



August 19, 2003

Mr. David Kaiser
Coastal Programs Division
Office of Coastal and Resource Management, NOAA
1305 East-West Highway
Silver Spring, Md., 20910

Dear Mr. Kaiser,

I am writing to you on behalf of Alliance for a Living Ocean (ALO) an environmental group dedicated to promoting and maintaining clean waters and a healthy coastal environment. Our group is extremely concerned with the proposed changes to the Coastal Zone Management Act (CZMA). States such as New Jersey that participate in the CZMA are afforded a "consistency provision" i.e. they are able to review and influence certain federally permitted activities such as oil and gas exploration which may not be "consistent" with the state's current policies which serve to protect their coast and waters. Currently, states are allowed a reasonable opportunity for review and comment on a proposed activity. In addition, if their position is disregarded the state has the further option of appeal and ultimately the ability to sue to stop the proposed action in a court of law.

These proposed changes would limit the information states could review, limit the states ability to request information from an applicant to 14 days, restrict additional reviews from other state agencies for endangered species and fish, would allow the Federal Government, not the state, to determine if a major amendment to a project was substantially different from the information originally reviewed etc. In short, these proposed changes take the fate of the shoreline out of the cities, municipalities and state's hands and puts it into the federal government's hands despite the fact that it is the local officials that will have to deal with any potential negative impacts from the approved activities.

The current system has proven a reliable system of checks and balances. The records show that out of over 1,000 consistency reviews, only 16 have been appealed, therefore, most proposed projects are ultimately approved, albeit, with perhaps some much needed modifications to protect our natural resources. Alliance for a Living Ocean believes it is essential that a state's ability to review projects must be inclusive, with free access to additional information, adequate time frames to process such information and respect in making the final determination.

I appreciate your taking the time to read this and look forward to hearing your response on this important issue.

Sincerely,



Larrell R. Brown

C: Clean Ocean Action
Governor McGreevey