway Safety houses the State Ports Authority which has the authority to acquire and develop ports and harbors.

The North Carolina Council on Marine Sciences is housed within the Department of Administration. The Council, which was given statutory authority in 1970, is charged not only with coordinating marine planning but also with maintaining a general overview of activities within the coastal zone.

The State Planning Division of the Department of Administration is responsible for coordinating interdepartmental planning and ensuring that strategies for resource allocation are consistent with the long-range goals of the State.

Legislation

Estuarine Study (Act 1164-1969): requires a comprehensive study of the State's estuarine areas to be undertaken by the Division of Commercial and Sport Fisheries of the Department of Conservation and Development with a "view toward the preparation of a comprehensive and enforceable plan for the conservation of the resources of the estuaries, the development of their shorelines, and the use of the coastal zone."

Dredge and Fill (G.S. 113-229-1969, amended 1971): requires "individuals" wishing to engage in dredging or filling of any estuarine waters, tidelands, or marshlands to obtain a permit from the Department of Conservation and Development.

Wetlands Protection Act (G.S. 113-230-1971): authorizes the Department of Conservation and Development to adopt rules and regulations to protect coastal marshes and contiguous lands after public hearings and the preparation of maps.

NORTH CAROLINA

Current Activities

In early 1972 a State-Federal Committee was appointed to work with the Marine Science Council in developing a comprehensive plan for marine resources in North Carolina. A preliminary plan was published in December, 1972.

Several local planning efforts are also underway: Currituck County has declared a moratorium on development to allow time for preparation of a comprehensive resource management plan; and a pilot plan for coastal zone management has been prepared by the State for New Hanover County.

Legislation has been introduced in the current session of the North Carolina legislature to establish a Statewide coastal zone management program. This legislation would create a Coastal Resources Commission within the Department of Natural and Economic Resources as well as a Coastal Resources Advisory Council. The bill requires that a coastal area management plan be developed by the Secretary of Administration with the advice and assistance of the Advisory Council. The bill further provides for the designation and control by permit of areas of critical State concern. The Secretary of Natural and Economic Resources and the Commission would administer this aspect of the State program.

A bill to create a State land policy council is also pending the State legislature. The bill would require the council to develop policy with respect to land use and land management for the protection of the environment and the conservation of basic land resources. The bill contains the provision that if the coastal areas management bill was to be passed its provisions would apply in coastal areas in lieu of those of the land use bill.

OHIO

Governor: Honorable John J. Gilligan

Coastal Zone Contact: Dr. William B. Nye, Director
Department of Natural Resources

Land Use Contact: Dr. David C. Sweet, Director, Department of
Economic and Community Development

Administrative Structure

The Ohio Department of Natural Resources is the lead agency for the administration of the Coastal Zone Management Act in the State of Ohio. Within the Department, responsibility for this activity rests with the recently established Shoreland Management Section of the Division of Planning. The Division incorporates full capability and expertise for the development of land use plans and implementation schemes for State, local, and regional planning activities.

The Department has initiated action to establish a State level Shoreland Management Task Force composed of representatives from the Ohio Environmental Protection Agency, Department of Economic and Community Development, Department of Public Works, and the Ohio Department of Transportation. These agencies all have assigned responsibilities in the future development of the coastal zone. The purpose of the task force is to ensure that the policies and views of these agencies are incorporated in the Ohio Shoreland Management Program.

Current Activities

As a member of the Great Lakes Basin Commission, Ohio participates in the preparation and review of a comprehensive joint plan for the water and land resources of the Great Lakes Basin area.

Within the Department of Natural Resources the Shoreland Management Section has established objectives for the next biennium. Program activities in the next year will consist of the development of a comprehensive work program and the initiation of a pilot study in a selected area of the coastal zone. Further Department activities pertain to the administration of permit programs for the construction of structures and extraction of minerals, oil and gas on the Ohio shoreline of Lake Erie.

The Ohio Environmental Protection Agency is developing a comprehensive plan for the protection and enhancement of the air, water, and other natural resources of the State, including the coastal zone.

Finally, several pieces of legislation dealing with specific problems in the coastal zone are awaiting action in the Ohio General Assembly. One bill

OHIO

would establish the Lake Erie Shore Erosion Control District along Lake Erie for the purpose of developing and implementing, at the local level, a comprehensive shore erosion protection plan along the entire Ohio shoreline of the Lake. A second bill would require that all local subdivisions of the State delineate the flood plains in their jurisdiction (including the Lake Erie flood plain) and adopt flood plain management ordinances to regulate future development of these areas.

OREGON

Governor: Honorable Tom McCall

Coastal Zone Contact: Kessler R. Cannon, Assistant to the Governor for Natural Resources

Land Use Contact: Same as above

Administrative Structure

The Office of Planning of the Executive Department serves to provide State-wide coordination of Oregon's various planning programs. A number of State agencies conducting natural resource planning programs report to the Governor. Some of these agencies are: Department of Environmental Quality; Division of State Lands; Fish Commission; Game Commission; Water Resources Board; Marine Board; Soil and Water Conservation Commission; and Nuclear Thermal Energy Council.

The Oregon Coastal Conservation and Development Commission was established by the 1971 State legislature to develop a coastal zone management plan. The 30-member Commission is composed of 24 local elected officials from the coastal zone (8 port district, 8 city, and 8 county members) and 6 representatives appointed by the Governor from the State at large.

Legislation

Beach Access (Act 601-1967): gives the citizens the right to unrestricted use of Oregon's beaches up to the vegetation line. The Act prohibits any improvements on the area without a permit from the State Highway Division.

Power Plant Siting (Executive Order - 1969): creates the Nuclear Siting Task Force of the Nuclear Development Coordinating Committee. The Governor's Task Force is empowered to approve or disapprove nuclear power plant locations with primary attention to be focused on the effects the installations will have on the environment.

Coastal Zone Management Plan (Act 608-1971): sets up the Oregon Coastal Conservation and Development Commission. The Act charges the Commission to develop a natural resource management plan and method of implementation, and directs the Commission to submit the plan to the 1975 session of the Oregon legislature. The plan is intended to be used as a standard against which proposed uses of natural resources can be evaluated. The Act defines the coastal zone to include the entire drainage basins of all Oregon's coastal rivers and tributaries with the exception of three major rivers that transcend the coastal mountain range.

OREGON

Coastal Construction Moratorium (Executive Order - 1971): directs that "all State agencies involved in construction or construction-related activities on the coast stop planning for or implementing any project that would modify the natural environment of the coast." The Governor further ordered that the Local Government Relations Division of the Executive Department and the Department of Transportation work with cities, counties, and councils of government to "initiate complete land use plans" along the Oregon coast.

Current Activities

Natural resource management policies and performance standards are presently being developed by the Coastal Commission. Estuary planning guidelines have been developed outlining a local-State partnership program for each of the coastal estuaries. Eventually, a management package will be developed for each of the 18 natural resource categories of critical environmental concern identified by the Commission.

Establishment of a State Land Conservation and Development Commission has been proposed to strengthen land use planning Statewide, as well as within the coastal zone.

PENNSYLVANIA

Governor: Honorable Milton J. Shapp

Coastal Zone Contact: C. H. McConnell, Deputy Secretary
Engineering and Construction
Department of Environmental Resources

Land Use Contact: Dr. Maurice K. Goddard, Secretary
Department of Environmental Resources

Administrative Structure

The Pennsylvania Department of Environmental Resources is the department most heavily involved with resources management in the Commonwealth of Pennsylvania. The Department is responsible for the State's land and water management programs, all aspects of environmental control, and the regulation of mining operations. Specifically, the Department is responsible for State parks; development of the State Water Plan; investigation, design, and construction of flood control projects; watershed soil and water conservation; water quality management; development of the Environmental Master Plan; and, the State's topographic and geologic survey activities.

The Office of State Planning and Development is responsible for the preparation of plans and programs for the physical and economic development of the State. It is empowered to prepare, and keep up-to-date a long term development program of all major State improvement projects. The Office is further empowered to conduct and stimulate research and to collect, analyze, and publish information relating to the proper economic and physical development of the State and the conservation of its natural resources.

The Pennsylvania Fish Commission and the Pennsylvania Game Commission are involved in managing the extensive fish and game programs of the Commonwealth.

Current Activities

The Commonwealth of Pennsylvania maintains an active role in the Great Lakes Basin Commission. The Commission is involved in the preparation of long-range, comprehensive and coordinated joint plans for development of water and related land resources in the Great Lakes Basin.

A portion of Erie County is Pennsylvania's only area within the Great Lakes Basin. The Department of Environmental Resources manages the Pennsylvania State Park at Erie which covers the entire Presque Isle Peninsula. At the present time, essentially all of the remainder of the land bordering Lake Erie in Pennsylvania is owned by private land owners or local communities.

RHODE ISLAND

Governor: Honorable Philip W. Nobel

Coastal Zone Contact: Glenn Kumekawa, Executive Assistant for Policy Program Review

Land Use Contact: Daniel W. Varin, Chief, Statewide Planning Program

Administrative Structure

The Coastal Resources Management Council, which reports directly to the Governor, is responsible for administering the State's Coastal Management Program. It is composed of the Directors of the Departments of Natural Resources and Health along with representatives of the State legislature and the general public. The Division of Coastal Resources within the Department of Natural Resources provides technical information and staff services to the Council. The Division of Planning and Development of the Department of Natural Resources maintains responsibility for activities related to planning, land acquisition, and engineering studies. The Department also contains the divisions of Agriculture, Parks and Recreation, Fish and Wildlife and Forest Environment, and Enforcement and is the regulatory agency for all permits concerned with wetlands and marshes.

The Governor has recently established an Office of Policy and Program Review to formulate basic policy directions and to evaluate implementing programs for all major activities of State government, including management of coastal resources.

The Statewide Planning Program of the Department of Administration is responsible for compilation and review of the State Guide Plan with the guidance of the State Planning Council.

Legislation

Intertidal Salt Marsh Act (Chap. 26, Laws of R.I.-1965): requires that a permit be obtained from the Department of Natural Resources before commencement of filling, excavating, or otherwise disturbing the ecology of a salt marsh.

Coastal Wetlands Act (Chap. 140, Laws of R.I.-1965): authorizes the Director of the Department of Natural Resources to issue orders restricting the uses allowed on coastal wetlands. Wetlands are defined as salt marshes and such contiguous uplands up to 50 yards upland of the salt marsh as are considered necessary to protect the marsh.

Coastal Management Council Act (Chap. 279, Laws of R.I.-1971): creates the Coastal Resources Management Council to administer a management program for all coastal activities below the high water mark and those activities occuring on land which involve power plants, mineral extraction, shoreline protection

facilities, intertidal salt marshes, or sewage and waste treatment and disposal. Control over these activities is to be accomplished by use of a permit system based on a comprehensive resource management plan. The Act also requires that the management plans be consistent with the State Guide Plan maintained as part of the Statewide Planning Program.

Current Activities

The Coastal Resources Center, a relatively new marine program at the University of Rhode Island, is working directly with the Coastal Resources Management Council's Subcommittee on Planning to develop a long-range master plan. Immediate objectives are: an inventory of marine resources, an identification of problems in the coastal region, a plan for barrier beaches, and the recommendation of policy alternatives to the Council and the communities involved. The final plan will also include emphasis on marine mining and commercial fishing.

The Statewide Planning Program has received a grant from the New England Regional Commission for the preparation of a shore area, land use plan. The plan will express and refine the States' development strategy as it effects the entire 420-mile coastal shoreline inland to a maximum distance of one mile. This plan will also bring together the applicable elements of Federal policy for coastal zone, land use, and water quality.

SOUTH CAROLINA

Governor: Honorable John C. West

Coastal Zone Contact: James M. Whitmire, Jr., Executive Assistant, Office of the Governor

Land Use Contact: Same as above

Administrative Structure

The Marine Resources Center of the South Carolina Wildlife and Marine Resources Department contains the South Carolina Marine Research Laboratory, the focal point of the State's Sea Grant Program, and the Office of Marine Conservation, Management and Services, directly responsible for the management of the State's marine resources.

The South Carolina Water Resources Commission is responsible for coordinating the views of various State agencies and recommending policy with regard to South Carolina's water and related land resources. The Commission is divided into four major sections: the Division of Administration; the Division of Engineering and Planning; the Division of Land and Water Management; and the Division of Geology and Hydrology. The Division of Land and Water Management is responsible for carrying on special environmental studies, evaluating sites for the disposal of dredged material, and preserving the navigability of the State's waterways.

Recently, a Coastal Zone Planning and Management Council was established by the Governor. It is to be co-chaired by the Directors of the Water Resources Commission and the Marine Resources Division.

Legislation

Coastal Zone Planning and Management Council (Executive Order - December, 1972): creates the Coastal Zone Planning and Management Council to formulate, recommend and administer a planning and management program designed to promote "public health, safety, and welfare in the maximum beneficial use of the South Carolina coastal zone."

Current Activities

The "Port Royal Sound Environmental Study" was published by the South Carolina Water Resources Commission in November, 1972. The study not only compiled necessary data but set forth a number of conclusions as well. Among these were: all dredging and filling of marsh areas should be halted; a comprehensive management plan including zoning should be developed and implemented; and a capacity-use study should be conducted in the area.

SOUTH CAROLINA

The South Carolina Office of Planning, Division of Administration, has identified the preservation and compatible use of wetlands as a high-priority problem in South Carolina. Accordingly, an intensive survey of the marsh areas of Charleston harbor has been conducted to serve as a guide to future development of the area.

The South Carolina Marine Research Laboratory is also conducting a long-term intensive estuarine survey covering the entire South Carolina coast. The survey represents an effort to gather environmental baseline information, including water chemistry and living organism distribution, to serve as a foundation for future coastal zone management efforts by the State.

The South Carolina legislature is currently considering two bills to improve management of the coastal zone. A tidal wetlands bill would provide for control over the State's tidal areas by an interagency council. A tidelands management and protection bill would establish a commission to prepare a management program for the State's coastal area with a permit program to regulate activities in the coastal zone.

TEXAS

Governor: Honorable Dolph Briscoe

Coastal Zone Contact: Bob Armstrong, Commissioner, General Land Office

Land Use Contact: Edward Grisham, Director, Division of Planning and Coordination

Administrative Structure

The Commissioner of the General Land Office has been designated as the chief administrative officer for the Texas coastal zone program. The Environmental Planning Division, with the aid of the Legal Division of the General Land Office, will coordinate the coastal zone management program with other natural resource agencies comprising the Interagency Council on Natural Resources and the Environment. The Interagency Council is an interagency planning organization composed of 13 State agencies which have specific responsibilities in the area of natural resources. The Division of Planning Coordination of the Governor's Office, acting as staff for the Interagency Council, will also aid in coordination.

The Texas Council on Marine Related Affairs was created in 1971 in order to advise State planning and regulatory agencies in addition to the Governor and the legislature on "comprehensive assessment and planning of marine related affairs."

Legislation

Open Beaches (Act 19-1959): establishes public ownership of the State's beach areas up to the vegetation line. When the line of vegetation cannot be determined or when it is located a substantial distance from the shoreline, the line is to be drawn 200 feet from mean low tide. State, county, and district attorneys are authorized to bring suit to remove anything obstructing public access to these areas.

Coastal Public Lands Management Act (S.B. 644-1973): calls for formulation of a comprehensive management program for the surface lands of State-owned coastal submerged lands and islands and vests administrative responsibility for planning and management with the Commissioner of the General Land Office. The Act also authorizes limited leasing of certain lands for public purposes and establishes a permit system for construction, maintenance, and use of private structures on coastal islands and submerged lands.

Current Activities

The recommendations of the Natural Resources Interagency Council were submitted to the Governor and legislature in December, 1972. Among these was a recommendation for establishment of a "continuing mechansim for insuring future

coordinated management of Texas' coastal resources...with its major thrusts being in the development of suggested guidelines and criteria for coastal resource usage, promoting improved cooperation between governmental bodies, and between government and private persons."

The "Superport" issue is currently receiving a good deal of attention in Texas. The fourth special session of the 62nd Texas legislature (1972) passed an act creating the Texas Offshore Terminal Commission to develop a plan to accommodate supertankers at the earliest possible date, including recommendations for the port locations which would insure optimum protection of the environment.

Several programs begun under the coastal resources management program of the Natural Resources Interagency Council are currently in progress. These programs include bay and estuarine management, legal institutions, waste management, economic development, transportation, and power plant siting.

VIRGINIA

Governor: Honorable Linwood Holton

Coastal Zone Contact: Dr. William Hargis, Jr., Director, Virginia Institute of Marine Science

Land Use Contact: Alexander Gilliam, Jr., Special Assistant to the Governor

Administrative Structure

There are a number of agencies presently involved in coastal zone activities in the Commonwealth of Virginia. The Virginia Marine Resources Commission grants permits for dredging and for the construction of marinas, piers, and docks. The Commission is also responsible for maintaining State overview of local government regulation of wetlands. The Commission of Outdoor Recreation is responsible for creating and administering a long-range plan for the acquisition and protection of outdoor recreation facilities. The Virginia Port Authority maintains responsibility for the conservation and development of land, water, and related resources through the several Soil and Water Conservation Districts of the State.

The Division of State Planning and Community Affairs is responsible for coordinating Statewide planning activities in Virginia. The Division is charged with developing a master plan to coordinate State efforts in the areas of transportation, commerce, agriculture, resources, and land use. The Virginia Institute of Marine Science under the Commonwealth's Oceanographic Law, conducts research on marine environments and resources with special attention to their wise management and utilization. In June, 1970, the Governor officially designated the Institute as the Commonwealth's Coastal Zone Laboratory.

The Secretary of Commerce and Natural Resources has recently established an interagency Coastal Zone Task Force to coordinate planning and management of coastal zone activities.

Legislation

Wetlands Act (Chapter 2.1, Code of Virginia—1972): gives initial control of a permit system for wetlands regulation to local governments, with the advice of the Virginia Institute of Marine Science. If local governments fail to develop regulations within the framework of the State law, authority for the control of the wetlands in such areas passes to the Marine Resources Commission. The Act was recently strengthened by extending the definition to cover certain nontidal wetlands and by provision for the repair of damaged wetlands.

VIRGINIA

Current Activities

The Virginia Marine Resources Commission and the Institute of Marine Science are developing criteria and guidelines for their own use and for guidance of local wetlands boards in carrying out the provisions of the Wetlands Act of 1972. The Institute is also actively engaged in several research and development programs including inventories of shorelines, shorelines conditions and use patterns, wetlands evaluation, and the development of an informational system. In this last category, the Institute is engaged in a joint effort with the Water Control Board to develop mathematical models of all the tidal waters of Virginia.

At the present time, critical environmental area definition and policy seems to be at the forefront of coastal resource management activity in Virginia. In July, 1972, the Virginia Assembly authorized the Office of State Planning and Community Affairs to study the areas it determined were environmentally sensitive and to report on strategies for their development. The Office's preliminary recommendations point to the need for the State to assume a more active role in the preservation and protection of critical areas in the State, including the coastal zone.

WASHINGTON

Governor: Honorable Daniel J. Evans

Coastal Zone Contact: John A. Biggs, Director, Department of Ecology

Land Use Contact: James M. Dolliver, Administrative Assistant to the Governor

Administrative Structure

Two Departments within the State of Washington carry on activities in the area of coastal zone management. The Department of Ecology consolidates the previously separate Department of Water Resources, the Water Pollution Control Commission, and the air quality and solid wastes sections of the Department of Health within its jurisdiction. Two major responsibilities, the shoreline management program and the State environmental impact program, were recently added through legislative action.

The Department of Natural Resources manages coastal lands deeded to the State through one of its ten management divisions, the Surveys and Marine Land Management Division. Under this program, State land is inventoried and identified according to potential uses, and preliminary site plans are subject to public group, local government and State review before use decisions are made.

Legislation

Thermal Power Plant Siting Act (Chapter 80.50 RCW-1970): establishes a Site Evaluation Council composed of the heads of the major State agencies or their designees. The Act requires that the establishment of environmental and biological guidelines be given top priority in the development of site evaluation programs.

Shoreline Management Act (Chapter 90.58 RCW; ratified by electorate as Initiative 43B, November, 1972): applies to marine waters, streams with a mean annual flow of 20 cubic feet per second, and lakes larger than 20 acres; applies to land extending landward 200 feet from the ordinary high-water mark and includes all marshes, bogs, swamps, floodways, river deltas, and flood plains associated with the above described water areas. The Act establishes a cooperative program between local governments and the Department of Ecology, with the Department having the responsibility for adopting general guidelines for local government to be used for: (1) the development of "master programs" (comprehensive shoreline use plans) by local government within their jurisdictions, and (2) providing criteria to local government for use in evaluating permits for development or alteration of the shorelines as required by the regulatory phase of the Act. The Department is also responsible for developing procedures for the permit system (to be administered locally), for

designating the shorelines subject to the Act, and for reviewing all permits issued by local government pursuant to the Act. Local government is responsible for conducting an inventory and preparing master programs and for initiating and administering the regulatory program. If local government fails to undertake a planning program and adopt a plan, the Department is required to prepare the plan.

Current Activities

As required by the Shoreline Management Act, the Department has prepared and adopted permit procedures and guidelines for use by local government. The Department has also developed procedures for conducting local shoreline inventories. At this time (April, 1973) all local units of government have completed inventories and are initiating the master program planning phase. Master programs are required to be completed by December 24, 1973, and submitted to the Department for approval. Approximately 1,500 permits for shoreline alteration or development have been submitted by local government to the Department for review.

WISCONSIN

Governor: Honorable Patrick J. Lucey

Coastal Zone Contact: Harry J. Schmidt, Director, Bureau of Planning and Budget, Department of Administration
Thomas G. Frangos, Administrator, Division of Environmental Protection, Department of Natural Resources

Land Use Contact: Farnum Alston, Assistant to the Governor

Administrative Structure

The Wisconsin Department of Natural Resources, created by combining the Water Resources Commission and the Conservation Commission, is responsible for long-range planning for the management of State water, forest, and fish and game resources. The Department is also authorized to oversee the State's shoreland management program. The Board of Preservation of Scientific Areas, within the Department's administration, prepares plans for preservation of areas of special scientific interest.

The Department of Local Affairs and Development promotes local and regional planning and assists in the preparation of development plans for local units of government.

The Department of Administration manages the State's critical resources information program which inventories, locates, and monitors critical resources as an information base for planning and decision making. The Department also administers the State land use policy planning program and is developing a Statewide system for acquisition and maintenance of needed land use and resource information.

Legislation

Water Resources Act (Act 614-1965; Sec. 59.971 Wis. Statutes): requires county governments to zone all unincorporated shoreland areas within their boundaries subject to State guidelines and review. Areas are to be zoned as either Conservancy, Recreational-Residential, or General Purpose Districts. Commercial establishments are prohibited from Conservancy Districts and only allowed in Recreational-Residential Districts by special permit. Industrial plants are barred from Conservancy and Recreational and only allowed in General Purpose Districts by special permit. Power plants are allowed in any district by special permit. If a county's program is found to be lacking, the Department of Natural Resources is empowered to step in and administer the program directly.

WISCONSIN

Navigable Waters (Sec. 144.26 Wis. Statutes): provides for State planning and regulation of uses of navigable waters and their shorelands, and sets use priorities.

Floodplain Zoning (Sec. 87.30 Wis. Statutes): provides for floodplain zoning by local government in accordance with State criteria, and for State regulation where local units fail to perform.

Current Activities

To aid the counties in meeting the State's criteria for zoning, the Department of Natural Resources is providing technical assistance to county governments, including a model ordinance which illustrates a recommended method for fulfilling the legislative mandate.

In February, 1973, a series of policy recommendations of the Wisconsin Land Resources Committee were set forth in the Committee's "Final Report." The Committee identified basic areas of Statewide or regional significance and recommended that policies and statutes be adopted to provide State control over land use decision-making in these areas. To implement this recommendation, the Committee proposed several revisions in the land regulatory system, with State involvement in setting standards for local regulation and guidelines for local decision-making on matters of more than local concern.

In a special environmental message to the State legislature, delivered in April, 1973, the Governor outlined a series of legislation to institute the recommendations of the Land Resources Committee. The Governor recommended passage of a land resources act, a power plant siting act, and a wetlands protection act among others.

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