13307

COASTAL ZONE INFORMATION CENTER

ACTIVITY NUMBER 5

Federal Coordination

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New York State Coastal Zone Management Program

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ACTIVITY NO. 5 - FEDERAL COORDINATION

General Description

The scope and extent of Federal and interstate statutes, regulations and programs concerning New York State's coastal zone will be identified, reviewed and analyzed.

TASK 5.1

STATEMENT OF TASK

Implementation of Appropriate Mechanisms for Achieving Coordination of Federal/State Coastal Zone Interests

Products Expected

1. Establishment of mechanism for achieving coordination.

DOS

Progress

100% complete. The process of achieving appropriate mechanisms for Federal/State coordination began in mid 1975 following receipt of a list of appropriate Federal agency Coastal Zone Management contacts from the U. S. Department of Commerce. The New York State Secretary of State welcomed the Federal Agency contacts to participate in the New York State Coastal Zone Management Program by letter, August, 1975.

In July, 1976, the Division of State Planning canvassed the list of Federal Agency contacts to confirm the list of appropriate agency contacts and to establish a list of appropriate agency division contacts.

Assignment of a senior staff person to handle and follow-up all work pursued under this task was completed in August, 1976 by the assignment of Maurice Garvey, Division of State Planning. Initial work assignments included organization of a Federal Agency CZM contact list, attendance at the New Jersey and Connecticut Federal Coordination meetings, planning a New York State Federal Coordination meeting, and distribution of pertinent NYS CZM Materials to Federal agencies for information purposes.

On October 6, 1976, The Department of State with the assistance of the New York State Department of Environmental Conservation, conducted a successful meeting of interested Federal Agency contacts. The agenda for the meeting included a presentation on the NYS CZM Program, the NYS CZM Second Year Program, Outer Continental Shelf activities, and presentations by state (NYS DEC, SLEOC) and substate (N-SRPB) CZM participants. A one-on-one (one state representative plus one or more Federal Agency representatives)afternoon workshop session with Federal Agencies covered topics and information gathering relative to provisions for Federal Consistency and Federal/State coordination of the New York State CZM Program, and established contacts for subsequent one-on-one contacts between State Agencies and Federal Agencies. This meeting was followed by a similar meeting on November 3, 1976, for Bureaus of the U.S. Department of the Interior.

Following the October 6, 1976 and November 3, 1976 meetings and workshops each federal agency participant was mailed a letter expressing the Department of State gratitude for attendance at the meeting(s) which also listed the Division of State Planning Federal coordination contact and phone number. Materials relative to Task 5.2 were also received, acknowledged, and assembled by the individual State representative conducting his/her section of the workshop.

Products relative to the mechanism for achieving coordination of federal/state coastal zone interests include:

1. establishment of one-on-one contacts for subsequent actions necessary to the New York State Coastal Zone Management program.

2. a Federal agency CZM contact list (updated as necessary) to be used for distribution of pertinent NYS CZM material and for contact with federal agencies, as necessary, by state and substate CZM participants. *

3. a chart listing federal agencies and divisions which is used to indicate completed actions or satisfaction of material/information needs of a general nature. (Examples include memo transmittals, attendance at meetings, etc.) *

4. organization of a filing system incorporating interested Federal Departments, subsectioned for individual Bureaus/Agencies, for easy accountability of material.

5. a procedure for commenting on proposals re CZM included in Federal Registers in conjunction with the New York State Division of the Budget. (The New York State Division of the Budget has delegated the responsibility to coordinate comment on proposals involving (1) fiscal matters or (2) more than one State Agency. *

Prognosis

This mechanism will be used for future NYS CZM requests from Federal Agencies, distribution of pertinent NYS CZM materials for review and comment, and individual contacts by state and substate participants as necessary.

DEC

Progress

100% complete. The Department of Environmental Conservation assisted in the October 6, 1976 and November 3, 1976 meetings by presenting their sections of the NYS CZM programs and handling assigned sections of the workshop sessions of the workshop sessions, including necessary follow-up.

Prognosis

The Department of Environmental Conservation will be one of the state agencies utilizing this mechanism for contact with Federal agencies.

2. Minutes of meetings, memoranda, correspondence, and other administrative materials. *

DOS

Progress

75% complete. Materials referencing or describing actions to date have been completed and included in appropriate files or distributed to interested parties. These include minutes of past Federal Regional Council meeting, the October 6, 1976 and November 3, 1976 Federal Coordination Meetings, memoranda and letters announcing meetings, follow-up correspondence to Federal Agencies, acknowledgement of correspondence and material from Federal Agencies, form letters distributing NYS CZM information, and copies of all such correspondence from other state and substate CZM participants

Prognosis

There will be future meeting minutes such as from the March 24,1977 Region II Federal Regional Council Meeting, and a possible second Federal Agency conference at the end of the second year NYS CZM program, correspondence such as distribution of pertinent NYS CZM material for review and comment (i.e. Goals and Objectives, State Policy on Boundary delineation) and individual state agency and substate participant correspondence as a result of one-on-one contacts. This material will be handled in similar fashion to that already completed.

DEC

Progress and Prognosis

75% complete. The Department of Environmental Conservation has provided information input to writing and documenting meetings held so far, as well as providing copies of correspondence from previous contacts with Federal agencies. This cooperative effort will be maintained for actions included under "prognosis" above.

3. Information flow, organization of system.

DOS/DEC

Progress

100% complete. A breakdown of Federal agencies by interest has been assigned to both NYS DEC and NYS DOS delegating responsibility to the two departments with overall coordination being the responsibility of DOS, see Task 5.2 DEC attachment.

Material transmitted or received is used and filed, then recorded on a chart by general category when appropriate to all or most Federal Agencies.

Prognosis

The information flow will continue to be used according to the breakdown of responsibility between DOS and DEC, for future Federal Agency contacts.

4. A conference of federal agency representatives at the end of the second year program.

DOS

Progress

10% complete. A March 24, 1977 Region II Federal Regional Council meeting is planned to review CZM work by states included in Federal Region II. New York State will participate in this meeting.

Prognosis

The planned Region II Federal Regional Council meeting may be sufficient to meet the needs of a conference of federal agencies at the end of the New York State second year program. If this meeting is sufficient, no other meeting will be held.

5. A memorandum summarizing activities and accomplishments prepared jointly by DOS and DEC at the end of the program period.

DOS/DEC

Progress

30% complete. Material necessary to complete this task are in-hand for actions completed to date. These include minutes of meetings, correspondence, a chart depicting completed actions to date, and assembled information received from Federal Agencies.

Prognosis

Material from federal coordination activities yet to be completed will have to be collected and assembled, and the summary written. No problems are anticipated.

TASK 5.2

STATEMENT OF TASK

Assemble Information on Excluded Federal Lands and Facilities and Elements of National Interest and Provide for their Effective Coordination with the State CZM Program.

Products Expected

1. Assignment of staff, division of responsibility format, inventory system, and collection of material.

DOS/DEC

Progress

Mechanisms of handling federal coordination activities were established under Task 5.1 and included overall responsibility for federal coordination by the Department of State, with division of responsibility for certain actions between DOS and DEC. As a general rule, those agencies related to environmental or resource management matters are being handled by DEC, and others are being handled by DOS.

The division of responsibility has been used to date in accomplishing Federal Coordination Meetings, individual federal agency contacts, material and information gathering such as "excluded Federal lands" and "national interest statements", and requests for technical input.

Prognosis

The division of responsibility previously established will continue to be used, with necessary amendments.

2. Collection, review and analysis of information and materials relative to federal lands and national interest.

DOS/DEC

Progress

75% complete - The October 6, 1976, and November 3, 1976, Federal Coordination Meeting workshop sessions provided the

opportunity to briefly discuss the topics of federal lands and national interest with each federal agency representative. As a result of the workshop session, federal agencies administering land within the New York State coastal zone were identified. Those agencies which had not yet submitted a national interest statement were requested to do so.

The division of responsibility for collection and review of material mentioned in #1 above has been applied to these two information categories.

National interest statements have been received for the following:

1. Council on Environmental Quality
2. Department of Agriculture
3. Most of the Department of Commerce
4. Department of Defense
5. Department of Housing and Urban Development *
6. Department of the Interior
7. Department of Transportation
8. Energy Research and Development Administration
9. Environmental Protection Agency
10. Federal Energy Administration
11. Federal Power Commission
12. General Services Administration

Identification of federal agencies administering lands within the New York coastal zone was accomplished at the October 6, 1976, and November 3, 1976, meetings.

Prognosis

Follow-up requests and further clarification of federal lands and national interest statements is necessary for a few federal agencies. No problem is anticipated.

3. Mapped information on all federal lands and pertinent facilities.

DOS/DEC

Progress

40% complete - Following the identification of federal * agencies administering lands in the New York State coastal

zone, a list of federal land by municipality was prepared using the GSA computer print out.

Division of responsibility between DOS and DEC, as mentioned in #1 above, has been applied to identification of federal lands. Mapping will be done by DEC cartographic staff.

A sampling of mapping of federal lands has been completed. *

Prognosis

Additional work includes continuation of identifying federal lands, completion of mapping of federal lands, and circulation of mapped information to appropriate federal agencies for review and verification. Final mapping of federal lands and definition of "excluded federal lands" will be accomplished during the third year CZM program.

4. Technical memoranda on elements of national interest.

DOS/DEC

Progress

50% complete - Information on national interest has been gathered for most interested federal agencies as a result of previous correspondence, the 10/6/76 and 11/3/76 meetings, and association through other Federal/State programs. No particular problems have arisen in gathering such information although the assembly of all national interest statements is not yet complete.

Prognosis

Technical memorands preparation will begin in early March, 1977, with an expected completion prior to the end of March, 1977.

5. Summary statement on second year activities covering accomplishments in achievement of federal consistency provisions.

DOS/DEC

Progress

30% complete - Background information is available on activities accomplished to date including related activities toward provisions for federal consistency such as:

1. review of proposed Federal Consistency Provisions;
2. discussion of licensing/permits/grant programs affecting New York's coastal zone;
3. review of other state's Federal Consistency Provisions.

Prognosis

Summary statement will be prepared at the end of the second year CZM program.

August 27, 1975

Dear Sir:

The Coastal Zone Management Act of 1972 (PL 92-583) declares it is the national policy "... for all Federal agencies engaged in programs affecting the coastal zone to cooperate and participate with state and local governments and regional agencies in effectuating the purposes of this title..." The Act and related Federal regulations also includes numerous other references to the need for coordination of State, Federal and local plans and programs affecting the coastal zone.

At the State level, Chapter 464 of the Laws of 1975 provides that the Secretary of State shall administer the State's coastal zone management program, and is designated as the single state agency for purposes of the Federal Coastal Zone Management Act. Accordingly, I would like to establish the necessary relationships with your agency in order to develop an appropriate basis for coordination of our activities concerning New York's coastal zone management program. It would be helpful, for example, for us to have information regarding your plans, facilities and operations.

As the next step, I suggest that our mutual interests should be reviewed at the appropriate staff level. Mr. Henry G. Williams, our Director of State Planning, is assisting me in the administration of New York's coastal zone management program, and I would like to have him discuss this matter further with you or the persons you may designate. Mr. Williams may be reached at the above address (518) 474-7210.

Please write or call me if you desire to proceed in a different manner.

Sincerely yours,

Mario Cuomo

Secretary of State

Russell T. Norris
Regional Director, Northeast Region
National Marine Fisheries Service
Federal Building
14 Elm Street
Gloucester, Massachusetts 01930

Thomas A. King
Eastern Region Director
Maritime Administration
26 Federal Plaza
New York, New York 10007

Gerald M. Hansler
Regional Administrator
Environmental Protection Agency
26 Federal Plaza - Room 847
New York, New York 10007

Alfred Kleinfeld
Regional Administrator
Federal Energy Administration
26 Federal Plaza
New York, New York 10007

Angelo M. Monaco
Regional Engineer
Federal Power Commission
26 Federal Plaza
New York, New York 10007

S. William Green
Regional Administrator
Department of Housing
& Urban Development
26 Federal Plaza - Room 3541
New York, New York 10007

Roger Sumner Babb
Special Assistant to the Secretary
Department of Interior
John F. Kennedy Building
Boston, Massachusetts 02203

Rear Admiral F.D. Guest
Third Naval District
Flushing & Washington Avenues
Brooklyn, New York 11251

Copy to: Capt. Robert E. Larson
Executive Officer
NY Naval Militia
State Campus, Public Security Bldg.

Bayard S. Forster
Regional Representative of the Secretary
Department of Transportation
26 Federal Plaza - Room 1811
New York, New York 10007

Robert Hilliard
Soil Conservation Service
Midtown Plaza - Room 400
700 East Water Street
Syracuse, New York 13210

Frank Gregg
Chairman
New England River Basin Commission
55 Court Street
Boston Massachusetts 02108

Frederick O. Rouse
Chairman
Great Lakes Basin Commission
3475 Plymouth Road
Ann Arbor, Michigan 48106

Russel W. Peterson
Chairman
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20006

Director
Atlantic Marine Center
National Ocean Survey
439 W. York Street
Norfolk, Virginia 23510

Director
National Oceanographic Data Center
Environmental Data Service
2001 Wisconsin Avenue, N.W.
Washington, D.C. 20235

Director
Environmental Research Laboratories
NOAA
30th & Marine Streets
Boulder, Colorado 80302

James P. O'Reilly, Jr.
Director
Regulatory Regional Office
Atomic Energy Commission
631 Park Avenue
King of Prussia, Pennsylvania 19406

Richard Kolf
Director
National Sea Grant Program
3300 Whitehaven Street, N.W.
Washington, D.C. 20235

copy to: Donald Squires
Director
NYS Sea Grant Program
99 Washington Avenue
Albany, New York 12210

Col. Thomas C. Hunter, Jr.
District Engineer
New York District
Army Corps of Engineers
26 Federal Plaza
New York, New York 10007

Joseph T. Callahan
Regional Hydrologist of Northeast
U.S.G.S.
Water Resources Division
Mailstop 433
National Center
Reston, Virginia 22092

Gerald J. Turetsky
Regional Administrator
General Services Administration
26 Federal Plaza
New York, New York 10007

Bernice L. Bernstein
Regional Director
Department of Health, Education & Welfare
26 Federal Plaza
New York, New York 10007

Walter Belter
Energy Research & Development Administration
Washington, D.C. 20545

John E. Corrigan
Regional Director
Economic Development Administration
600 Arch Street
Philadelphia, Pennsylvania 19106

Copy to: John Curran
Chief, Planning Division
Economic Development Administra
600 Arch Street
Philadelphia, Pennsylvania 191

General Robert Moore
Division Engineer
North Central Division
Corps of Engineers
536 South Clark Street
Chicago, Illinois 60605

Colonel Bernard Hughes
District Engineer
Buffalo District
Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

General James Kelly
Division Engineer
North Atlantic Division
Corps of Engineers
90 Church Street
New York, New York 10007

September 19, 1975

Dear

Thank you for your response to Secretary Cuomo's recent letter concerning coordination with Federal agencies in connection with our coastal zone management program.

I am enclosing a copy of our approved Coastal Zone Management Program Development grant together with a summary of New York's activities and programs concerning the coastal zone. These documents will enable you to understand the nature and scope of our work as a basis for further discussion of our mutual interests and roles.

After you have had the opportunity to review the enclosed materials, it would probably be productive for us to follow up to insure that our coastal zone plans and programs are properly coordinated. Accordingly, I will call you in a few weeks to arrange a meeting. Meanwhile, we will add your name to our mailing list and we will send you copies of pertinent reports and guidelines.

Sincerely,

Henry G. Williams
Director of State Planning

Enclosure
HGW:mb

STATE OF NEW YORK
DEPARTMENT OF STATE
2 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

MARIO M. CUOMO
SECRETARY OF STATE

M E M O R A N D U M

July 19, 1976

TO: Federal Agencies Having Interests in the Coastal Zone

FROM: Henry G. Williams
Designated State CZM Contact

We are checking the names of individuals that should be utilized to fulfill Federal agency and national interest coordinative requirements of the Coastal Zone Management Act.

Our latest information shows the person named below as your Agency's designated liaison for coastal zone management purposes. Please inform me if this information is incorrect.

We expect to convene a Conference in Albany later in the Summer. At that time, our State CZM Program Development plans will be specified and a basis will be established for subsequent discussions with each Federal agency having interests in New York's coastal zone. Additional information regarding this meeting and our Federal coordination schedule will be sent to you as soon as possible.

Agency	Contact

Henry G. Williams

STATE OF NEW YORK
DEPARTMENT OF STATE
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

MARIO M. CUOMO
SECRETARY OF STATE

MEMORANDUM

August 18, 1976

TO:

FROM: Henry G. Williams

Please be advised that a conference for Federal agencies having direct interests in the New York State Coastal Zone Management program will be held on September 15, 1976 in Albany. More information on specific details as to time and place will be provided.

The purpose of the conference is to update Federal agencies about the status of New York's CZM Development Program, and as the designated State agency, to establish a specific relationship with the Federal agencies involved.

A packet of documents concerning New York's CZM Development Program activities is being sent to you under separate cover.

STATE OF NEW YORK
DEPARTMENT OF STATE
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

MARIO M. CUOMO
SECRETARY OF STATE

M E M O R A N D U M

September 1, 1976

TO:

FROM: Henry G. Williams

Subsequent to our August 18, 1976, memo we have learned of a conflict with a similar meeting to be held in Connecticut. In deference to the previously established Connecticut plans, New York is rescheduling its conference for Federal Agencies having direct interest in the New York State Coastal Zone Management Program to October 6, 1976.

The New York State CZM conference will, therefore, begin at 10:30 am on October 6, 1976, and will be held at the 23rd floor conference room, Tower Building, Empire State Plaza, Albany, New York.

Attached find a packet of documents concerning New York's CZM Development Program activities for your use at the conference. Included in the packet, you will also find two maps of the area for your use. Please call if we can be of any help with your travel arrangements--(518) 474-6000, 7210, or 8834.

Please return the attached form indicating your representative(s) that will be attending the conference.

Enclosures

cc: K. Cousins, OCZM
M. Payne, OCZM

To: Henry G. Williams
State of New York
Department of State
Division of State Planning
162 Washington Avenue
Albany, New York 12231

_____ will be attending the 10/6/76
Name NYS CZM conference in Albany.

_____
Agency

packet

agenda for October 6, 1976 meeting + maps
of Albany area and Empire State plaza

NYS CZM grant application
NYS CZM 2nd year grant application
NYS OCS supplemental grant application
Technical Guidelines 1, 2, 3.
Land and Water Uses paper

A G E N D A

New York State Coastal Zone Management Program

MEETING WITH FEDERAL AGENCY CONTACTS

Empire State Plaza, Tower Bldg., 23rd Floor
Albany, New York

October 6, 1976

10:30 am - H.G. Williams - Opening Remarks

- Status of NYS Coastal Zone Management Program
- Status of Federal-State Contacts to date
- New York State Second Year Program

11:30-12 noon - General Discussion

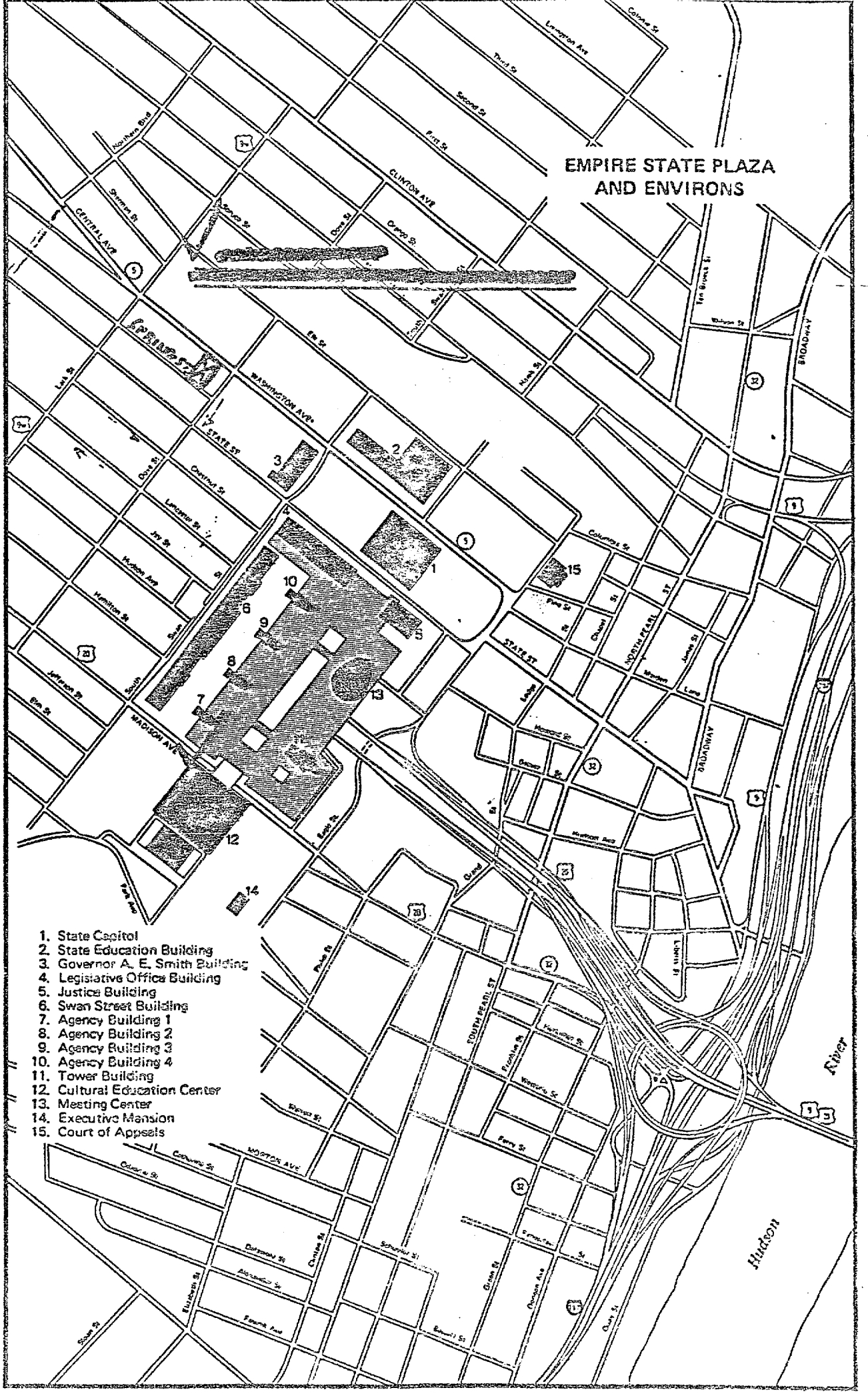
12:00-1:00 pm - Lunch at Plaza cafeterias and a walking tour of Empire State Plaza and the New York State Museum

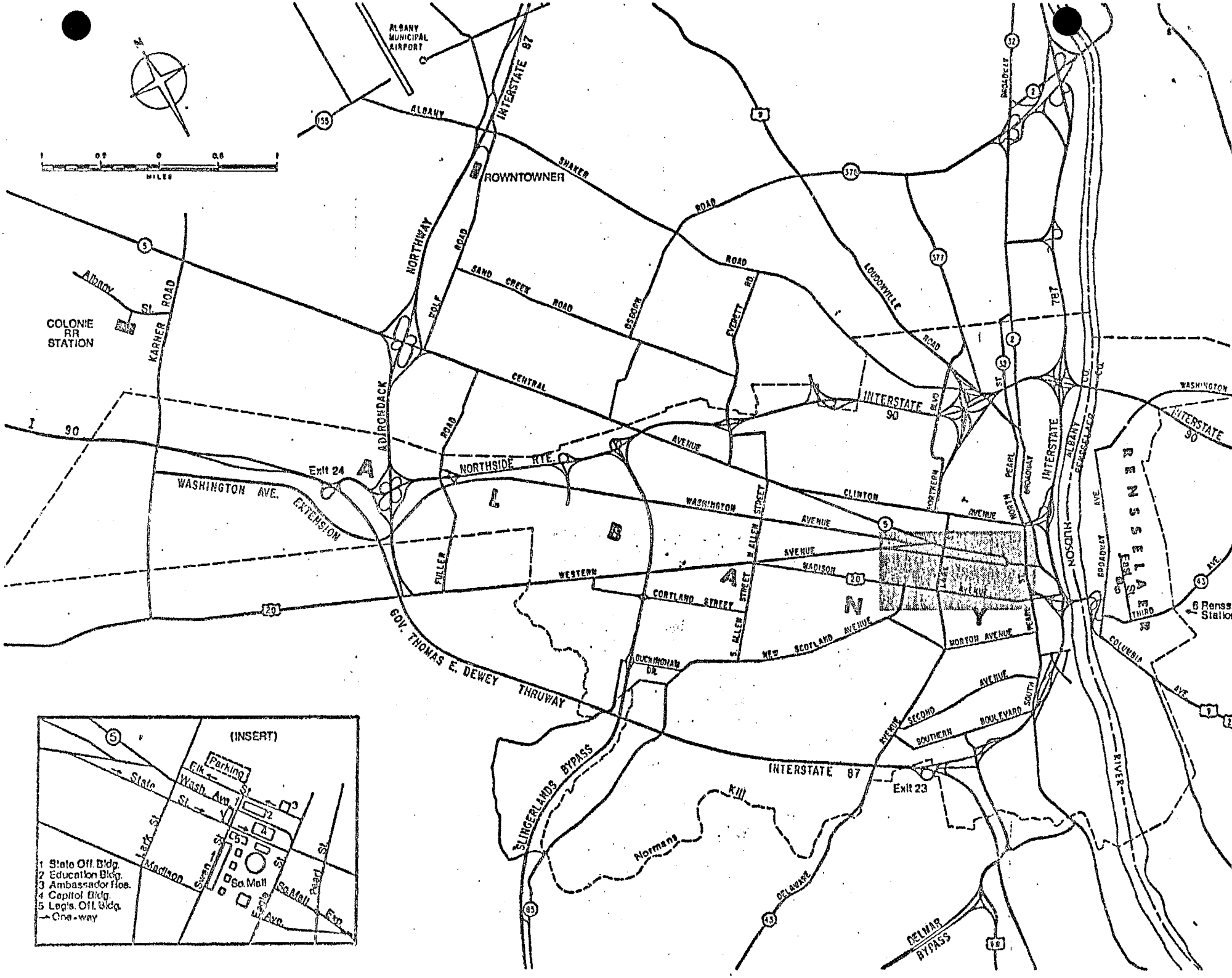
1:00-3:00 pm - Workshop sessions consisting of 3 or 4 groups organized by Federal Agencies having similar interests, plus one NYS CZM staff member

3:00-3:20 pm - Coffee Break

3:20-4:00 pm - "What's Ahead?"

4:00 pm - Adjournment


EMPIRE STATE PLAZA
AND ENVIRONS
1. State Capitol
2. State Education Building
3. Governor A. E. Smith Building
4. Legislative Office Building
5. Justice Building
6. Swan Street Building
7. Agency Building 1
8. Agency Building 2
9. Agency Building 3
10. Agency Building 4
11. Tower Building
12. Cultural Education Center
13. Meeting Center
14. Executive Mansion
15. Court of Appeals
CENTRAL AVE
CLINTON AVE
WASHINGTON AVE
STATE ST
MADISON AVE
NORTON AVE
BROADWAY
NORTH PEARL ST
SOUTH PEARL ST
Hudson
River



ALBANY MUNICIPAL AIRPORT
INTERSTATE 87
ALBANY
SHAKER
ROAD
ROWNTOWNER
NORTHWAY
SAND CREEK ROAD
OSBORN
EVERETT RD.
LOUDONVILLE ROAD
787
COLONIE RR STATION
Albany St.
KARNER ROAD
ADIRONDACK
CENTRAL
AVENUE
INTERSTATE 90
I 90
Exit 24
NORTHSIDE RTE.
WASHINGTON AVE. EXTENSION
CLINTON
WASHINGTON
AVENUE
N. ALLEN STREET
WESTERN
MADISON
CORTLAND STREET
S. ALLEN STREET
NEW SCOTLAND AVENUE
MORTON AVENUE
GOV. THOMAS E. DEWEY THRUWAY
BUCKINGHAM DR.
SLINGERLANDS BYPASS
INTERSTATE 87
Exit 23
Normans Kill
DELAWARE
DELMAR BYPASS
NORTHERN BLVD
NORTH PEARL ST.
BROADWAY
INTERSTATE
ALBANY CO.
RENSSELAER CO.
HUDSON
RIVER
BROADWAY AVE.
East St.
THIRD
COLUMBIA AVE.
WASHINGTON
INTERSTATE 90
6 Renss Station
(INSERT)
Parking
Elk St.
Wash. Ave.
State St.
Lark St.
Madison
Swan St.
So. Mall
Eagle St.
Pearl St.
So. Mall Exp.
1 State Off. Bldg.
2 Education Bldg.
3 Ambassador Res.
4 Capitol Bldg.
5 Legis. Off. Bldg.
→ One-way

A G E N D A
Revised 10/5/76

New York State Coastal Zone Management Program

MEETING WITH FEDERAL AGENCY CONTACTS

Empire State Plaza, Tower Bldg., 23rd Floor
Albany, New York

October 6, 1976

10:30 a.m. - Opening Remarks
- Status of NYS Coastal Zone Management Program
- H. G. Williams

11:00 a.m. - New York State Second Year CZM Program
- David Buerle

NYS Department of Environmental Conservation Role
- William Lee

Nassau-Suffolk Regional Planning Board Role
- Dewitt Davies

St. Lawrence-Eastern Ontario Commission Role
- William Tyson

11:50 a.m. - Status Report on Federal-State Contacts
- Maurice Garvey

12:00 - 1:00 p.m. - Lunch at Plaza cafeterias and a walking tour of Empire State Plaza and the New York State Museum

1:00 p.m. - "One-on-one" Session -- NYS Staff and Federal Agency Contacts. A list of NYS/Federal Agency groupings is posted in the meeting room.

2:30 p.m. - Concluding Remarks

NEW YORK STATE COASTAL ZONE MANAGEMENT PROGRAM

Meeting With Federal Agency Contacts
New York State/Federal Agency

WORKSHOP SESSION GROUPINGS
October 6, 1976

Neil McCormick - NYS/DOS	
U.S. Dept. of Commerce	Alfred Funai, Jr.
U.S. Dept. of the Interior	Robert B. Ryder
Kevin Cross - NYS/DOS	
U.S. Dept. of Housing & Urban Dev.	Douglas R. Manley
	Bernard Levine
David Buerle - NYS/DOS	
U.S. Navy	Lt. Col. William G. Rebeor
	Cdr. Charles D. Ayers
U.S. Air Force	Capt. Walter L. Gray
	Robert L. Wong
Hank Williams - NYS/DOS	
Greg Sovas - NYS/DEC	
Federal Power Commission	Martin Enwald
Federal Energy Administration	Alfred Kleinfeld
	Edward Fedak
Dan Davis - NYS/DOS	
Bill Tyson - SLEOC	
Gayle Harder - SLEOC	
U.S. Dept. of Transportation	Lt. Cdr. Norm H. Huff
Federal Highway Administration	Charles L. O'Donnell
St. Lawrence Seaway Dev. Corp.	David Robb
Sarah Haskett - NYS/DOS	
Soil Conservation Service	Will Hanna
Bill Lee - NYS/DEC	
Environmental Protection Agency	Charles Durfor
Corps of Engineers	Joseph Hudak
	Thomas Pieczynski
Fred Howell - NYS/DEC	
U. S. Maritime Administration	James McShane
Alan Lillyquist - NYS/DEC	
National Marine Fisheries Service	Chris Mantzaris

NYSCZM FEDERAL COORDINATION WORKSHOP
October 6, 1976

Purpose of Workshop: To be a creative opportunity to identify Federal interests and activities and to begin establishment of procedures to include participation by relevant Federal Agencies.

Topics to Cover In Workshop

1) Check Agency/Department/Administration/Commission contact list for appropriate contact name, address, etc., note any changes

2) Determination of character of "excluded federal lands" within the Coastal Zone

   a. some Federal Agencies will <u>own</u>, others will <u>lease</u> or <u>administer</u> land within the Coastal Zone - list brief description of type of land holdings

   b. some Federal Agencies will not be involved with land holdings - list those without involvement

   c. size of land holdings will vary from several very small parcels to those of extensive acreage - include a brief description

   d. determine the most appropriate and available listing/mapping of lands involved, by agency - request that available material be supplied to Department of State

3) Federal Agency area of interest

   a. we have a brief general description of area of interest for many Federal agencies

   b. request that available statement of area of interest be submitted to Department of State, if available

a. determine which agencies provide

b. determine type of services/assistance provided

5) Administration of development projects within the Coastal Zone

a. determine if agency administers development projects within CZ

b. give brief description of type of development projects

6) Administration of grant programs and/or permit and/or licensing services within the Coastal Zone -

a. determine which agencies administer grants - permits - licenses

b. ask for opinion re extent of affect on Coastal Zone

7) Facility siting of Regional or National importance

a. determine which agencies are involved

b. list specific type of facility (ies)

8) Federal Agency geographic area of concern - i.e.; northeast, atlantic, nationwide, (this category will have particular importance with regard to the "segmentation" of New York's plan

9) Identification of "overriding national interest" which could/would affect the NYSCZM program.

a. determine which Federal Agencies are involved

b. give a brief description of type of "overriding national interest", i.e.; national defense

potential difficulties in meeting the requirements of "Federal Consistency"

11) Ask for recommendations re procedures to be followed in regard to providing "the opportunity of full participation by relevant Federal Agencies" and assuring that the "views of Federal Agencies principally affected by such programs (CZM) have been adequately considered" in the development of New York State's CZM program. Among items to be considered:

a. some agencies will have a minor amount of participation and few views to be considered (and opposite)

b. some Departments will want follow-up detailed meeting(s) with Department of State

c. some departments may request review of "draft programs" or sections thereof.

12) General questions, comments, requests, recommendations from Federal Agencies

13) Request that any material which Federal Representatives wish to forward be sent to:

Henry G. Williams
Director
Division of State Planning
Department of State
162 Washington Avenue
Albany, NY 12231

ST. LAWRENCE-EASTERN ONTARIO COMMISSION

317 WASHINGTON ST., WATERTOWN, N. Y. 13601
PHONE (315) 782-0100
EXTENSION 263-4

Charles W. Kelly, Chairman William E. Tyson, Executive Secretary

September 29, 1976

TO: Federal CZM Liaison Officers

FROM: William E. Tyson

SUBJECT: October 6 CZM Coordination Meeting

In preparation for the federal agency liaison meeting on October 6 in Albany, Mr. Henry G. Williams has asked that information on our agency be forwarded to your office.

Encs.
jl

New York State Coastal Zone Management Program

2600 miles of coastal zone, three coastal areas: Atlantic Ocean, Hudson River, Great Lakes,

28 Counties

115 Towns

108 Villages

25 Cities

85% of N.Y. State's population

wide variety of land and water uses

N.Y.S. 1st Year CZM Program Grant

1st year initial CZM program grant of

	Federal	State Match
1st year	$550,000	$275,000
1st year OCS (supplemental)	373,000	187,000
Total	1,385,000	

Mechanics of 1st Year CZM Program

Objective: to establish "need, desirability, and feasibility" of preparing a CZM program in N.Y.S.

NYS 2nd Year CZM Continuation Grant

	Federal	State Match
2nd year grant	$779,666	$389,834

Total 1,169,500

Breakdown:

DOS	230,200
DEC	375,000
SLEOC	180,000 ($50M fed – $130M has match)
N-SRPB	112,500
Others	271,800

CZM Program Strategy

- Satisfy requirements of Federal CZM Program
  - State responsibilities
  - Citizen Involvement
  - Federal Consistency
- "Networking" of existing legislation, regulation/complex
- Strengthen roles and capabilities of local governments
- Segmentation
- CZM Act Amendments of 1976
  - ...strengthen and expand Regular CZM
  - ...Coastal energy impact program

Second Year CZM Program

2nd of 4 years - - PLANNING

Planning from "BELOW" as contrasted to from "ABOVE"

- continuing local involvement in the CZMP
- State guidance, monitoring, and evaluation

Contracting

- With about 15 Regional, County, Municipal Agencies

plus

Department of Environmental Conservation

SLEOC

Relationship of 2nd Year to 1st Year Program

- building on technical work completed in 1st year of NYSCZM program

  ie; - Prepared goals and objectives

  - Prepared tentative CZ Boundaries

  - Developed beginnings of PUBLIC PARTICIPATION PROCESS

Work By Contractors

- 2nd year work performed by Regional - Municipal - County - State contractors
- outreach and feedback in the Public Participation Process

- delineation of GAPC's
- determining permissible and priority land and water uses
- identification of use conflicts
- identification of need for Regional Facilities

Department of State

Primary Responsibilities:

- functioning of statewide committees
- interstate coordination
- Federal coordination
- contract preparation; contractor guidelines, monitoring and evaluation

Other CZM Program Elements

- Segmentation: N-SRPB, SLEOC — submission to OCZM.
- Department of Environmental Conservation Contributions

Preparation of NYS CZM Plan

- 3rd Year work tasks
- synthesis of work completed by contractors
- preparation of segmented plan
- submission of NYSCZM plan to OCZM

Attendance List
Federal Agency CZM Conference
October 6, 1976

Leonard Schwartz	Deputy Secretary of State, DOS
Henry G. Williams	DOS CZM
David Buerle	DOS CZM
Daniel Davis	DOS CZM
Neil McCormick	DOS CZM
Maurice Garvey	DOS CZM
George Stafford	DOS CZM
Sarah Haskett	DOS CZM
Kevin Cross	DOS CZM
William Lee	DEC CZM
John Harmon	DEC CZM
Gregory Sovas	DEC CZM
Alan Lillyquist	DEC CZM
Fredrick W. Howell, Jr.	DEC CZM
John A. Finck	DEC CZM
William E. Tyson	SLEOC
Gayle Harder	SLEOC
Katherine Morrison	N-SRPB
Hope Donovan	LWV

Federal Representatives

Christopher L. Mantzaris	U.S. Dept. of Commerce, National Marine Fisheries Service
Robert L. Wong	U.S. Air Force
Martin Inwald	Federal Power Commission
William G. Rebeor	Division of Military and Naval Affairs
Alfred A. Funai, Jr.	Office of Secretary, Dept. of Commerce
Thomas J. Pieczynski	U.S. Army Corps of Engineers
Willis Hanna	U.S. Dept. of Agriculture, Soil Conservation Service
Donald T. Squires	NOAA - Sea Grant
James E. Mc Shane	U.S. Maritime Administration
Edward Fedak	Federal Energy Administration
David C. N. Robb	U.S. Dept. of Transportation, St. Lawrence Seaway Development Corp.
Norman A. Huff	U.S. Dept. of Transportation
Cdr. Charles D. Ayers	U.S. Navy
Capt. John S. Mauhs	U.S. Navy
J. W. Malone	U.S. Navy
Douglas R. Manley	HUD

Charles L. O'Donnell	U.S. Department of Transportation, FHWA
William A. Nostrand, Jr.	FHWA
Robert B. Ryder	U.S. Dept. of the Interior
Joseph Hudek	Environmental Protection Agency
Cornelia Ferber	NERBC

U.S. Dept. of the Interior follow-up meeting
November 3, 1976

Ralph Andrews	Fish and Wildlife Service
Robert Paulovich	U.S. Bureau of Mines
Abigail Miller	Bureau of Land Management
William Doyel	U.S.G.S.
Robert Gift	Bureau of Outdoor Recreation
Robert B. Ryder	representing the National Parks Service
Curt Williams (follow-up)	U.S. Army

STATE OF NEW YORK
DEPARTMENT OF STATE
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

MARIO M. CUOMO
SECRETARY OF STATE

October 14, 1976

Dear

Thank you for your attendance and participation at our October 6, 1976 conference for Federal Agencies having direct interest in the New York State Coastal Zone Management program. The information received at the conference will be helpful to us in meeting the Federal Coordination/Consistency requirements of the CZM Act.

Maurice Garvey will be the member of my staff who will handle administrative aspects of Federal coordination for our CZM program. Please contact him at (518) 474-6000, 7210 or 8834 if you have any questions or comments. We will continue to work directly with your agency's designated CZM liaison.

Best regards.

Sincerely,

MARIO M. CUOMO
Secretary of State

BY:

Henry G. Williams
Director of State Planning

ATTACHED LETTER SENT TO THE FOLLOWING:

Lt. Col. William G. Rebeor
Assistant Director of Logistics
Division of Military & Naval Affairs
Public Security Bldg.
State Campus
Albany, New York 12226

Mr. David C. N. Robb
St. Lawrence Seaway
Development Corporation
SLC-OCP
800 Independence Avenue, S.W.
Washington, D.C. 20591

Mr. Alfred A. Funai, Jr.
Deputy Representative
of the Secretary
Office of the Secretary
Department of Commerce
Suite 1311
26 Federal Plaza
New York, New York 10007

Mr. Willis Hanna
Soil Conservation Service
U.S. Courthouse & Federal Bldg.
Room 771
100 South Clinton Street
Syracuse, New York 13202

cc: Paul M. Dodd

Dr. Donald Squires
SUNY/Cornell Sea Grant Program
State University of New York
99 Washington Avenue
Albany, New York 12210

Mr. Chris Mantzaris
National Marine Fisheries Service
Environmental Assessment Division
191 Main Street (1st Floor)
Gloucester, Massachusetts 01930

Mr. James McShane
Port Development Officer
Maritime Administration
37th Floor - 26 Federal Plaza
New York, New York 10007

Mr. Thomas Piecynski
Chief of Flood Plain Management Section
c/o District Engineer
1776 Niagara Street
Buffalo, New York 14207

Capt. John Mauhs
National Representative to the Military
Support Plans Officer, State of New York
c/o NYS Employees' Retirement System
Alfred E. Smith State Office Bldg.
Albany, New York 12225

Mr. Douglas R. Manley
Planning & Engineering Specialist
HUD - Room 3539
26 Federal Plaza
New York, New York 10007

Mr. Robert B. Ryder
Planning Officer
Office of the Secretary, USDI
JFK Federal Bldg., Room 2003-N
Government Center
Boston, Massachusetts 02203

Mr. Charles O'Donnel
FHWA
Leo W. O'Brien Federal Bldg.
Albany, New York 12207

Mr. William A. Nostrand, Jr.
FHWA
Leo W. O'Brien Federal Bldg.
Albany, New York 12207

Mr. Edward Fedak
Director, Energy Resource Development Division
Federal Energy Administration
26 Federal Plaza
New York, New York 10007

Mr. Martin Inwald
Engineer in Charge
River Basins & Licensed Projects
Federal Power Commission
26 Federal Plaza
New York, New York 10007

Cdr. C. D. Ayers
New York Branch, Northern Division
Naval Facilities Engineering Commission
Flushing and Washington Avenues
Brooklyn, New York 11251

Mr. Joseph Malone
New York Branch, Norther Division
Naval Facilities Engineering Commission
Flushing and Washington Avenues
Brooklyn n, New York 11251

Mr. Robert L. Wong
Air Force Regional Civil Engineer Office
Eastern Region
526 Title Bldg.
30 Pryor STreet, S.W.
Atlanta, Georgia 30303

cc: Capt. Walter L. Gray

Mr. Norman H. Huff
D.O.T. Secretarial Representative
Department of Transportation
Room 1811
26 Federal Plaza
New York, New York 10007

cc: Bayard S. Forster

Mr. Joseph Hudek
Environmental Protection Agency
Room 834
26 Federal Plaza
New York, New York 10007

cc: Charles Durfor

Notes on Federal Coordination Meeting
October 6, 1976

In preparation for the October meeting, the Department of State mailed invitations and RSVP forms to interested Federal Agencies announcing a Federal Coordination meeting and workshop. The invitation was accompanied by a packet of orientation material including that listed below.

- Agenda for the October 6, 1976 conference plus maps of the Albany area and the Empire State Plaza
- the New York State Coastal Zone Management Program Grant Application
- the New York State Outer Continental Shelf Supplemental Grant Application
- the New York State Coastal Zone Management Program Second Year Grant Application, Revised March 19, 1976
- Technical Guidelines 1, 2, 3, 4

Mr. Leonard Schwartz, Deputy Secretary of State, welcomed the Federal Agency representatives, and gave a brief description of New York State strategy for development of a Coastal Zone Management Program. Mr. Schwartz emphasized our dependence upon the good will and agreement by local government, and discussed the Department of State philosophy for involving several State Agencies in the program.

Hank Williams followed Mr. Schwartz's welcome by introducing the NYS CZM staff and Federal Agency representatives. Hank and Dave Buerle then gave a flip-chart presentation on the status of the New York State Coastal Zone Management Program and the New York State Second Year CZM Program.

The presentations informed Federal Agency representatives of our progress on the CZM program, and provided a follow-up question and answer period. Copies of the flip-chart notes covering these two presentations are included in DOS files.

Subsequent presentations included:

William Lee, NYS Department of Environmental Conservation, speaking on the Department's involvement in the CZM program as a participating State Agency. Lee spoke on the Department's interest and involvement in related programs such as the "wetlands program", environmental concerns, identification of Geographic Areas of Particular Concern, and Coastal Zone boundary determination.

Greg Sovas, New York State Department of Environmental Conservation, speaking on the status of the Outer Continental Shelf work program.

Kathy Morrison, Nassau-Suffolk Regional Planning Board speaking on the "segment" approach to Coastal Zone Management by this sub-state participating agency.

and

William Tyson, Saint Lawrence-Eastern Ontario Commission, speaking on the work of his agency as State Agency "segment" participant in the CZM program.

The afternoon session was arranged to be a workshop providing a creative opportunity to identify Federal interests and activities, and to begin establishment of procedures to include participation by relevant Federal Agencies.

Format for the workshop was arranged as a one-on-one conference session between related Federal Agencies and a New York State Coastal Zone Management staff member. New York State staff assignments were determined by matching staff experience and interest to related Federal agencies; i.e., Division of State Planning staff members with experience in 701 Land Use and Housing were assigned to confer with the U.S. Department of Housing and Urban Development.

Each State staff member and Federal agency representative discussed general topics included on a "Topic Sheet" prepared from proposals included in "Proposed Regulations for Federal Consistency" and the "Attorney General's opinion on Excluded Federal lands". Topics discussed included:

a check and verification of the NYS CZM Federal Agency Contact List

"Excluded Federal Lands"

Federal Agency area of interest

Administration of development projects, grant programs, permit or licensing services by Federal agencies

Facility sitings of Regional or National Importance

Federal agency representatives geographic area of jurisdiction

Identification of "overriding national interest" of Federal agencies technical assistance and services provided by Federal agencies

potential difficulties with meeting the requirements of "Federal Consistency"

questions, comments, requests, and recommendations from Federal Agencies

and

Recommendations for procedures to be followed in providing "the opportunity of full participation by relevant Federal Agencies" and assuring that the "views of Federal Agencies principally affected by such programs (CZM) have been adequately considered"

Each NYS staff member recorded key aspects of his/her workshop session and prepared a written report after the meeting. The written reports will be used for follow-up tasks such as revising the list of Federal CZM Contacts for New York State, identification of "excluded Federal lands", and collection and review of Federal Agency publications and "National Interest" statements.

A "thank you" letter expressing the Department of State's appreciation and designating a Division of State Planning Federal coordination contact was sent to each Federal agency representative attending the conference, with a carbon copy to the appropriate Federal agency contact, when appropriate.

Maurice G. Garvey
Coastal Zone Management Program

New York State Coastal Zone Management Program

FEDERAL CZM CONTACTS FOR NEW YORK STATE

January 11, 1977

Agency	Contact
COUNCIL OF ENVIRONMENTAL QUALITY	
Russell W. Peterson Chairman Council on Environmental Quality 722 Jackson Place, NW Washington, DC 20006 (126) 202-382-1415	Same
DEPARTMENT OF AGRICULTURE	
Robert M. Hilliard State Conservationist Soil Conservation Service U. S. Courthouse & Federal Bldg. Room 771 100 South Clinton Street Syracuse, NY 13202	Paul M. Dodd Assistant State Conservationist Soil Conservation Service U. S. Courthouse & Federal Bldg. Room 771 100 South Clinton Street Syracuse, NY 13202 (159) 315-473-3530
DEPARTMENT OF COMMERCE	
Alfred A. Funai, Jr. Deputy Representative of the Secretary Office of the Secretary Department of Commerce Suite 1311 26 Federal Plaza New York, NY 10007 (139) 212-264-5648 - 5649	Same
John E. Corrigan Regional Director Economic Development Administration 600 Arch Street Philadelphia, PA 19106	John Curran Chief, Planning Division Economic Development Administration 600 Arch Street Philadelphia, PA 19106
Alan Thomas Office of Programs Environmental Research Laboratories NOAA 30th & Marine Streets Boulder, CO 80302 303-499-1000 Ext. 6212	Same

Director
National Oceanographic Data Center
Environmental Data Service
2001 Wisconsin Avenue NW
Washington, DC 20235

Same

William G. Gordon
Regional Director
National Marine Fisheries Service
Federal Building
14 Elm Street
Gloucester, MA 01930

Christopher L. Mantzaris
National Marine Fisheries Service
Environmental Assessment Division
191 Main Street (1st floor)
Gloucester, MA 01930
617-281-3600 Ext. 312

Director
Atlantic Marine Center
National Ocean Survey
439 W. York Street
Norfolk, VA 23510

Same

Richard Kolf
Director
National Sea Grant Program
3300 Whitehaven Street, NW
Washington, DC 20235

Dr. Donald Squires, Director
SUNY/Cornell Sea Grant Program
State University of NY
99 Washington Avenue
Albany, NY 12210

Thomas A. King
Eastern Region Director
US Maritime Administration
26 Federal Plaza
New York, NY 10007

James McShane
Port Development Officer
Maritime Administration
37th Floor, 26 Federal Plaza
New York, NY 10007
(139) 212-264-1151 (Atlantic)

Vernon Palmer
Port Development Officer
Maritime Administration
USDept. of Commerce
Room 600
666 Euclid Avenue
Cleveland, OH 44114

DEPARTMENT OF DEFENSE

Defense Supply Agency

James F. McConnell
Environmental Monitor
Defense Contract Administration Services
666 Summer Street
Boston, MA 02210
617-542-6000 Ext. 645
(Air Force Plant #38, Modeltown ,NY)

NY Air National Guard

Col. Stanly Whalen
NY Air National Guard
Westchester County Airport
White Plains, NY 10604

United States Army

Curt Williams
DFAE
Chief of Utilities
US Army
HQ Fort Drum
Watertown, NY 13601
(153) 315-782-6900 Ext. 2708

US Army Corps of Engineers

Stanley Maisel
Chief, Planning Branch
Corps of Engineers
Room 2149
26 Federal Plaza
New York, NY 10007
(139) 212-264-9082

Same

Edwin V. Weiss
Chief, Planning Division
North Central Division
Corps of Engineers
Chicago, IL 60605

Thomas Piecynski
Chief of Flood P ain Management Section
c/o District Engineer - 1776 Niagara St.
Buffalo, NY 14207
(169) 716-473-2232

United States Air Force

Col. R. K. Troutman
USAF (Reserve)
DSC/Engineering & Services
HQ. United States Air Force Reserve
Robins Air Force Base, GA 31098

Dermott E. Smyth
c/o Base Civil Engineer
US Air Force Reserve
914 Tactical Airlift Group
Niagara Falls Air Force Base
Niagara Falls, NY 14304

Robert L. Wong
Regional Civil Engineer
Eastern Region (HQ.USAF)
526 Title Bldg.
30 Pryor Street SW
Atlanta, GA 30303
404-526-6776 or 6771

Capt. Walter L. Gray
Eastern Region (HQ. USAF)
526 Title Bldg.
30 Pryor Street SW
Atlanta, GA 30303

Col. Morris A. Rubenstein
HQ. ADCOM/DEEV
USAF Aerospace DEV Command
Ent Air Force Base, CO 80912

T. C. Hein
HQ. ADCOM/DEEV
Environmental Planning Division
Ent Air Force, CO 80912

Commander, 773 Radar Station
Montauk Air Force Base, NY 11954

United States Navy

Capt. John Mauhs
National Representative to the Military
Support Plans Officer, State of NY
c/o NYS Employees' Retirement System
Alfred E. Smith State Office Building
Albany, NY 12225
518-474-2600

Lt. Col. William G. Rebeor
Assistant Director of Logistics
Division of Military & Naval Affairs
Public Security Building - State Campus
Albany, NY 12226
518-457-6877 (NY Army National Guard)

DEPARTMENT OF HEALTH, EDUCATION & WELFARE

Bernice L. Bernstein
Regional Director
Dept. of Health, Education & Welfare
26 Federal Plaza
New York, NY 10007

Luther W. Stringham
Assistant Regional Director for
Intergovernmental Affairs
Dept. of Health, Education & Welfare
26 Federal Plaza
New York, NY 10007
(139) 212-264-4483

DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

S. William Green
General Administrator
Dept. of Housing & Urban Development
Room 3541
26 Federal Plaza
New York, NY 10007
(139) 212-264-8068

Bernard Levine
Dept. of Housing & Urban Development
Room 3539
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New York, NY 10007
(139) 212-264-1290

Douglas R. Manley
Alternate
Planning & Engineering Specialist
HUD - Room 3539
26 Federal Plaza
New York, NY 10007

Estelle Gruzik (139) 212-264-0723
Robert Preissner (139) 212-264-8021
Both Gruzik & Preissner in Room 3541
John Ziegler (139) 212-264-8021
(Flood Insurance Office)

Albany Insuring Office of HUD
Leo W. O'Brien Federal Bldg.
North Pearl Street & Clinton Avenue
Albany, NY 12207
(housing programs-state)

DEPARTMENT OF THE INTERIOR

Roger Sumner Babb
Chairman
CZM Field Committee
Special Assistant to the Secretary
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617-223-5104

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JFK Federal Bldg., Room 2003J
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617-223-5516

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Chief
NY OCS Office
Bureau of Land Management
Division of Environmental Assessment
USDI
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New York, NY 10048

Abigail Miller
NY OCS Office
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Division of Environment Assessment
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6 World Trade Center, Suite 600D
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(139) 212-264-2960

Leonard F. Heising
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Suite 203
1659 Central Avenue
Albany, NY 12205
518-869-9536

Same

Robert Gift
Chief, State Planning Division
US Bureau of Outdoor Recreation
USDI
Federal Office Bldg.
600 Arch Street
Philadelphia, PA 19106

Same

Ralph Andrews
Coastal Ecosystems Activity Leader
Fish & Wildlife Service
US Dept. of the Interior
John McCormick Post Office & Court House
Boston, MA 02109
617-334-2983

Jack Benjamin
Federal & State Liaison Officer
National Park Service
USDI
150 Causeway Street
Boston, MA 02114
617-223-6874

Same

William B. Overstreet
Acting Assistant Director
Eastern Region
US Geological Survey
USDI
National Center - Mail Stop 109
Reston, VA 22092
703-860-7414 or 928-7414

Robert J. Dingman
District Chief, WRD
US Geological Survey
343 US Post Office & Court House
P.O. Box 1350
Albany, NY 12201

DEPARTMENT OF JUSTICE

John E. Varnum, Esq.
Trial Attorney
Pollution Control Section
US Dept. of Justice
Washington, DC 20530

Same

DEPARTMENT OF TRANSPORTATION

Bayard S. Forster
Regional Representative of the Secretary
Dept. of Transportation
Room 1811
26 Federal Plaza
New York, NY 10007
(139) 212-264-2672

Lcdr. Norman H. Huff, USCG
Senior Staff Officer
Regional Representative of the Secretary
US Dept. of Transportation
26 Federal Plaza, Room 2339
New York, NY 10007
(139) 212-264-2672

Cesare Caiafa
Federal Aviation Administration (AEA-4)
Federal Building
JFK International Airport
Jamaica, NY 11430
(139) 212-995-2829

Same

Federal Highway Administration
Charles L. O'Donnell
FHWA, Region I
Leo W. O'Brien Federal Bldg.
Albany, NY 12207
518-472-4436

National Highway Traffic Safety Administration

Edward P. Monahan
National Highway Traffic Safety Administration
200 Mamaroneck Avenue, Room 400
White Plains, NY 10601
(134) 914-883-7311

St. Lawrence Seaway Development Corporation

David C. N. Robb, Director
Office of Comprehensive Planning
St. Lawrence Seaway Development Corporation
800 Indpendence Avenue, SW
Washington, DC 20591
(126) 202-426-9755

Urban Mass Transportation Administration

Douglas Kerr
Urban Mass Transportation Administration
Room 1811, 26 Federal Plaza
New York, NY 10007
(139) 212-264-8162

US Coast Guard

Richard F. Wildermann
CCGD3 (mep)
Governors Island
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(139) 212-264-4904

Cdr. Charles R. Corbett, USCG
CCGD9 (mep)
1240 East 9 Street
Cleveland, OH 44199
216-293-3332

Energy Research & Development Administration

Dr. James L. Liverman
Energy Researh & Development Administration
Washington, DC 20545

Jeff Swinebroad
Division of Biomedical &
Environmental Research
Energy Research & Development
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Washington, DC 20545

ENVIRONMENTAL PROTECTION AGENCY

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Charles Durfor
Water Quality Planning Engine
Environmental Protection Agen
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(Joseph Hudak)

FEDERAL ENERGY ADMINISTRATION

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FEDERAL POWER COMMISSION

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Carl N. Shuster, Jr. PhD
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GENERAL SERVICES ADMINISTRATION

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Alan Greenberg
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NUCLEAR REGULATORY COMMISSION

Sheldon A. Schwartz
Office of State Programs
US Nuclear Regulatory Commission
Washington, DC 20545

J. Philip Stohr, Chief
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GREAT LAKES BASIN COMMISSION

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Jerry Kotas
Great Lakes Basin Commission
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NEW ENGLAND RIVER BASINS COMMISSION

Frank Gregg, Chairman
New England River Basins Commission
55 Court Street
Boston, MA 02108
617-223-6244

Cornelia Ferber
New England River Basins Commission
55 Court Street
Boston, MA 02108
617-223-6244

Procedure for Handling of Federal Register

Federal Registers are transmitted for review by two sources:

1. The Federal Relations Unit of the Division of Budget if the proposal involves:

   ...more than one State agency

   or

   ...major fiscal implications for New York State

   and/or

2. Direct from the Federal agency responsible for administering the program involved, i.e., OCZM/Coastal Zone Management.

The following steps apply:

When request originates from DOB:

(a) Check distribution by DOB to assure that all interested State agencies have been included in distribution.

(b) If additional agencies/offices should be included, check with Marcia Roth (474-3235) for approval to circulate to additional agencies/offices.

(c) If OK with Marcia, circulate to additional agencies/offices, request reply to DSP in time to make reply to DOB.

(d) Receive comments and prepare reply from the Secretary of State or the Deputy Secretary of State to the Federal Relations Unit, Division of the Budget.

Reply should be reviewed by the Department of State "policy group" if there is the possibility of a policy decision being involved.

When a request originates directly from the Federal Agency responsible for administering the program:

(a) Notify DOB (Marcia Roth) that request has been received, and determine if DOB will be circulating for review.

If DOB will be circulating, circulate in-house, prepare reply, and send reply from HGW to DOB. Request that a copy of our review be sent to the Federal Agency involved (attach a copy of Federal Agency transmittal letter and note due date). Carbon copy the Deputy Secretary of State.

The reply should be reviewed by the Department of State "policy group" if there is the possibility of a policy decision being involved.

(b) If DOB will not be circulating, we can circulate in-house and to interested State agencies and reply directly to the Federal Agency requesting review.

The reply should be cleared through DOB before sending.

The reply should be reviewed by the Department of State "policy group" if there is the possibility of a policy decision being involved.

General note: The Legal Services Bureau will review the Federal proposal if requested to do so. They do not wish to receive a general distribution. The determination is ours.

(Activity #5: FEDERAL COORDINATION)

*Federal agencies with significant on-going relationships with the Department of Environmental Conservation are:

1. DEPARTMENT OF AGRICULTURE
   - U.S. Forest Service --- Forest management, forest product development
   - Soil Conservation Service --- Small watershed management planning, soil surveys, farm and rural area management plans.

2. DEPARTMENT OF COMMERCE
   - National Marine Fisheries Service --- Commercial fisheries development and protection
   - Office of Coastal Zone Management --- Coastal Zone Management Program

3. DEPARTMENT OF DEFENSE
   - Army Corps of Engineers --- Dredge and fill permits, ocean dumping, shore erosion control, ports and harbors, navigation, N.E. water supply study, water resource basin planning, flood control.

4. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
   - Federal Insurance Administration --- Flood insurance and flood plain management

5. DEPARTMENT OF INTERIOR
   - Fish and Wildlife Service --- Sport fisheries, waterfowl and other wildlife management, including habitat maintenance and protection.
   - Bureau of Outdoor Recreation --- Shoreline recreation and access (with N.Y. Office of Parks and Recreation), Wild, Scenic and Recreational Rivers Program
   - U.S. Geologic Survey --- geology, mineral resources, ground water inventigations, stream flow information.
   - Bureau of Land Management --- OCS leasing, OCS development and management

6. DEPARTMENT OF TRANSPORTATION
   - U.S. Coast Guard --- Navigation aids and safety, ports and harbors, OCS development safety
   - Maritime Administration --- ports and harbors, OCS development

7. <u>OTHER FEDERAL AGENCIES</u>
   - General Services Administration --- Management of certain federal lands and facilities
   - Federal Energy Administration --- Energy facility siting, OCS energy development
   - Federal Water Resources Council --- Water resources planning, interstate basin planning
   - Council on Environmental Quality --- NEPA statements and other environmental quality review
   - U.S. Environmental Protection Agency --- Air and water quality, solid waste disposal.

** Among such documentation available to DEC expressing federal agency concerns for national interests area;

-- U.S. Department of Commerce, National Marine Fisheries Service: "A Marine Fisheries Program for the Nation", July 1976.

-- U.S. Department of Interior and Department of Commerce (Fish and Wildlife/ NMFS/OCZM): "Living Coastal Resrouces", July 1976

-- U.S. Department of Housing and Urban Development, Federal Insurance Administration: various publications on National Flood Insurance Program

-- U.S. Department of Agriculture, Soil Conservation Service: "Erosion and Sediment Inventory in Urban Areas of New York State", 1974, (Syracuse, N.Y.).

-- Army Corps of Engineers: Northeast U.S. Water Supply Sutdy, various ports and harbors studies, "Water Resources Development in New York", 1974.

-- Federal Water Resources Council: various framework studies, Level "B" and other water resource studies and comprehensive plans for interstate basins of New York, in conjunction with various interstate basin commissions (Delaware, Susquehanna and Allegheny river basins, the Great Lakes Basin and Long Island sound through the New England River Basins Commission)

-- U.S. Environmental Protection Agency: various guidelines relating to water quality maintenance and planning as provided for under PL 92-500.

FEDERAL COORDINATION

The chart mentioned under Task 5.1, 1. Establishment of mechanism for achieving coordination, is a wall chart too large to include in this packet.

This chart will be on display at the February 10, 1977 meeting.

February 8, 1977

OUTLINE OF STATEWIDE BOUNDARY DETERMINATION AND PROCESS

1. Statement of intent - to satisfy the statewide boundary requirement.
2. Process of boundary determination to date (2/10/77):
   a. Circulation of technical guidelines - "Coastal Zone Boundaries" by DOS (9/75);
   b. Contractor identification of preliminary boundaries according to contract requirements (quote work item contract language) (4/1/76);
   c. First year DEC boundary discussion paper circulated to contractors (10/76);
   d. Summary of contractor boundaries (1/24/77);
   e. Analysis of contractor approaches to boundary delineation to determine common approaches (1/27/77);
   f. Preparation of State policy boundary determination (2/77).
3. Process to follow:
   a. Circulation of draft State policy paper concerning coastal zone boundary(ies) for review and comment by interested parties, state agencies, and contractors (3/77);
   b. Discussion with NYC, Nassau-Suffolk Regional Planning Board, St. Lawrence-Eastern Ontario Commission, on boundary policy and resolution of inconsistencies;

c. Revision to State policy paper (4-5/77);

d. Distribution of revised State policy paper including State coastal zone boundary(ies) (6/77);

e. Public meetings, including discussion of proposed coastal zone boundary(ies) (7-8/77);

f. Incorporation of boundary(ies) into State CZM program.

4. State Policy:

a. Introduction - Recognition of need for approach to a state-wide coastal zone boundary that satisfies federal regulations and reflects differences in State's coastal area. Boundary consideration will include;

1. Biological/physical/cultural characteristics
2. Existing land and water uses
3. Development pressures
4. Water body type classification - lake/river/ocean
5. Interstate and international boundaries
6. Political jurisdictions - type and nature

b. Discussion of biological/physical/cultural features and their uses as determinants of the landward coastal zone boundary;

1. Need to define shoreland uses "which have a direct and significant impact upon coastal waters:
2. Determination of biological/physical/cultural characteristics and their uses on coastal areas

3. DEC, St. Lawrence-Eastern Ontario Commission, and other state agency input in determining biological/physical features of statewide importance
4. Designation of certain biological/physical/cultural features as GAPC's which will affect the landward coastal zone boundary

c. Determination of cultural, man-made, political or natural features as lines to delineate coastal zone boundary(ies): Considerations:

1. Easily recognizable
2. Encompass biological/physical/cultural features justified as requiring inclusion within the coastal zone boundary according to definition of "direct and significant impacts on coastal waters"
3. General agreement by contractors as most appropriate
4. Some non-coastal oriented land may be including in the coastal zone; special provisions can be made for broad/general controls, as opposed to GAPC's with stricter controls

d. Discussion of "Tiered approach" to define the coastal management area;

e. Resolution of boundaries with adjoining states.

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Paul M. Dodd
Soil Conservation Service
U.S. Courthouse & Federal Bldg
Room 771
100 South Clinton Street
Syracuse, N.Y. 13202

Dear Mr. Dodd:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

We would appreciate it if you would check the attached list of properties to confirm whether these are federally owned and under your agency's jurisdiction. Also, please provide information on any other federally owned lands under your jurisdiction in coastal cities, towns or villages of New York which may not have been listed.

In addition, please identify the location and property limits of these areas on maps at a 1:24,000 scale. (Information shown on copies or portions of standard U.S.G.S. 7½ minute Quadrangle Maps would be suitable). This would aid us in our mapping and identification efforts. At a later date we will need more precise boundary maps. However, these may be provided at this time, if you so desire.

Your immediate attention to this matter will be appreciated. Maps may be sent to Mr. Howard Pike, c/o CZM Section, Land Resources Planning Group, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233.

If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-8834.

Sincerely,

Fred W. Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. James McShane
Port Development Officer
Maritime Administration
37th Floor, 26 Federal Plaza
New York, N.Y. 10007

Dear Mr. McShane:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

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If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-8834.

Sincerely,

Fred W. Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Stanley Maisel
Chief, Planning Branch
Corps of Engineers, Room 2149
26 Federal Plaza
New York, N.Y. 10007

Dear Mr. Maisel:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

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Your immediate attention to this matter will be appreciated. Maps may be sent to Mr. Howard Pike, c/o CZM Section, Land Resources Planning Group, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233.

If you have any questions on this, please contact Mr. Maurice Carvey at the Division of State Planning, New York Department of State, 518-474-3834.

Sincerely,

Fred Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Thomas Piecynski
Chief of Flood Plain Management Section
c/o District Engineer - 1776 Niagara Street
Buffalo, New York 14207

Dear Mr. Piecynski:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

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Your immediate attention to this matter will be appreciated. Maps may be sent to Mr. Howard Pike, c/o CZM Section, Land Resources Planning Group, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233.

If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-5834.

Sincerely,

Fred Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Ralph Andrews
Coastal Ecosystems Activity Leader
Fish & Wildlife Service
U.S. Department of the Interior
John McCormick Post Office & Court House
Boston, Massachusetts 02109

Dear Mr. Andrews:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

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Your immediate attention to this matter will be appreciated. Maps may be sent to Mr. Howard Pike, c/o CZM Section, Land Resources Planning Group, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233.

If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-8834.

Sincerely,

Fred W. Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Jack Benjamin
Federal & State Liaison Officer
National Park Service
150 Causeway Street
Boston, Massachusetts 02114

Dear Mr. Benjamin:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

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Your immediate attention to this matter will be appreciated. Maps may be sent to Mr. Howard Pike, c/o CZM Section, Land Resources Planning Group, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233.

If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-8834.

Sincerely,

Fred Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A. A. Berle
Commissioner

February 4, 1977

Mr. Jeff Swinebroad
Division of Biomedical &
Environmental Research
Energy Research & Development
Administration
Washington, D.C. 20545

Dear Mr. Swinebroad:

The Department of Environmental Conservation is assisting the New York Department of State in the identification of federally owned property in the coastal zone in accord with sections 306 and 307 of the 1972 Coastal Zone Management Act. We have established a tentative list of federally owned properties in municipalities adjacent to coastal waters from information published in 1975 by the General Services Administration.

We would appreciate it if you would check the attached list of properties to confirm whether these are federally owned and under your agency's jurisdiction. Also, please provide information on any other federally owned lands under your jurisdiction in coastal cities, towns or villages of New York which may not have been listed.

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If you have any questions on this, please contact Mr. Maurice Garvey at the Division of State Planning, New York Department of State, 518-474-8834.

Sincerely,

Fred Howell

Fred W. Howell, Chief
CZM Section
Land Resources Planning Group
Office of Program Development
and Planning

Enclosure

Tasks 4.5 and 5.2 [illegible] through Interstate Commissions

Task 4.5 Assist DOS in Coordination and Liaison with Adjacent States Relative to Key CZM Program Interests

Through its membership in the Great Lakes Basin Commission (GLBC) and the New England River Basins Commission (NERBC), DEC has excellent coordination and liaison with the states and Federal agencies involved and has worked with them in their CZM programs. The commissions meet on a quarterly basis and have their CZM matters covered at each of their meetings. In addition, both commissions have CZM committees that meet periodically. Also, the Commissions have been establishing programs and priorities for Federal and Federal-assisted programs which include the coastal zone.

The NERBC has sponsored several coastal zone activities, particularly related to OCS during the year. These include:

- The Commission has completed the resource and land investigations (RALI) program under contract with the USGS for $350,000. The information is for the development and application of a methodology for siting onshore facilities associated with OCS development and has been well received. Program included three tasks: compilation of a fact book; scenarios for a high-find, medium-find, and a no-find for oil and gas on the Georges Bank; and to assist states in the design of their scenarios and the development of state OCS objectives.

- Three other OCS related activities include the establishment of a regional OCS technical service, producing an OCS film and completion of a gas facility study design.

- The CZM Committee held discussions on the coastal flood plain management and the links between the HUD Flood Insurance Program and the state CZM programs. Also, the integration of the water quality 208 program and CZM have been stressed.

- The CZM Committee provided liaison service with the states, assistance and information relative to a number of subjects including dredge disposal, public participation, and approaches to and contacts for Federal participation.

The GLBC has been conducting or been involved in several coastal zone studies and activities during the past year. These include:

- The Commission has provided a forum for communication with the U.S. Department of State so that the views of the states on water levels can be included in the State Department's discussions with their Canadian counterparts. There is a need for further regulation studies with the establishment of a water quantity board with participation by the states, a public advisory committee, and inclusion of the Canadian section of the St. Lawrence in further studies.

- A special four-month energy study by the Commission utilizing NOAA funds. This included the review of state and Federal siting laws and development of economic cost considerations so that trade-offs can be considered.

- The Commission has been involved with the Corps of Engineers in shoreline damage pilot studies for counties in the basin. Two of these, Oswego and Monroe Counties, have been completed in New York State. All of the New York State counties adjacent to the Great Lakes will be completed within the next two years.

- The Commission members discussed and expressed their views regarding a proposed IJC study of oil and wet gas drilling under the Great Lakes stating that no significant advances in technology for drilling have occurred since the 1970 IJC report and recommended no further action at this time.

- The CZM Committee sponsored its first public workshop in Buffalo on September 29-30

- The CZM Committee had a meeting and workshop on the role of vegetation and bank stabilization in the Great Lakes shore zone.

5.3

September 9, 1976

Mr. Charles A. Job, Project Manager
CZM Energy Project
Great Lakes Basin Commission
P.O. Box 999
Ann Arbor, Michigan 48106

Dear Mr. Job:

I have reviewed the interim draft reports on portions of the CZM Energy Study. I suggest that the future interim reports should be prepared according to the outline of detailed work elements you prepared last June, or they should be at least referenced to the outline. This will make it easier for the reviewer to review portions of the report as received. Also, I believe, it would be easier for you to prepare the final report. Specific comments are as follows:

Policy Unit

1. Page 10; line 7 should be changed to: "The Public Service Commission (PSC) and the Department of Environmental Conservation have the major roles in the power plant siting application process."

2. Page 10; line 15 should be changed to: "One ad hoc member is appointed by the Governor from within the judicial district where the facility is primarily proposed."

3. Page 11, table II-3: There are numerous other State permits that would be required similar to those listed on table II-4. The Certificate of Environmental Compatibility and Public Need issued by the New York State Board on Electric Generation and the Environment under Article VIII of the Public Service Law replaces the various permits.

4. Page 12, line 19 to 22: The statement is not true. The decision process is open to the public to the extent desired.

5. Delete paragraph beginning at bottom of page 12 and ending at top of page 13 because the reorganization of PSC would not change the power plant siting proceedings.

6. Page 32: The Article VIII proceedings provide public participation and also require environmental assessment.

Coastal Dependency Unit

1. The heading, sub-heading and organization could be improved, because they are not clear. For example, there is no Section I before Section II, Facility Requirements, Definitions and Analysis, on page 4. What is the sub-heading for II-A on page 4? Also, it seems to me that the subsection 7, Coastal Dependence, should be II-B.

2. I note that very uneven treatment has been made on the six classes of requirements. The section on coal transportation economics is out of proportion unless it is the most important factor of the six. It seems to me that it should be discussed as part of transportation access.

3. The term "system requirements" is used in the definition of dependency on page 2. However "system planning" is used on page 5 and page 7. A uniform term should be used.

4. Under the engineering considerations emphasis should be made on dependability and practicality of a project. It will normally cost more to build an unusual engineering project. But, cost is not the only factor and cost factor is covered under economics. Therefore dependability and practicality should be emphasized.

5. Page 28, line 13: It is not really "radiation waste", but accidential releases of radiation.

6. Page 43: A new refinery at Oswego, New York was planned or being talked about three years ago; however, the status of the proposal is very uncertain at this time.

7. Page 44, line 3: "Proximity to" should be changed to "availability of". Line 9: Fire risks should be one of the safety criteria, and not environmental criteria.

Projections and Trends Unit

1. Page 3, last line: Reference is made to, "the caveats associated with energy studies." It is not clear what this implies regarding the study.

2. Page 5: The statement on the annual growth rate of 7% for the per capita power generating capability is not true. It has been less than 7% for the past 5-7 years, and as low as 4% in some areas.

3. Page 7: It should be noted that there are 11 counties in the Great Lakes portion of the State coastal zones, and that New York has other coastal areas along the Hudson River to Troy and the Atlantic Shore.

4. Page 10/11: Reference should be given for these two tables.

5. Page 14: It should be noted again that the Great Lakes portion of the State Coastal Zone is not the total New York State Coastal Zone,

6. Page 15; Both of the new refineries at Albany and Oswego were announced several years ago and nothing has happened since then. Both are in a very uncertain state at this time.

7. Page 18; I doubt if it can be assumed that the annual growth rate of 7.3% on electrical energy consumption will continue in such a rate.

If you have any questions on these comments, I would be glad to discuss them with you.

Sincerely,

William H. Lee, Program Manager
DEC/CZM Program

cc: H. Williams
J. Finck

bc: T. King

June 21, 1976

MEMORANDUM

TO: J.A. Finck

FROM: W.H. Lee

SUBJECT: CZM Activities in Great Lakes Basin Commission

Activities of Standing Committee on CZM

1. Bill Marks will present a brief status of the activities of the Standing Committee on CZM. No action is required by the Commission. Major activities of the Committee include discussion of approaches and methodologies to satisfy the threshold requirements issued by OCZM

2. The proposed study entitled: "Great Lakes CZM Energy Facility Policy Options Analysis will be presented for information to the Commission. OCZM is interested to support the study which will be conducted by GLBC staff. I have provided comments to GLBC and H. Williams on the information needs and detailed breakdown of the work elements (see attached memo to H. Williams).

3. I am planning to attend the next Standing Committee in Duluth, Minnesota. I have not received the agenda for the meeting. However, Jerry Kotas of GLBC told me that the major agenda items would be OCZM's revised regulations on intergovernmental coordination, paper on Federal Consultation, requirements on EIS and public information programs.

4. Stan Maisel has been designated as the Corps' representative on the NY CZM program. It would be desirable that someone from the Buffalo District should also be designated for the program.

Activities of Shoreland Damage Reduction Task Force

1. For the last several meetings, the activities of the Task Forct have been combined with the activities of the Standing Committee on CZM. It may be desirable to officially combine these two groups.

2. According to Tom Pieczynski of the Buffalo District Corps of Engineers, the flood damage survey program has been holding up by OMB approval of the questionnaire forms to be sent to owners of the shoreland property. Therefore, this years program will be delayed. However, Tom does not see any problems to conduct the study in house.

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A.A. Berle
Commissioner

5.3

July 28, 1976

MEMORANDUM

TO: J.A. Finck

FROM: W.H. Lee WHL

SUBJECT: GLBC/CZM Standing Committee's Meeting

Coastal Awareness Month

States' members, GLBC staff, and OCZM staff met in the afternoon of July 13 to discuss the coordination and organization of a Great Lakes Regional awareness program. The Committee has decided to take the following actions:

1. The Committee will sponsor a regional CZM public participation workshop to be held on September 30 in Buffalo in conjunction with the next Committee's meeting. Each state will select five representatives from the Statewide Citizen Advisory Committee to attend the workshop. Purposes of the workshop are to

   - raise awareness of major issues in the Great Lakes
   - promote citizen involvement in the development of a state CZM program
   - emphasize the needs for a state CZM program.

2. Wisconisn, Minnesota, Michigan, and Upper Great Lakes Regional Commission are already involved in proposing a governor's proclamation that would recognize Great Lakes awareness month. The three governors of Wisconsin, Minnesota and Michigan will meet on August 5 to take joint action on the proclamation (draft attached). The GLBC/CZM Standing Committee recommends that the three governor's invite other governors in the Great Lakes States to join them to sign the proclamation. Each state member should inform it's governor's office on this.

3. The Committee has requested the GLBC staff to look into a regional public participation program which would support or supplement state's public participation program. The staff will report to the Committee at its next meeting.

CZM Energy Study

The proposed CZM Energy Study was approved by OCZM on June 30, 1976. In a very short time, GLBC has organized a study team of eight persons with four new staff and four existing staff to complete the study in four months. The study will cover three parts, policy, coastal dependency, and projections and trend.

Coastal Zone Management Act Amendments of 1976

OCZM handed out a summary of major provisions of the Amendments (attached). The Amendments were signed by the President on July 27, 1976. Major provisions to the State CZM programs are to:

- add three new work elements requiring planning process related to access, energy facility siting and shoreline erosion;
- add one additional year for planning under Section 305;
- increase federal funding level from 66 2/3% to 80%;
- add a new subsection to Section 305 to allow completion of an initial implementation of state management programs.

OCZM's Revised Policy Paper on EIS

OCZM staff discussed the requirements of EIS

- state will submit one document to include DEIS
- section on social and economic impact to coastal users and owners should be emphasized.
- Rhode Island would be the first one to submit one document to include the CZM program and DEIS. It can be used as an example for other states.

OCZM's Paper Concerning Federal Consultation

OCZM staff discussed in detail the revised rules and regulations on Federal Consultation (Coordination and Consistency). The proposed rules and regulations will be published in the Federal Register by the end of this month. OCZM staff will send each state a copy of the summary of comments received on the preliminary draft.

Erosion Control Demonstration Program

Bill Marks reported that the Shore Erosion Advisory Panel has recommended eight sites to the Office of Chief Engineers for consideration. This includes two sites in New York, one near Rochester and the other one on Lake Erie. Bill Marks will send me information on these eight sites.

Regional Coastal Information Center

NOAA is proposing a Regional Coastal Information Center in the Great Lakes Region. All Great Lakes States' CZM contacts are very unhappy about the proposal because they have never been consulted by NOAA or OCZM. It was agreed that the Chairman of the Committee will write to OCZM expressing the states' concern and will also suggest other alternate locations for the center. The Committee thought that the Great Lakes Basin Commission's Office would be a better location for the Center than the University of Michigan that is being considered by NOAA.

Workshop on the Use of Vegetation f Bank Stabilization

The Committee has decided to sponsor a workshop on the use of vegetation for bank stabilization. SCS has offered assistance to conduct the workshop. It will be held in November. The GLBC staff will work out the details.

IJC Great Lakes Levels Report

A copy of the summary and recommendation of the IJC Committee on Lake Levels Report was handed to each member. The IJC Committee on Lake Levels will meet on July 28 in Detroit to discuss the report.

FRC/GLBC Task Force on Flood Damage Reductions

Because most agencies have the same people served in the Task Force and the CZM Standing Committee, the Committee has passed a resolution recommending that the Great Lakes Basin Commission abolish the Task Force and have the Standing Committee to assume all the functions of the Task Force.

Next Committee Meeting

The next Committee's meeting will be held in Buffalo on September 29 and a regional public participation workshop will be held on September 30 in the same place.

Enclosures

cc: H. Williams

New York State Department of Environmental Conservation

MEMORANDUM

TO: T. Eichler
FROM: J. A. Finck
SUBJECT: Great Lakes Basin Commission Meeting - August 24-25
DATE: August 31, 1976

1. Regulation of Great Lakes

The Commission's Ad Hoc Review Committee on the IJC report on regulation of the Great Lakes water levels reported on their July meeting. As a result of the meeting, a letter was sent by the GLBC Chairman Fred Rouse to the Department of State requesting a forum to go over the concerns of the states. The State Department representative at the GLBC meeting agreed to a meeting with the states. The idea of having a water quantity or regulation board for investigative purposes with representation from each of the eight Great Lakes states will be one of the topics of the meeting. The states have 15 areas of concern as indicated in the attached report of the Committee.

2. Oil and Wet Gas Drilling under the Great Lakes

In my notes on the GLBC meeting of June 22-23, I discussed this in some detail. The follow-up action was for the Department of State to obtain from the Canadian Government full background information on the current renewed Canadian interest in the drilling. This information has not been received so no action on the question was taken at the Commission meeting. Subsequent to the meeting, I received phone calls from newspapers in Buffalo, Rochester and Syracuse regarding the matter and how we feel about the proposed reference. I gave them information on the sequence of events up to this time. Also, I informed them that we are waiting on the information from Canada before stating our views on the proposed reference to the IJC to review the conclusions and recommendations of the IJC's 1970 special report.

3. Report of Standing Committee on Coastal Zone Management

The Commission approved the Committee's proposal to the Region V Federal Regional Council that the Joint FRC/GLBC task force on shoreline damage reduction be disbanded and the GLBC Standing Committee on CZM will assume the task force's responsibilities. The CZM Standing Committee has scheduled a Great Lakes public information workshop for September 29 and 30 in Buffalo. The GLBC staff have been working about 1½ months on the energy related studies in the coastal zone. State siting laws have been reviewed and Federal laws are now under review. The study is to include the development of economic cost considerations so that trade-offs can be considered.

4. Priorities and Program Report

The Commission approved Part 1 of the Priority Report which has to do with ongoing programs. I suggested that priorities on Federal and Federally-assisted programs be developed by December for transmittal to the Water Resources Council.

Most of the other states were not in favor of this and want to wait until next year before submittal of priorities. This is one of the requirements of the Commission which has been in existence for 10 years without a priority report (and I believe it is the only Commission yet to submit one). The Commission did pass a resolution which will use the following as guidelines for preparing the priority report.

a) Approval of a list of near term programs and projects without priority ranking.

b) Review guidelines of other Commissions, particularly ORBC and MRBC for guidelines and criteria, and

c) Future priority listings to be related only to Federal programs and Federally-assisted programs.

5. The Comprehensive Coordinated Joint Plan (CCJP)

A staff paper on goals and objectives for the CCJP was referred to the CCJP Committee for review. Also, a proposed public informational program was distributed for comment by the GLBC staff and we are reviewing it. We are developing a proposal to study (PTS) for the minor drainage basins to the Great Lakes in New York (those areas not covered by Basin Board Studies). We plan on having the PTS completed in the next few weeks for submittal to the Commission for developing a CCJP with Federal funding.

Attachments

cc: T. Hullar
C. Simian
E. Seebald
J. Dragonetti
H. Williams
E. Karath
W. Lee

New York State Department of Environmental Conservation

NERBC
E 5.3

MEMORANDUM

TO: T. Eichler
FROM: J. A. Finck
SUBJECT: NERBC Meeting - May 27, 28 - East Hartford, Conn.

DATE: June 7, 1976

State Caucus

The states have five committees and Evelyn Murphy of Massachusetts has been serving as Chairperson of most of them. She asked for volunteers in order to spread the workload. At the meeting no one volunteered. However, it was decided to combine the RALI and the OCS Task Force into one group. Hugo Thomas of Connecticut is to be the new Chairman.

I was asked to take the lead in working with NERBC states in an effort to restore the $5 million in Title III funds for FY 77. The House Public Works Appropriations Bill has only $2½ million in it for FY 77. It is essential that the Senate Public Works Appropriations Bill contain the $5 million. The reduction of one-half of this year's appropriations would have a severe effect on us with a possible loss of two or three positions.

I complained about scheduling the CCJP and the CZM Committees at the same time. Others also expressed concern and it was decided not to have them at the same time in the future.

CCJP Committee

This committee finalized the Priorities Report which is an essential part of the CCJP process. The priorities are broken out into five parts--data collection, research, planning, site specific feasibility studies, and action programs. During the discussions I was able to raise to higher positions priorities on many projects and programs in New York such as the Nassau County Recharge Project, the Nutrient Enrichment Study of Western Long Island Sound, and the Long Island Sound Heritage Study. There was very active participation by states and Federal agencies in the development of the Priorities Report by the NERBC. The report is very good for the first one to be developed.

Commission Meeting

Section 73 Non-Structural Flood Control Studies

In the House Public Works Appropriations Bill there is $100,000 for Section 73 case studies by the Corps of Engineers through the NERBC of localities in the Connecticut River Basin. This is the first time to my knowledge that the Section 73 Program is being funded.

CZM/OCS

Report attached. Cornelia Ferber of the NERBC reported that five states (Maine, Massachusetts, Connecticut, Rhode Island and New York) have indicated support for funding of $5,000 for the regional technical service information center. She stated that the OCS/CZM film would cost about $130,000 and has the support of several Federal agencies. Both EPA and Interior have indicated that they would supply $25,000 each towards the fund. Maine, Massachusetts and Connecticut indicated that they would each provide $4,000 or $5,000 toward the film. New York has not made any commitment for contributing funds to the film. Some members indicated that the cost of the one-hour film appears to be high. However, it was decided to try to seek additional funding for it.

Lake Champlain Level B Study

Leonard Wilson, Director of State Planning in Vermont, is very interested in doing as much preparatory work before next October when the funding is supposed to become available. A Steering Committee has been established. Leonard, Frank Gregg and myself all indicated that it would be well to have a Study Manager selected, a location for the office, and some preliminary work started on the plan of study by that time.

Attachment

cc: T. Hullar
H. Williams
E. Karath
W. Lee
G. Sovas

PROGRESS REPORT: COASTAL ZONE TASK FORCE

Work on the regional OCS-related study designs got underway with the receipt of contracts approved by the Office of Coastal Zone Management in NOAA. In early April, an additional staff person was hired to work on the options for a regional technical service center. As of this writing, a number of phone and in-person interviews have been completed, and an issue paper has been drafted for the review of participating state representatives. Conversations with state representatives were directed towards establishing the types of services, technical support, and analyses that the individual states thought would be most useful in terms of their own programs and the issues they foresaw as requiring additional support for an effective state response to OCS oil and gas developments. The role of the center currently being considered points to the development or identification of generic as opposed to site specific types of information, with emphasis on expert advice on available methodologies for analyzing the impact of OCS-related development and the state-of-the-art for the design and operation of OCS and onshore facilities. This technical input could then be applied by the states to site specific developments as they see fit. The issue paper will also address the scale of operations appropriate for the center, an assessment of possible institutional alternatives for housing the center, and alternative sources of supplemental funding.

With the completion of the draft issue paper, work on the gas facility study design is expected to begin shortly. A signed contract for the OCS/CZM film design is expected soon; verbal approval to proceed with work has been received. Negotiations are underway to get the design work going; and the search for additional funding has proceeded with EPA (office of Research and Development) and several bureaus in the Department of the Interior indicating a willingness to provide financial support to the Task Force for their use in producing the film.

In late March a meeting was held in Providence to discuss the Rhode Island coastal zone management program with interested coastal zone officials in nearby states. Work is proceeding on several subjects identified by the Task Force for future discussion, including boundaries, urban areas, dredge material disposal, and public participation. The Task Force is scheduled to meet May 27, during the quarterly Commission meeting, to discuss progress on the regional OCS-related study designs, and progress of each state's program according to several of the threshold criteria.

The liaison service continued to work with individual state coastal zone staffs, responding to requ - for assistance or information on a number of subjects including dredged material disposal, public participation, and approaches to and contacts for federal participation. Among the information mailings sent to the Task Force were a decision flow chart on OCS-related activities and additional procedures that would be required by new legislation; fact books on oil and gas industry facilities and terms; the MAGCRC report prepared for the Mid-Atlantic states identifying and analyzing expected onshore OCS impacts; and materials prepared by the Rhode Island and Massachusetts CZM programs.

5.3

NEW ENGLAND RIVER BASINS COMMISSION
55 COURT STREET • BOSTON, MASSACHUSETTS 02108
PHONE (617) 223-6244

JUN 29 1976

MEMORANDUM

To: Members and Alternates Date: 6/24/76

From: Chairman

Subject: Summary Minutes of the Quarterly Meeting on May 28, 1976

Summarized below are the major presentations and actions taken at the Commission's regular quarterly meeting on May 28, 1976 at the Ramada Inn in East Hartford, Connecticut. Detailed notes on the meeting are on file in the Commission's office for record purposes.

Supporting documents listed on Attachment A are to be considered part of these minutes.

A quorum was present as indicated on the attached attendance list (Attachment B).

Agenda Item

4 Minutes of Previous Meetings

The minutes of December 16 and 17, 1975 were approved as written. Decision was deferred on the minutes of March 31, 1976 and the use of a summary format.

5b Report of Vice Chairman

Madge Ertel of Massachusetts reported on behalf of Vice Chairman Evelyn Murphy on discussions and actions taken at the State Members meeting the previous day.

State Members considered a draft resolution, prepared by a committee appointed by the New England Governors on NERBC/NERCOM relationships, which would provide for (1) the election of the Special Representative of the NERCOM State Co-Chairman as NERBC Vice Chairman, (2) annual review of NERBC's program and budget by the Governors, and (3) an investigation of possible consolidation of administrative activities of the two organizations, and possible changes in federal enabling acts and Executive Orders. State Members agreed that the investigation should be expanded to include clarification of the respective missions of the two commissions.

State members made the following appointments:

-- Dan Varin of Rhode Island to participate on a committee with state representatives of the other five river basin commissions in monitoring amendments to PL 89-80. Mr. Varin will keep both state and federal members aware of pending changes.

-- Jack Finck of New York to lead state members' efforts to restore cuts in proposed FY 77 appropriations for Title III grants.

-- Hugo Thomas of Connecticut to co-chair the NERBC/RALI Steering Committee, replacing Evelyn Murphy.

(Evelyn Murphy continues as Vice Chairman of NERBC, and Victoria Potter of Rhode Island continues as state co-chairman of the OCS Task Force)

5d (3) Report on Connecticut River Programs

The Chairman noted that since the written progress report was prepared, the Public Works Subcommittee of the House Appropriations Committee had added $100,000 for the Corps of Engineers to begin Section 73 case studies in FY 1977.

5d (7) Report of the Coastal Zone Task Force

Cornelia Ferber reported on the results of the Task Force meeting the previous day.

Matthew Connolly of Massachusetts was elected Task Force Chairman, replacing Evelyn Murphy.

The CZTF also agreed to:

-- establish and fund a technical service center to assist state coastal zone programs in dealing with OCS-related development by providing scientific and technical information and analysis on specific issues. Initially, the center would be located at NERBC, and would be coordinated with OCZM's information services;

-- proceed toward an OCS/CZM film using WGBH as producer, subject to securing financial support, and

-- continue work on designing a regional gas facilities study.

5e (1) Report on New Connecticut Planning Law

Horace Brown of the Connecticut Department of Planning and Energy Policy described the recently passed legislation (PA 76-130) which provides for adoption of a state conservation and development plan

New York State Department of Environmental Conservation

NERBC

X-E

MEMORANDUM

TO: T. Eichler
FROM: J. A. Finck
SUBJECT: NERBC Meeting on December 15, 1976

DATE: December 23, 1976

State Caucus

1. NERBC-NERCOM Relationships

The following relationships for the New England States (New York not affected) were recommended:

- NERCOM State Co-chairman representative should be NERBC Vice-Chairman
- State representative to NERCOM should be State member to NERBC (or alternate)
- NERBC to relocate office near NERCOM
- Each year joint budget review by NERCOM and NERBC and briefing of Governors on programs.

2. OMB action to Eliminate WRC Titles I & III FY 1978 Budget Requests

This is a shocker to everyone. OMB action would eliminate the WRC and state grants under Title III. A resolution was passed to reinstate the funding. Copies will be sent to appropriate persons. These include President-Elect Carter and his transitio team, Director of OMB and the Secretary of Interior (Chairman of WRC). The states were asked to send letters to the above and to their Congressional delegations. (We have drafted a letter for the Commissioner's signature.)

We were told that the ongoing Level B's (the Hudson, Champlain, Delaware and Allegheny in New York) were not affected by the OMB action.

3. PL 89-80 Amendments

These were discussed and it is expected that hearings will be held on them again this spring. Some aspects were highlighted.

- The need to clarify the CCJP and priorities process
- Expansion of River Basin Commission responsibilities in Natural Resource areas
- Elimination of the uncertainty we have with Title III funding

Commission Meeting

Governor Dukakis of Massachusetts briefly spoke on the relationships of NERCOM and NERBC and the good work of the Commission under the RALI Program.

Regional Port Study

A consultant (Dave Burack) is developing a fact-finding report which is due in early January on a preliminary assessment on the demands and opportunities for extending New England port facilities, considering projected oil development, expanded commercial fishing and other economic activities and to determine whether a major study of ports is required. If necessary, a proposal to study will be developed by May, 1977.

Department of Interior Hearings on Draft EIS for North Atlantic

Those who attended the recent hearings in Boston and Providence stated that the whole attitude for offshore oil has changed in New England. They stated comments were more professional than in the past and not emotional type testimony. The final EIS is expected to come out on schedule and the lease sale should begin some time in May. I wonder if this attitude will change as a result of the tanker mishap.

Lake Champlain Level B Study

The staff is in place in Burlington, Vermont, and are working on the Plan of Study. An Interim Steering Committee meeting was held in early December which set forth guidelines on the major focus for the study. A Plan Formulation Team has been established and will meet in early January. We still need to work out a Memorandum of Agreement with the NERBC so that we can fund someone to work on the study.

The RALI Project

The Commission work done under contract with the U.S. Geological Survey has developed a systematic method to help state and local officials throughout the nation for siting of onshore facilities associated with OCS oil and gas development. The project (see attached Executive Summary) was undertaken in three tasks:

- to gather the best information available through all sources in the world, and compile a fact book,

- to apply the general knowledge gained to estimate the likely impact on New England if oil and gas are discovered on Georges Bank. Scenarios were developed for a high-find, a medium-find and for a no-find. For the high-find the impact for the regions as a whole was found to be less than anticipated however, impacts locally will be significant.

- the third task is to work closely with states in helping them design their scenarios and the development of State OCS objectives. Irv Waitsman of the NERBC spent one day with us last week on this.

Coastal Zone Management Task Force

Work has continued on three OCS related items. These are the activities on the Regional OCS Technical Service, producing the film and finishing up the gas facility study design. Russell Wilder, the OCS technical coordinator, began work in December The gas facility study design work has been completed and distributed to Task Force members for review. Regarding the film, a contract has been signed with WGBH Educational Foundation and filming is underway in Scotland, the Gulf, as well as New England locations. Filming is expected to be completed by January.

The new planning requirements of the CZM Act Amendments for beach access, energy facilities, and shoreline erosion were discussed. OCZM representatives were unable to attend and Cornelia Ferber of NERBC filled in. Each of the new requirements require a process. For the beach access, a definition of the term "beach" and a rationale for the choice of definition and an identification of public coastal areas fitting the definition will be required. Under energy facilities, the planning process is to include:

- the identification of energy facilities in or affecting the coastal zone

- the assessment of impacts from such facilities
- the participation of coastal zone managers in overall planning for facilities
- the management of impacts from the facilities.

For shoreline erosion, planning process is to encompass assessing the effects of shoreline erosion (how caused) and the study and evaluation of how to control or lessen the impact of such erosion and to restore areas adversely affected by such erosion.

Attachment

cc: T. Hullar
H. Williams
C. Morrison
E. Karath
G. Sovas

5.3

Great Lakes Basin Commission

STANDING COMMITTEE ON GREAT LAKES COASTAL ZONE MANAGEMENT

Meeting No. 13
Itasca, Illinois
December 1, 1976
11:00 a.m. to 5:00 p.m.

Presiding: Peter Wise, Illinois Department of Transportation

1. Call to Order and Roll Call

A quorum of Standing Committee members were present. Those in attendance were:

ALEXANDER, Cheryl. University of Michigan Coastal Zone Laboratory, Ann Arbor, MI
BIEKER, Helen K. AAUW, Munster, Indiana
CLEMENS, Rob. Great Lakes Basin Commission, Ann Arbor, MI
CROOK, Leonard. Great Lakes Basin Commission, Ann Arbor, MI
D'ALBA, Lou. Corps of Engineers, North Central Division, Chicago, IL
DAVENPORT, Russell. Department of Development and Planning, Chicago, IL
DAVIS, Dan. New York Department of State, Albany, NY
ENGLE, Cdr. R.M., U.S. Navy, Northern Division, Philadelphia, PA
FAIR, Sam. Sandgrabber, Inc., Bay City, MI
FETTEROFF, Carlos. Great Lakes Fishery Commission, Ann Arbor, MI
FOGG, George E. Pennsylvania CZM, Harrisburg, PA
HARAS, Bill. CCIW, Burlington, Ontario, Canada
HEMPFLING, Tom. Corps of Engineers, North Central Division, Chicago, IL
HOUSLEY, John G. Corps of Engineers, Washington, D.C.
HOWELL, Fred. New York Dept. of Environmental Conservation, Albany, NY
JOB, Charles. Great Lakes Basin Commission, Ann Arbor, MI
KOTAS, Jerry. Great Lakes Basin Commission, Ann Arbor, MI
KURTZWEG, Jerry. Environmental Protection Agency, Washington, D.C.
LAUF, Ted. Wisconsin Dept. of Natural Resources, Madison, WI
MARKWIESE, Thomas G. U.S. Navy, Great Lakes, Chicago, IL
MILLER, Al. State Planning Office, Madison, WI
MULANEY, Eileen. Office of Coastal Zone Management, NOAA, Washington, D.C.
NORDSTROM, Ralph V. U.S. Environmental Protection Agency, Region V, Chicago, IL
OGLE, Terri. Great Lakes Basin Commission, Ann Arbor, MI
OSTLIND, Pete. Great Lakes Basin Commission, Ann Arbor, MI
RABER, Merle D. Michigan Coastal Zone Management Program, Lansing, MI
SHAFER, Chris A. Illinois Coastal Zone Management Program, Chicago, IL
SISK, Larry. U.S. Fish and Wildlife Service
TESKA, Robert B. Robert B. Teska Associates, Evanston, IL
TOLSON, John Paul. Office of Coastal Zone Management, NOAA, Washington, D.C.
WALTON, Ted. Ohio CZM Program, Ohio Dept. of Natural Resources, Columbus, OH
WILLIAMS, Roger. Minnesota Coastal Zone Management Program, St. Paul, MN
WISE, Peter. Illinois Coastal Zone Management Program, Chicago, IL

2. Adoption of Agenda

Agenda Item No. XI, Future Committee Activities, was changed to be discussed under Item IV, Report of the Committee Chairman. No other modifications were offered and the agenda was adopted as revised.

3. Approval of Minutes, CZM Standing Committee Meeting No. 12, Buffalo, New York - September 29, 1976

An addition was made to the minutes stating that the Committee had requested the Department of Interior and Office of Coastal Zone Management to reconcile the apparent differences relating to the amendments to the Coastal Act regarding beach access provisions. No other changes were suggested and the Minutes were adopted as amended by consensus.

4. Chairman's Report

Chairman Wise indicated that the Standing Committee on Coastal Zone Management has met with representatives of the Federal Insurance Administration (FIA) on several occasions to articulate the Committee's concerns and to suggest technical and policy recommendations. In addition, several phone calls to FIA have been made to articulate the concern of the Great Lakes States over the apparent lack of progress in the implementation of insurance programs. The Committee is also concerned with the lack of progress in issuance of regulations relating to the determination of 100-year open coast flood levels on the Great Lakes. Following considerable discussion, the Committee instructed the Chairman to draft a letter to J. Robert Hunter, Acting Federal Insurance Administrator, with copies to the governors and legislative delegations of the Great Lakes states to convey these concerns. [Copy of letter attached--Attachment 1]

Wise reported on the Committee budget for the transistional period for fiscal year 1976 and presented a proposed fiscal 1977 budget for the Standing Committee on Coastal Zone Management. The Committee discussed several funding options available, including state pass-through funds, interstate grants pursuant to Section 309 of the CZM Act, and funding from the operational budget of the Great Lakes Basin Commission.

Committee staff outlined present staff activities and proposed future staff activities. There was considerable discussion concerning priorities for future committee activities. Several committee members emphasized that staff activities in the near future should be focused on assisting the state programs toward 306 implementation. Additional funding should be sought to support committee sponsored projects and workshops when possible. The staff was instructed to prepare several alternative budgets, prioritizing future committee activities, to be distributed to committee members before the next meeting.

Bill Haras, Environment Canada, strongly supported the committee's work and indicated a strong interest in Canadian participation in committee activities in the future.

Wise asked Jerry Kotas, Committee staff, to report on the status of the proposed publication for shoreline property owners on the role of vegetation for bank stabilization. Kotas reported that pursuant to direction requested at the last committee meeting, the committee staff has studied the feasibility in terms of funding, availability of information, and available time to prepare such a manual. Kotas reported that several agencies including the Soil Conservation Service and Environment Canada have indicated financial support for the publication. The staff prepared a proposal for additional funding for the Vegetation Manual, copies of which were transmitted to the Office of Coastal Zone Management, NOAA. [Copies of the proposal were previously mailed to the committee members.]

The proposed publication would describe the problems of slope stability in the Great Lake's region, indicate techniques and applicability for slope dewatering and controls for surface runoff and describe the role of vegetation for bank stabilization in the Great Lakes' shore zone. The manual would describe the applicability of vegetative stabilization, the limitations of using vegetation, and the use of vegetation in conjunction with structural protection. The major portion of the manual would describe physical and climatic conditions, guidelines for utilizing vegetation and other slope stabilizing techniques for shoreline property owners.

The publication would be approximately 25 pages in length, utilizing a graphic presentation to disseminate the technical information to property owners. The final section of the manual will be sources of additional information for the property owners.

The Committee approved the concept of the Vegetation Manual for U.S. and Canadian property owners by consensus.

5. Management of Fisheries in the Great Lakes - Carlos Fetterolf, Great Lakes Fishery Commission

In an effort to acquaint the Standing Committee with the role of the Great Lakes Fishery Commission (GLFC) and potential for interactions with CZM, Carlos Fetterolf, GLFC Secretariat, presented a brief description of the Commission and possible areas of coordination. He identified the need for management of Great Lakes fisheries on a waterbody basis. He recognized that the states were effectively coordinating their CZM programs on a regional basis through the Great Lakes Basin Commission's Standing Committee on CZM. Consequently, he indicated his interest in cooperation between Great Lakes fishery activity and the Great Lakes States' Coastal Zone Management programs.

Fetterolf provided a brief summary of the GLFC purpose and programs, highlighting the Commission's formation as a result of the sea lamprey invasion of the Great Lakes. He indicated the charge of the Commission was "to improve the quality, abundance, and productivity of the fishery resources of the Great Lakes for sport and commercial use." He pointed out, however, that the authority for regulation and management is vested in the eight states and the Province of Ontario.

After outlining the membership and duties of the GLFC, Fetterolf went on to emphasize the importance of the fishery resource of the Great Lakes and therefore the management responsibility associated with it. Because the Great Lakes fishery resource is a "living" resource contained within the state CZM jurisdiction, Fetterolf suggested that CZM had "lots to offer" fisheries management. In this vein, he requested that the potential areas for cooperation be explored further.

After Fetterolf's presentation, each state summarized their CZM program's involvement with fishery management. State reports and discussion indicated that each state CZM program includes a fishery management element. Most stated that when the programs are implemented and additional 306 funding is available, additional fishery management work elements will be added. States also indicated that the coastal zone programs afford the opportunity to place a higher priority on fishery management in the Great Lakes as opposed to inland fishery management.

There was a motion that Peter Wise choose members from the committee to attend the interim meeting of the Great Lakes Fishery Commission on December 14, 1976 in Ann Arbor, Michigan to discuss the integration of fishery management plans and coastal zone management.

6. Federal Consistency with State CZM Programs Federal Agency Perspectives

Richard Engle, U.S. Department of the Navy, presented the Navy's position with regard to CZM program development and the various areas where compliance and consistency with the state CZM programs would be required of the Navy. In addition, he pointed out those responsibilities of the Navy which should be provided and accounted for by the States in their CZM program development to ensure recognizance and coordination between the two programs.

Engle stated that because the Navy is a heavy user of coastal land and water resources they have a strong incentive for participation and involvement in CZM program development. With regard to the Sec. 307 federal consistency provisions, Engle stated that the Navy would meet these provisions unless specifically exempted in the national interest. However, no review of consistency provisions is required [except under 307(c)(3)] nor is any certification of these provisions required of the Navy. Engle pointed out that the Navy "policy recognizes that all properties owned, leased, licensed, or otherwise held or administered by the Department of the Navy fall outside the statutory definition of the coastal zone, but underscores the fact, in most uses, there will be full scale substantive compliance with approved state CZM programs". Compliance is not required with state and local requirements and procedures of an administrative nature (e.g., licenses, permits, or fees) nor are existing rights, responsibilities, and jurisdiction of the Navy diminished as a result of CZMA. Engle explained that OMB Circ. A-95 and NEPA were presently sufficient for coordination between the Navy and the states. In addition, in order to facilitate cooperation and coordination between the Navy and the state CZM programs, the Naval District Commandant has been designated as the state CZM contact.

U.S. Army Corps of Engineers

Tom Hempfling, Corps of Engineers, North Central Division, presented the following information with regard to the Corps' position on consistency with the state CZM programs.

CORPS OF ENGINEERS CONSISTENCY WITH STATE CZM PROGRAMS

Proposed Regulation EC 1165-2-121 (15 July 1976)

1. Corps of Engineers - Civil Works Activities

a. CZM Act does not diminish Corps responsibilities or authorities.

b. Future Corps actions and plan recommendations shall be consistent, to the maximum extent practicable, with the state's approved CZM programs and plans. Proposed departures must be specifically approved in advance by the Director of Civil Works.

c. Corps issuance of permits will be in conformity with approved state CZM program. No permit will be issued until the applicant has certified that his proposed activity complies with the state CZM program and the state agency has concurred with the certification. However, a permit may be issued if the Secretary of Commerce finds the proposed activity to be consistent with the objectives of PL 92-583 or in the interest of national security.

2. Military Facilities - DOD policy is that its facilities will comply with the state's approved program to the maximum extent practicable.

3. Coordinating Procedures

a. Civil Works - Corps of Engineers Division Offices will designate a lead office for coordination with CZM programs in each state. See attachment 2. Each lead office is to ascertain annually what future assistance is desired to support the state's development and continued implementation of an approved CZM program.

b. Military Installations - (letter from Directorate of Facilities Engineering, 9 March 1976).

1) Installation Representative will provide day-to-day coordination for CZM development review and implementation with state (Corps) representative and state CZM office.

2) Commanders of affected installations will:

(a) Designate a point of contact (installation representative) for CZM activities

(b) Provide access to state CZM planners.

3) Major Army Commands will:

(a) Coordinate with the installation-designated CZM representatives, state representatives, and DA Headquarters in resolving substantial issues.

(b) Refer unresolvable issues to DA Headquarters, Facilities Engineering.

4) Department of the Army Headquarters will refer "unresolvable issues or those of a national policy nature" to DASD I&H.

U.S. Environmental Protection Agency

Ralph Nordstrom of the U.S. EPA summarized a program guidance memorandum on coordination between the Coastal Zone Management Program and EPA State and Areawide Water Quality Management Programs. The memorandum provides a rationale for coordination of the two programs by describing the two programs, highlighting their differences, similarities, and areas of overlap. Areas for coordination include water quality standards, permissible uses and use priorities, plan consistency, and regulatory activities. Procedures for coordination are discussed in terms of integrated work plan elements, exchange of information, participation in advisory and review groups, documentation of coordination efforts, coordination continuance after CZM plan approval, final review, and resolution of conflicts. The memorandum stresses communication in the program development process in order to facilitate implementation of both plans.

7. Report on Great Lakes Shoreland Damage Study - Lou D'Alba, U.S. Army Corps of Engineers, North Central Division

Lou D'Alba indicated that the pilot study was completed and that the summary brochures are also available for distribution. (Copies were distributed at the meeting.) He indicated that anyone wishing additional copies should contact his office. He discussed problems with the questionnaire for property owners. He cited the Federal Reports Act of 1942 and that pursuant to that Act, OMB approval is needed to certify the questionnaire. The questionnaire is designed to seek information from shoreline property owners concerning the damage that occurred to their properties and structures during the period of high water--1972 to 1975. During the last week in November, OMB refused clearance of the questionnaire in its present form, indicating that some modification is needed. OMB's concern was that utilizing a census method of covering all shoreline property owners with the questionnaire would be too time consuming. D'Alba reported that there are 63,000 shoreline property owners in the State of Michigan alone and probably over 100,000 in the total shoreline of the Great Lakes. He reported that OMB is encouraging the development of a sampling technique in heavily populated areas to be utilized with a census to be used in sparsely developed areas.

The University of Michigan's Coastal Zone Laboratory has been approved as the group to develop a sampling plan and a procedural manual. He reported that the total cost for the four-year Shoreline Damage Study was approximately 1.8 million dollars.

Recession Rate Information

Lou D'Alba reported that the IJC in its report of Further Regulation of the Great Lakes made a recommendation that the governments encourage coordinated studies to determine the cause of erosion and varying rates of erosion along the shoreline of the Great Lakes. Environment Canada published a technical report entitled, "Canada/Ontario Great Lakes Shoreland Damage Study" in October 1975. That report developed recession and acretion rates for the Canadian shoreline. D'Alba wondered whether or not the Standing Committee would wish to consider publishing whatever data the various states currently had available, including the methodology and some maps showing the recession rates. Some time in the future, a final report would be published when the program was completed.

Following considerable discussion, the staff was instructed to prepare a summary of the status of the Great Lakes states in the determination of shoreline recession rates.

8. Summary Briefing on the Findings of the Committee Sponsored Study: Energy Facility Siting in the Great Lakes Coastal Zone: Analysis and Policy Options - Chuck Job, GLBC

Charles Job, Project Manager, presented the report on the project, "Energy Facility Siting in the Great Lakes Coastal Zone". He described the three objectives of the study as providing an overview of policies and programs affecting energy facility siting in the Great Lakes, a description of the technical factors affecting siting and coastal dependence of facilities, and provision of a full-range of policy options which the coastal zone management programs might consider in the development of their programs as they address energy facility siting. This study examined state and federal roles in energy facility siting. In particular it found that the Environmental Protection Agency had considerable influence in the siting of energy facilities and the Nuclear Regulatory Commission in the licensing of nuclear plants. The four states of New York, Ohio, Wisconsin, and Minnesota now have established energy facility siting programs in their states, however, they do not include all energy facilities.

Coastal states outside the Great Lakes region were examined for approaches not used by the Great Lakes states. These include regulation of any large land development project, maintenance of state-purchased energy facility land reserve, inclusion of all types of energy facilities in the siting program, and active encouragement of public participation in the siting process.

With respect to the technical considerations for siting, the report provides considerable detail on the technical factors (social, economic, and environmental) influencing energy facility siting. In order to obtain an estimate

of resources required in the future for energy facilities, generalized facility types for the coal-fired and nuclear power plants were developed. A 1000 megawatt capacity unit was considered for comparison purposes. Fuel transshipment and storage facilities and refineries do not lend themselves to be described from generalized standpoints. However, resource requirements were indicated for ranges of these facility types.

In examining available information it was found that over 19,000 megawatts of electrical generating capacity were planned or scheduled for the Great Lakes coastal counties. This would be in the form of 23 new or additional generating units. Assuming a scenario of approximately 50 percent coal/50 percent nuclear plant mix (an average of the four scenarios presented in the report) and utilizing a three percent growth rate per year in electrical energy consumption, a lower bound in projecting future power plant development was described. Thus, the estimated resource requirements for such a scenario would be 17,000 acres of land; water withdrawals of 26.4 million gpm assuming all once-through cooling, or 387,000 gpm assuming all closed-cycle cooling; and 32 million tons of coal per year for the Great Lakes coastal counties. If an eight percent growth rate were assumed, these figures would increase by a factor of over 4. This indicates that there could be considerable pressure placed on the coastal counties of the Great Lakes Basin for electric energy facilities and their associated resource requirements. Relating this to the fact that few, if any, rivers in the Great Lakes Basin could provide adequate water, given other environmental constraints, for power plants likely to be constructed, the water resources required would have to come from the Great Lakes. The principal states affected by further development for electrical generating capacity would be Michigan, Minnesota, New York, Ohio, and Wisconsin.

This study also found that refineries were not coastal dependent and that while coal and oil transshipment facilities are coastal dependent, the dependence on the shoreline of storage facilities depends on future transportation requirements, industrial needs, and on and offsite use of the fuel. With respect to electrical generating facilities, facilities using once-through cooling must be located on or near the shoreline because of the substantial cost of transporting water inland by pipeline. Facilities using closed-cycle cooling, while withdrawing water from the Great Lakes are less dependent on locations on or near the shoreline than are facilities using once-through cooling, assuming all other factors to be approximately equal. Site conditions will determine the type of closed-cycle cooling system used. However, the further inland a facility is located, the greater the construction cost for water provision and blow-down pipelines. For facilities using closed-cycle cooling, the cost of locating on the shoreline versus the cost of locating inland are essentially tradeoffs between construction and operation costs for transmission lines, facilities for water supply and cooling, facilities for delivery and handling of fuels and other supplies, and disposal of waste materials. Concerning nuclear facilities, they require very large and massive components which, in most cases, rely on water access for delivery. However, rail or road corridors that have adequate width and load carrying capacity can be utilized for delivery of these components. If these rail or road corridors are not available to potential inland sites, the location of nuclear facilities may be more dependent on shoreline or near shoreline locations. In any event, field assembly is becoming more common, thus possibly negating some of the shoreline water access dependence.

One of the concerns of the states was that a full range of policy options be developed in the study. Although some of them may not be feasible in any or some of the states, they were developed and reported by the staff to describe this full range of choices. While some of the policy options are mutually exclusive, most could be considered for any coastal zone program. The major categories of institutional options include siting policy, organizational arrangements, functional responsibilities, siting procedures, siting criteria, financial mechanisms, and intergovernmental relations. The technical options related to energy facility siting and development include exclusion of all new facility development in a coastal zone management area including access to coastal waters and fuel transportation; exclusion of all new facility development in the coastal zone management area but allowing access to coastal waters and fuel transportation; and inclusion of new facility development in the coastal zone management area except in sensitive areas in which development would be precluded. Each of these major categories of options is further developed with suboptions. Furthermore, the implications of these various options are discussed in the report, giving the coastal zone management programs an initial idea of the problems and opportunities presented by each option.

9. Discussion of the Draft Regulations for Section 315 of the Amended CZM Act--the "Beach Access" Provisions of the Act

George Fogg, Pennsylvania, had the opening remarks, expressing his concerns with the availability of the funds and OCZM's interpretation concerning the funds pursuant to Section 315 of the CZM Act, "The Beach Access Provision". His concerns were whether or not funds will be available for purchasing lake frontage, or under a more limited view, for only purchasing access to the frontage.

Eileen Mulaney responded from OCZM, explaining their current position. Mulaney indicated that the legislative history is clear and that Congress intended Beach Access funds be utilized for providing access to areas already in public ownership. The states are encouraged to utilize their existing mechanism for identifying geographic areas of particular concern and now also a more detailed planning process, to identify publicly owned shoreline areas and to ensure that there is sufficient access to those areas for future generations. The purpose of this money is to acquire those access routes. Several individuals were laboring under the other interpretation that the purpose of this money was to buy beach frontage. Pennsylvania raised the question that this more limited interpretation will not help in their particular circumstance where there are few publicly owned beaches. Mulaney explained that the regulations have now been broadened and the draft regulations provide that where perpendicular access will not be sufficient, consideration will be given to the purchase of lateral access. Mulaney explained this alternative, allowable only where insufficient publicly owned beach frontage exists, as a T-square type of acquisition, i.e., acquisition of an access route and limited lake frontage to either side of the access route.

10. Coordination of Coastal Zone Management Plans and Air Quality Implementation Plans - Jerry Kurtzweg, U.S. EPA, Washington, D.C.

Jerry Kurtzweg, Chief of the Land Use Policy Branch of EPA, outlined the guidelines (presently under review) for coordination of CZM program development and air quality implementation plans. Kurtzweg first reviewed the role of EPA with regard to the CZMA, highlighting the need for a liaison prior to the development of an Environmental Impact Statement by the CZM program. This is followed by an EIS review period and finally, administration of air and water quality sections of the program.

Kurtzweg summarized the Clean Air Act "Requirements" indicating those which would be most significant with regard to the Coastal Zone Management programs. Included in this summary were methods of coordination and consultation during program development, in order to facilitate EPA approval of the final CZM program.

Kurtzweg next addressed the Section 307 Federal Consistency Requirements indicating that air quality requirements would be covered within Section 307(f). Applicable air quality standards would be incorporated and implemented in the state CZM programs as well as including implementation programs and emission limitations. Likewise, review of federal facilities by the EPA would follow consistency guidelines of the state CZM programs.

Finally, Kurtzweg presented a summary of requirements for EPA approval of CZM programs. Those included: documentation of adequate coordination with EPA, incorporation of standards for air and water quality programs; consistency of program with the Clean Air Act and the Federal Water Pollution Control Act; a permits processing procedure; consistency determination procedure; and a conflict resolution procedure. In conclusion:

> "It must be emphasized that although there is a potential for conflict between the air quality programs and the coastal zone program, there is also the potential for a complementary relationship. The two acts are directed toward the same goal--a well-planned, environmentally-sound community. If coordinated in this spirit, economic development and a clean coastline need not be mutually exclusive. The Office of Coastal Zone Management, the Environmental Protection Agency, other federal agencies, state and local governments and agencies must work together to ensure that the land and water use decisions which are made for the coastal zone will achieve the desired results." [Taken from the draft guidelines of "Coordination of Coastal Zone Management Plans and Air Quality Implementation Plans".]

11. Future Committee Activities

Applications of Coastal Zone Management in Urban Areas--Need for a Conference--Peter Wise indicated that this was going to be a major item at the Arlie House Conference later in December, and that it might be better to wait

until after that conference to determine when the committee needs to get together on this. The Committee agreed that this item should be placed on the agenda for the next Standing Committee meeting.

12. Other Business

The Committee expressed interest in having a shorter meeting agenda and indicated that comments or suggestions for the agenda should be sent to Jerry Kotas as early as possible to facilitate mailing of a proposed meeting agenda at as early a date as possible.

The next Standing Committee meeting was scheduled to be held at the Detroit Metropolitan Airport on Wednesday, February 2, at 10:30 a.m. with the meeting scheduled to adjourn at 4:30 p.m.

Attachment 1

Lakes Basin Commission

3475 Plymouth Road
Post Office Box 99
Ann Arbor, Michigan 4810
313/763-3590 FTS: 374-543

December 28, 1976

Mr. J. Robert Hunter
Acting Federal Insurance Administrator
Federal Insurance Administration
U.S. Department of Housing and
Urban Development
Washington, D.C. 20410

Dear Mr. Hunter:

The GLBC Standing Committee on Coastal Zone Management at its December 1, meeting in Chicago, Illinois, discussed the Federal Insurance Administration's Flood Insurance Programs in the Great Lakes Region. The Committee expressed great concern over the apparent lack of progress on the part of the FIA in implementing the federal insurance program in the shoreland erosion hazard areas in the Great Lakes region. The Committee is also very concerned with the lack of progress in issuance of regulations relating to the determination of 100 year open-coast flood levels on the Great Lakes.

As you know, Great Lakes shoreline erosion and flooding have caused widespread property and shoreland damage. In the first year of the Great Lakes Shoreland Damage Study, the eleven counties studied during the July 1972 - July 1974 period suffered total damages in excess of $38 million. The damage study of the remaining U.S. shoreline is currently underway.

The Committee is concerned because states and individual property owners have reported difficulty getting damage claims paid for insured properties. There have also been allegations that some proper claims have not been honored.

The Great Lakes States have met with representatives of FIA on several occasions to articulate their concerns and to suggest technical and policy recommendations. In addition, several phone calls to FIA have been made to articulate the concerns of the Great Lakes States over the apparent lack of progress in the implementation of the insurance programs. The Chicago regional office of the Department of Housing and Urban Development has been very cooperative but unable to provide the Committee with the necessary information.

A summary of some of the past communications between this Committee and FIA include:

- May 19, 1975 meeting between the GLBC Standing Committee on Coastal Zone Management, representatives of FIA and representatives of Simpson Associates. Summary of recommendations are attached.

- October 1, 1975 meeting of the CZM Committee and the Joint FRC/GLBC Task Force on Shoreland Damage reduction/reviewed and commented on the second draft of A Method for Predicting and Categorizing Erosion of Ocean, Gulf, Great Lakes, and Riverine Shores (copy of comments attached).

- February 4-5, 1976 meeting in Cleveland, Ohio of the Standing Committee on CZM meeting and the Joint FRC/GLBC Task Force on Shoreland Damage Reduction, and a Committee sponsored Recession Rate Seminar; provided Mel Crompton and Bill Fucik, FIA, with status of recession rate programs of the Great Lakes States—formed GLBC/FIA Task Force.

- March 8, 1976 meeting of the GLBC/FIA Task Force, Romulus, Michigan (Summary of Recommendations attached).

- July 6, 1976 phone conversation between Jerry Kotas, Staff to the CZM Committee and Mel Crompton.

- September 26, 1976 phone conversation between Peter Wise, Chairman of the CZM Committee and J. Robert Hunter, Acting Federal Insurance Administrator.

- September 28, 1976 phone conversation between Jerry Kotas and Mel Crompton.

In addition, several of the states have had numerous individual contacts with FIA.

The Committee believes a sincere effort has been made to meet with representatives of FIA, to review FIA documents, and to provide technical and policy recommendations. This Committee and the individual Great Lakes states have received very little return information or communication from FIA.

As your office is aware, several of the Great Lakes states have almost completed shoreline recession rate determinations and have developed setback requirements. The states have still received no written confirmation from FIA that these methods and procedures will be acceptable to FIA.

Another concern is that there are currently three federal agencies (U.S. Army Corps of Engineers, United States Geological Survey, and the National Oceanic and Atmospheric Administration) and numerous private consultants utilizing different methods in the determination of flood levels on the Great Lakes. The Committee understands that FIA has been working with these agencies to establish a consistent methodology for the Great Lakes Region. We look forward to a resolution of this concern in the near future.

Considering the immediacy of these problems, we strongly urge your current reconsideration of our past recommendations and your immediate attention to our concerns about lack of progress. I sincerely hope that all effort will be made to expedite this extremely important program in the Great Lakes region. As always the Committee stands ready to work with FIA toward the resolution of these problems and we hope that FIA will be able to report substantial progress to the Standing Committee on Coastal Zone Management at our next meeting on February 2, 1977 in Detroit.

Sincerely,

Peter L. Wise, Chairman
GLBC Standing Committee on CZM

Enclosures: as stated on Page Two

cc: The Honorable Daniel Walker, Governor
State of Illinois

The Honorable Otis R. Bowen, Governor
State of Indiana

The Honorable William G. Milliken, Governor
State of Michigan

The Honorable Wendell R. Anderson, Governor
State of Minnesota

The Honorable Hugh L. Carey, Governor
State of New York

The Honorable James A. Rhodes, Governor
State of Ohio

The Honorable Milton J. Shapp, Governor
Commonwealth of Pennsylvania

The Honorable Patrick J. Lucey, Governor
State of Wisconsin

Great Lakes States' representatives to the U.S. House and Senate

Standing Committee on Coastal Zone Management

(copies without enclosures)

LIST OF REPRESENTATIVES FOR STATE CZM PROGRAMS

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312/353-6507

Indiana

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U.S. Army Engineer District, Chicago
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Michigan

Dave Roellig
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Minnesota

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Ohio

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612/725-5901

Great Lakes Basin Commission

Frederick O. Rouse
Chairman

3475 Plymouth Road
Post Office Box 99
Ann Arbor, Michigan 48106
313/763-3590 FTS: 374-543

January 21, 1977

Office of Coastal Zone Management
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
Page Building 1
3300 Whitehaven Street, N.W.
Washington, D.C. 20235

Dear Sirs:

State members of the Great Lakes Basin Commission Standing Committee on Coastal Zone Management have reviewed the proposed regulations for Section 309, the Interstate Grants section of the Coastal Zone Management Act of 1972, as amended, and believe that it is appropriate to comment as a region.

We believe interstate grants should be prioritized on the basis of the work proposed and not to give priority to newly-established instrumentalities or agencies over already existing entities. Specifically par. 932.12 states that, "For any grouping of States, the Associate Administrator will give higher funding priority to an entity established pursuant to subsection 309(b) of the Act."

Prioritizing funding for newly established instrumentalities or agencies will, we believe, put pressure on states to create such entities, even where utilizing existing entities may be more efficient and economical--in order to compete successfully with applications from other states or regions whose interstate grant proposals would fund agencies created pursuant to subsection 309(b).

It is recognized that par. 932.11 (b) states that, "...the Associate Administrator does not encourage the formation of entities consisting of new regional groupings of States that are duplicative of existing regional entities..." and par. 932.12 states that, "...the establishment of such a permanent executive instrumentality or agency will not automatically terminate funding eligibility of a pre-existing...interstate entity...". However, the interpretation of this latter section is unclear because the wording of the legislation reads, "for <u>any</u>

State of Illinois
State of Indiana
State of Michigan
State of Minnesota
State of New York
State of Ohio
Commonwealth of Pennsylvania
State of Wisconsin
Great Lakes Commission
Department of Agriculture
Department of the Army
Department of Commerce
Department of Health, Education and Welfare
Department of Housing and Urban Development
Department of the Interior
Department of Justice
Department of State
Department of Transportation
Energy Research and Development Administration
Environmental Protection Agency
Federal Power Commission

grouping of states" [emphasis added]. Also in this latter section, the proposed regulations still provide for the proliferation of new interstate entities unless "it can be demonstrated that the new entity is not capable of accomplishing the particular tasks for which the interstate grant is sought...".

We agree with the intent in par. 932.32 that any executive instrumentality or agency established pursuant to subsection 309 (b) of the Act be encouraged to include a state-federal consultation procedure. The CZM Standing Committee since its inception in 1974 has included federal agencies as members which has greatly facilitated the CZM related state-federal dialogue in the Great Lakes region. However, we do not believe that it is appropriate that a higher funding priority be given to newly formed entities which contain a state-federal consultation procedure.

It appears that giving priority to newly established entities, including those with a federal-state consultation procedure will encourage the creation of such entities even in regions where existing entities may have the expertise and operating efficiency to assist states in achieving the purposes of Section 309. While it is clearly a state responsibility to choose the mechanism which will best suit state coastal zone objectives, we believe it is inappropriate for the proposed regulations to establish such priority for the States.

In addition, the regulations would be more useful to states applying for interstate grants if they also included:

- formula(s) for allocating funds among states or regions, as defined in par. 932.2(d); and

- additional clarification on the distinctions between eligible activities under Section 310 as compared to Section 309.

We appreciate this opportunity for comment, and we hope that OCZM will consider these comments when drafting final regulations.

Sincerely,

Peter L. Wise

Peter L. Wise, Chairman
Standing Committee on Coastal Zone Management

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Peter A.A. Berle
Commissioner

July 28, 1976

MEMORANDUM

TO: J.A. Finck

FROM: W.H. Lee WHL

SUBJECT: GLBC/CZM Standing Committee's Meeting

Coastal Awareness Month

States' members, GLBC staff, and OCZM staff met in the afternoon of July 13 to discuss the coordination and organization of a Great Lakes Regional awareness program. The Committee has decided to take the following actions:

1. The Committee will sponsor a regional CZM public participation workshop to be held on September 30 in Buffalo in conjunction with the next Committee's meeting. Each state will select five representatives from the Statewide Citizen Advisory Committee to attend the workshop. Purposes of the workshop are to

   - raise awareness of major issues in the Great Lakes
   - promote citizen involvement in the development of a state CZM program
   - emphasize the needs for a state CZM program.

2. Wisconisn, Minnesota, Michigan, and Upper Great Lakes Regional Commission are already involved in proposing a governor's proclamation that would recognize Great Lakes awareness month. The three governors of Wisconsin, Minnesota and Michigan will meet on August 5 to take joint action on the proclamation (draft attached). The GLBC/CZM Standing Committee recommends that the three governor's invite other governors in the Great Lakes States to join them to sign the proclamation. Each state member should inform it's governor's office on this.

3. The Committee has requested the GLBC staff to look into a regional public participation program which would support or supplement state's public participation program. The staff will report to the Committee at its next meeting.

CZM Energy Study

The proposed CZM Energy Study was approved by OCZM on June 30, 1976. In a very short time, GLBC has organized a study team of eight persons with four new staff and four existing staff to complete the study in four months. The study will cover three parts, policy, coastal dependency, and projections and trend.

Coastal Zone Management Act Amendments of 1976

OCZM handed out a summary of major provisions of the Amendments (attached). The Amendments were signed by the President on July 27, 1976. Major provisions to the State CZM programs are to:

- add three new work elements requiring planning process related to access, energy facility siting and shoreline erosion;
- add one additional year for planning under Section 305;
- increase federal funding level from 66 2/3% to 80%;
- add a new subsection to Section 305 to allow completion of an initial implementation of state management programs.

OCZM's Revised Policy Paper on EIS

OCZM staff discussed the requirements of EIS

- state will submit one document to include DEIS
- section on social and economic impact to coastal users and owners should be emphasized.
- Rhode Island would be the first one to submit one document to include the CZM program and DEIS. It can be used as an example for other states.

OCZM's Paper Concerning Federal Consultation

OCZM staff discussed in detail the revised rules and regulations on Federal Consultation (Coordination and Consistency). The proposed rules and regulations will be published in the Federal Register by the end of this month. OCZM staff will send each state a copy of the summary of comments received on the preliminary draft.

Erosion Control Demonstration Program

Bill Marks reported that the Shore Erosion Advisory Panel has recommended eight sites to the Office of Chief Engineers for consideration. This includes two sites in New York, one near Rochester and the other one on Lake Erie. Bill Marks will send me information on these eight sites.

Regional Coastal Information Center

NOAA is proposing a Regional Coastal Information Center in the Great Lakes Region. All Great Lakes States' CZM contacts are very unhappy about the proposal because they have never been consulted by NOAA or OCZM. It was agreed that the Chairman of the Committee will write to OCZM expressing the states' concern and will also suggest other alternate locations for the center. The Committee thought that the Great Lakes Basin Commission's Office would be a better location for the Center than the University of Michigan that is being considered by NOAA.

Workshop on the Use of Vegetation for Bank Stabilization

The Committee has decided to sponsor a workshop on the use of vegetation for bank stabilization. SCS has offered assistance to conduct the workshop. It will be held in November. The GLBC staff will work out the details.

IJC Great Lakes Levels Report

A copy of the summary and recommendation of the IJC Committee on Lake Levels Report was handed to each member. The IJC Committee on Lake Levels will meet on July 28 in Detroit to discuss the report.

FRC/GLBC Task Force on Flood Damage Reductions

Because most agencies have the same people served in the Task Force and the CZM Standing Commiteee, the Committee has passed a resolution recommending that the Great Lakes Basin Commission abolish the Task Force and have the Standing Committee to assume all the functions of the Task Force.

Next Committee Meeting

The next Committee's meeting will be held in Buffalo on September 29 and a regional public participation workshop will be held on September 30 in the same place.

Enclosures

cc: H. Williams

New York State Department of Environmental Conservation

MEMORANDUM

TO: T. Eichler
FROM: J. A. Finck
SUBJECT: Great Lakes Basin Commission Meeting - June 22-23

DATE: June 28, 1976

#7 oil & Wet Gas Drilling in Great Lakes will need a state position on proposed TSC reference

1. State Caucus

Archie Chelseth of Minnesota was named the Vice-Chairman of the Commission. This is done on a rotation basis among the states and next year is New York's turn. So this means that we will have to put more effort into the Commission activities if we accept the Vice-Chairmanship. When this comes up next year I don't think we can refuse the Vice-Charimanship because it would definitely show a lack of interest on our part.

2. Coastal Zone Management Planning

Bill Marks of Michigan reported that eight erosion control demonstration project proposals have been submitted to the Corps of Engineers. Two of the proposals are in New York State. One east of Rochester and one at Dunkirk. The Corps will probably select one of the eight for the demonstration. The states have submitted a proposal for a Great Lakes Coastal Zone Energy Study to the Office of Coastal Zone Management with the GLBC to conduct the study for the states. If approved, the study will start soon and will be for five or six months at a cost of $53,761. It would include an analysis of the coastal dependency of energy facilities and the determination of energy potential. Several states have asked the GLBC to coordinate activities for a coastal awareness program during the month of September.

3. Standing Committee on Transportation

This committee, chaired by Rear Admiral Gracey has published the proceedings of its November 1975 workshop on Transportation in the Great Lakes Region - Problems, Issues and Priorities. Admiral Gracey stated that the Great Lakes should be viewed as a fourth sea coast. Also, he emphasized that you can't separate what happens on water from what occurs on land.

4. Great Lakes Basin Framework Plan

The Framework Plan was adopted by the Commission and will be printed for the formal 90-day review by State Governors and Federal agency heads. A brochure and an executive summary of the plan is to be prepared. The framework EIS was also approved and our latest comments will be included in the statement to the extent possible and a copy of our comments will be included in the report.

5. Comprehensive Coordinated Joint Plan (CCJP)

The plan of study for the CCJP was approved. I suggested that more emphasis on the priorities report be included in the CCJP. Also, it was agreed to add for studies to be undertaken in FY 78-79 the small drainage New York basins flowing

9. Priorities Report

It was decided not to send the priorities report to the Water Resources Council as further work is needed and this is to be accomplished so that a report can be sent in December, 1976.

10. National Water Assessment

State-Regional Future Report - This report was approved by the Commission.

The next meeting of the Commission will be August 24-25 at St. Clair, Michigan.

cc: T. Hullar
C. Simian
E. Seebald
J. Dragonetti
E. Karath
H. Williams
W. Lee

At the September 15 meeting there was discussion on many things, with a reaffirmation of interest in protecting the Batten Kill river area but a dislike for zoning. Among other things, the CAC feels the term "recreational river" is a major problem; would like a commitment from DEC on streambank protection, wants to consider the access problem and a survey of landowners to better ascertain their feelings. Bob Page, Washington County Planner and a member of the committee, has agreed to participate in developing a management plan and Bill Morton in the Ray Brook Office will likely be assigned on a part time basis as the River Team Leader.

The first of four scheduled meetings to get town planning board inputs on draft zoning guidelines developed by the Upper Delaware Clearinghouse Zoning Guidelines Committee was held in Hancock on Septmeber 15. Representatives from two of four town planning boards invited attended as well as a group lead by Mr. Roger Ricco and representing Catskill Lands and Rivers Association. According to Mr. David Seibert, Sullivan County Planner, 18 persons were at the meeting which was kept under control and was generally worthwhile.

18. Coastal Zone Management

There will be site visits on September 21-22 by the staff of the Federal Office of Coastal Zone Management to the Offices of the St. Lawrence-Eastern Ontario Commission and the Nassau-Suffolk Regional Planning Board. The purpose of these visits is to enable the staff of OCZM, DOS and DEC to discuss progress, problems, and detailed work schedules of the Commission and the Board regarding their segmentation efforts.

The Great Lakes Basin Commission Standing Committee on Coastal Zone Management will hold its next meeting on September 29 in Buffalo, New York. The Committee will also hold a Public Involvement Workshop the following day (September 30) in the same place. Five to six representatives from each State CZM Citizen Advisory Committee will attend the workshop to discuss Great Lakes problems and issues, including water quality, shoreline erosion, recreation, navigation/ports and industry in the shore zone.

DEC has completed 150 base maps for the Great Lakes coastal zone excluding the St. Lawrence-Eastern Ontario Commission area, and the Hudson River coastal zone from Troy to New York City. Some of these base maps have been made available to regional and local planning agencies working on the CZM program. A draft report on an assessment of categories used to inventory areas of particular concern to the preservation and maintenance of fish and wildlife populations has been finalized for review.

19. Outer Continental Shelf (OCS)

a) NERBC/RALI Report Drafted

The New England River Basins Commission report on the siting of onshore facilities has been submitted to the states for review. Generally, the report looks like it will be the central piece of information on OCS facilities nationwide. The United States Geological Survey is in the process of contracting with the American Society of Planning Officials to hold regional workshops for state and local planners to transfer this information.

JAF

NEW ENGLAND RIVER BASINS COMMISSION

55 COURT STREET • BOSTON, MASSACHUSETTS 02108
PHONE (617) 223-6244

APR 23 1976

Memorandum

To: Members and Alternates Date: 4/23/76

From: Chairman

Subject: Summary of Actions Taken at the Quarterly Meeting on March 31, 1976

Summarized below are the major presentations and actions taken at the Commission's regular quarterly meeting on March 31, 1976 at the JFK Building in Boston.

Unless Commission members object, I suggest that from now on we publish and distribute minutes of quarterly meetings only in this summary format, keeping detailed notes of the meetings on file for record purposes.

Agenda Item

5b Report of the Vice Chairman

Vice Chairman Evelyn Murphy reported that state members had met on Tuesday, March 30 and discussed the status of state financial support of NERBC. They agreed that the Chairman and Vice Chairman would meet with Governor Dukakis, Chairman of the New England Governors' Conference, to find ways to bring the question of future Commission activities to the attention of the Governors.

She also reported that state members would be asked to share responsibilities for chairing or co-chairing various task forces.

barrier beaches. It was agreed that the Flood Plain Task Force would attempt to identify potential conflict areas in New England in advance.

5d(7&8) Coastal Zone and OCS Task Forces

Thomas Kane of the Congressional Research Service, Library of Congress, reported on the Coastal Zone Management Act Amendments of 1975-76 which are in conference committee.

Key features include:

- a new Section 308 provides grants (and loans in the Senate version to compensate, ameliorate or reduce OCS-related impacts.
- federal permits and licenses (and leases in the Senate version) must be consistent with an approved state coastal zone program "to the maximum extent possible".
- local governments must be notified in advance of, and given funds to prepare for a hearing on, any proposed state override of local zoning.
- 90% funding for interstate coordination.

Frank Basile of the Bureau of Land Management reported that two RFPs for the Georges Bank environmental baseline study have been issued: one on chemistry bench marks, the other on physical oceanography. He also reported that the draft environmental statement for Georges Bank will be finished in June and hearings scheduled for August or September in New England. The lease sale on Georges Bank will probably occur in late 1976 and early 1977.

Mathew Connolly of Massachusetts reported on the meeting of the Coastal Zone Task Force the previous afternoon, noting that the Task Force agreed to proceed in the preparation of detailed designs for three cooperative projects:

- a film on OCS development,
- a technical assistance center, and
- a study of gas pipeline landfalls and related facilities.