

EVALUATION FINDINGS
FOR THE
PENNSYLVANIA COASTAL ZONE MANAGEMENT PROGRAM
JULY 2002 THROUGH JULY 2005

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Office of Ocean and Coastal Resource Management
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I. INTRODUCTION

Section 312 of the Coastal Zone Management Act of 1972, as amended (CZMA), requires NOAA's Office of Ocean and Coastal Resource Management to conduct a continuing review of the performance of states and territories with federally-approved coastal management programs. This document sets forth the evaluation findings of the Director of the Office of Ocean and Coastal Resource Management (OCRM) with respect to the operation and management of the Pennsylvania Coastal Zone Management Program (PCZMP) for the period from July 2002 through July 2005. It contains a description of the review procedures, a description of the program, evaluation findings, major accomplishments during the review period, recommendations, a conclusion, and appendices.

The recommendations made by this evaluation appear in **bold** type and follow the section of the findings in which the facts relevant to the recommendation are discussed. The recommendations may be of two types:

Necessary Actions address programmatic requirements of the CZMA's implementing regulations and of the PCZMP approved by NOAA. These must be carried out by the date(s) specified;

Program Suggestions denote actions that the OCRM believes would improve the program, but which are not mandatory at this time. If no dates are indicated, the State is expected to have considered these Program Suggestions by the time of the next CZMA §312 evaluation.

Failure to address Necessary Actions may result in a future finding of non-adherence and the invoking of interim sanctions, as specified in CZMA §312 (c). Program Suggestions that must be reiterated in consecutive evaluations to address continuing problems may be elevated to Necessary Actions. The findings in this evaluation document will be considered by NOAA in making future financial award decisions relative to the Pennsylvania Coastal Zone Management Program.

It is the conclusion of this evaluation that the PCZMP is successfully implementing and enforcing the federally-approved coastal management program. The evaluation found no need for Necessary Actions. This document contains six (6) Program Suggestions that denote actions NOAA's OCRM believes the State should take to improve the program, but which are not mandatory at this time.

II. REVIEW PROCEDURES

A. OVERVIEW

The NOAA Office of Ocean and Coastal Resource Management evaluation staff began its review of the PCZMP in March 2005. The §312 evaluation process involves four distinct components:

- An initial document review and identification of specific issues of concern;
- A site visit to Pennsylvania, including interviews and a public meeting;
- Development of draft evaluation findings; and
- Preparation of the final evaluation findings, partly based on comments from the state regarding the content and timetables of necessary actions specified in the draft document.

B. DOCUMENT REVIEW AND ISSUE DEVELOPMENT

The evaluation team reviewed a wide variety of documents prior to the site visit, including: the federally-approved program document; program approval findings; subsequent changes to the program; federal assistance awards; performance reports and work products; official correspondence between the program and OCRM; previous §312 evaluation findings; and other relevant information.

Based on this review and discussions with the OCRM Coastal Programs Division (CPD) staff, the evaluation team identified the following priority issues:

- Program accomplishments since the last evaluation;
- The effectiveness of the State in implementing, monitoring, and enforcing the core authorities that form the legal basis for the PCZMP;
- Implementation of the federal consistency process, including adherence to procedural requirements;
- The manner in which the PCZMP coordinates with other State, local, and Federal agencies and programs;
- Status of changes to the core statutory and regulatory provisions of the PCZMP;
- Effectiveness of technical assistance, training, and outreach to local governments and public outreach and education in order to further the goals of the PCZMP; and
- The State's response to the previous evaluation findings dated November 2002.

C. SITE VISIT TO PENNSYLVANIA

NOAA's Office of Ocean and Coastal Resource Management sent notification of the scheduled evaluation to the Pennsylvania Department of Environmental Protection as the lead

agency, relevant federal agencies, and the Pennsylvania congressional delegation. The PCZMP published notification of the evaluation and scheduled public meeting. In addition, a notice of NOAA's "Intent to Evaluate" was published in the *Federal Register* on May 20, 2005.

The site visit to Pennsylvania was conducted from July 11 – 15, 2005. The evaluation team consisted of L. Christine McCay, Evaluation Team Leader, Office of Ocean and Coastal Resource Management, National Policy and Evaluation Division; Masi Okasaki, Program Specialist, Office of Ocean and Coastal Resource Management, Coastal Programs Division; Zachary Hart, Coastal Management Specialist, NOAA Coastal Services Center and National Policy and Evaluation Division; and Will Travis, Executive Director, San Francisco Bay Conservation and Development Commission.

During the site visit the evaluation team met with the Secretary of the Department of Environmental Protection (DEP), other DEP administrators and staff, PCZMP staff, other state agency representatives, local government representatives and agencies, academicians, and interest group members involved with or affected by the PCZMP. Appendix A lists the individuals contacted during this period.

As required by the CZMA, a public meeting was held on Wednesday, July 13, 2005, at 7:00 p.m. at the Philadelphia Water Works Fairmount Water Works Interpretive Center, 640 Water Works Drive, Philadelphia, Pennsylvania, where members of the general public were given the opportunity to express their opinions about the overall operation and management of the PCZMP. Appendix B lists persons who attended the public meeting.

Written comments were also accepted. Appendix C contains responses to written comments received in response to the evaluation.

The PCZMP staff members were crucial in setting up meetings and arranging logistics for the evaluation site visit. Their support is most gratefully acknowledged.

III. COASTAL PROGRAM AND COASTAL AREA DESCRIPTIONS

COASTAL ENVIRONMENT

The Pennsylvania coastal zone consists of two very distinct geographical regions along the coasts of Lake Erie and the Delaware Estuary. The Lake Erie Coastal Zone is a rural environment extending 63 miles from its eastern border with the state of New York to its western border with the State of Ohio. The land-lake interface is dominated by bluffs ranging in size from 5 to 180 feet, providing a delicate and beautiful coastal environment centering on the Presque Isle Peninsula. Presque Isle is a state park that is one of the most frequently visited of all state and national parks in the country, exemplifying the recreational importance of the area. The City of Erie, located in Presque Isle Bay, provides port access for important commercial and industrial activities, creating the need for adequate coastal governance to manage the conflicting uses of the coastal environment.

The Delaware Estuary Coastal Zone is a highly urbanized environment, ranging from the southern boundary with the state of Delaware to the tidal influence of the Delaware River in the north, extending to the falls at Morrisville. The tidal ranges flowing up the Schuylkill River and Neshaminy Creek are also included in the coastal zone. The three counties of Bucks, Philadelphia, and Delaware comprise 57 miles of shoreline along the Delaware Estuary that are economically dependent on the major ports of Chester and Philadelphia for commercial shipping. This portion of the coastal zone is rich in heritage as represented by historically important sites including Neshaminy State Park, Pennsbury Manor, Philadelphia's FDR Park, and the Philadelphia Water Works.

COASTAL PROGRAM

The Pennsylvania Coastal Zone Management Program (PCZMP or coastal program) was approved by NOAA in September 1980. Authority for implementation of the PCZMP is based upon Article I, Section 27 (the Environmental Rights Amendment) of the Pennsylvania Constitution; Pennsylvania Gubernatorial Executive Order 1980-20; and Memoranda of Understanding (MOU) between Commonwealth agencies. Article I, Section 27 provides personal environmental rights that citizens can assert in court and imposes duties on the Commonwealth to act as trustee to conserve and maintain Pennsylvania's natural resources. The Executive Order directs all administrative departments and independent boards and commissions to follow the enforceable policies of the PCZMP. The MOUs detail the manner in which the agencies and commissions use their authorities in the furtherance of the PCZMP's nonregulatory policies.

The Executive Order also designates the Department of Environmental Protection (originally called the Department of Environmental Resources) as the lead agency for

implementing and administering the PCZMP. The coastal program is located in the Water Planning Office in the DEP Office of Water Management.

To address major coastal resource management issues of federal, state, and local concern, the PCZMP has developed policies in 11 primary areas to guide Commonwealth decision-making in the Delaware and Lake Erie coastal zones. These 11 policy areas are:

- Coastal hazard areas
- Dredging and spoil disposal
- Fisheries management
- Wetlands
- Public access for recreation
- Historic sites and structures
- Port activities
- Energy facilities siting
- Intergovernmental coordination
- Public involvement
- Ocean resources

The PCZMP combines multiple authorities and programs of the Commonwealth into a set of regulatory and nonregulatory policies. These policies are applied in a uniform fashion to address the 11 coastal policy/issue areas (above) throughout the Lake Erie and Delaware Estuary coastal zones. All state agencies are directed to comply with the enforceable policies of the management program through the Executive Order. The state agencies subject to the Executive Order are the departments of Community and Economic Development, Environmental Protection, Conservation and Natural Resources, and Transportation. The agencies responsible for carrying out the nonregulatory policies included in the management program have entered into Memoranda of Understanding (MOU) with the Department of Environmental Protection. These agencies include the Fish and Boat Commission, Historical and Museum Commission, and the Public Utility Commission.

The regulatory aspect of the program is centered primarily on the following Commonwealth statutes:

- Dam Safety and Encroachment Act (controls obstructions and encroachments in wetlands and in the beds of Lake Erie and the Delaware River)
- Bluff Recession and Setback Act
- Clean Streams Act, as amended
- Air Pollution Control Act, as amended
- Floodplain Management Act

Pennsylvania has elected a management approach which combines both State and local administration of regulations. The program authorities that are delegated to local administration based on state standards are the Floodplain Management Act and the Bluff Recession and Setback Act. The Dam Safety and Encroachment Act has a provision for delegation to local administration based on state standards.

The Executive Order creates a Coastal Zone Advisory Committee (Advisory Committee) to advise and assist in the design, implementation, and administration of the PCZMP. It also works to ensure that projects or activities proposed for funding under the PCZMP are in concert with planned or existing state agency activities and are in compliance with the policies of the PCZMP. It is a state level committee comprised of representatives of state departments, commissions, and other agencies that administer or are affected by various programs in the coastal areas.

At the local level, separate steering committees have been established in the Lake Erie and Delaware Estuary coastal zones. These committees are composed of county and local officials or their appointees with additional representation from authorities and environmental, economic and nonprofit coastal interests. They both annually review and consider changes to the criteria to be used in the selection of local projects to be funded by the PCZMP. The steering committees also review applications for funding of local level projects and recommend the priority listing of these projects for funding by the PCZMP.

IV. REVIEW FINDINGS, ACCOMPLISHMENTS, AND RECOMMENDATIONS

A. PROGRAM OPERATION AND MANAGEMENT

1. Organizational Structure, Program Elements, and Operation

The Pennsylvania Coastal Zone Management Program (PCZMP or coastal program) has its headquarters in Harrisburg, the state capital, and is administratively placed within the Water Planning Office in the Office of Water Management in the Pennsylvania Department of Environmental Protection (DEP). To better serve the Commonwealth's two widely separated coastal areas, coastal program staff members are also located in DEP regional offices in the northwest, serving the Lake Erie coastal zone, and in the southeast, serving the Delaware Estuary coastal zone. As noted in the previous section of this document, the PCZMP has a Coastal Zone Advisory Committee comprised of representatives of state departments, commissions, and other agencies that advise and assist in the design, implementation, and administration of the PCZMP. Each coastal zone is also served by a steering committee representing local governments and local interests.

The Lake Erie coastal zone is more rural, encompassing much agricultural land, and includes an extremely popular state park/tourist destination. The Delaware Estuary is heavily developed, with industrial and commercial activities, and includes ports and an international airport subject to significant security restrictions. During the site visit it was obvious to the evaluation team that the PCZMP staff members in both Harrisburg and the two regions are well-respected by everyone with whom they interact. State and local officials as well as representatives of non-governmental organizations were complimentary about the staff's accessibility and knowledge. Staff members have been able to establish a balance between programs and factors that are common to both coasts and serve wider state interests, and those that recognize and serve the unique geologic, geographic, and sociocultural aspects of each coastal zone. As will be discussed later, the coastal program has developed strong and effective partnerships in both the Lake Erie and Delaware Estuary coastal zones. In many respects the PCZMP is managing two separate programs in terms of the time and resources necessary to conduct and manage activities, but it has been successful in doing so. It has not attempted to develop 'one size fits all' approaches and programs but rather recognizes the differences in the two coastal zones and willingly works within the parameters of each.

ACCOMPLISHMENT: The PCZMP effectively recognizes, 'celebrates,' and serves the unique needs and conditions of the Commonwealth's two very different coastal zones through development of local partnerships and programs and technical assistance designed to address local situations.

In terms of changes to the statutory authorities and enforceable policies of the program, the PCZMP submitted two packages to OCRM for review and approval during the period

covered by this evaluation. In the first submittal, OCRM approved the program changes that occurred in 2000 and 2001. The second proposed change was to incorporate consistency review of federal activities having interstate coastal effects pursuant to NOAA regulations at 15 CFR Part 930, subpart I (NOAA'S Interstate Regulations). OCRM provided comments on that draft submittal in March 2005.

PROGRAM SUGGESTION: The PCZMP should submit program changes that have occurred since NOAA's approval of changes from 2000 and 2001. New program changes should include the relocation of the PCZMP to the Water Planning Office in the Department of Environmental Protection.

A recommendation from the previous evaluation findings dated November 2002 suggested that the PCZMP explore expansion of its coastal zone boundary to include more of the coastal watershed on both the Erie and Delaware coasts. Since then the possibility of an expansion to include watershed boundaries was discussed with the program's local steering committees, and an analysis of several options was conducted using GIS technology (which included the number of municipalities affected by various possible changes). The final approval of the Commonwealth's coastal nonpoint pollution control program in 2001 expanded those boundaries to include the majority of the coastal zone watersheds. During the site visit, coastal program staff members indicated that they are still considering an expansion of the existing coastal program boundary to include the entire Lake Erie watershed and the lower Delaware watershed. If accomplished, the coastal program boundaries would more closely approximate the boundaries established for the Commonwealth's coastal nonpoint pollution control program.

PROGRAM SUGGESTION: The PCZMP should continue its consideration of expansion of its coastal zone boundary to include the entire Lake Erie and lower Delaware River watersheds.

There are a variety of current and upcoming planning and development activities in which the PCZMP is involved or in which the program is beginning to consider its role or mechanisms of involvement. The DEP and the Water Planning Office are responsible for development of the *State Water Plan*. The Water Resources Planning Act (Act 220 of 2002) calls for the State Water Plan to be updated by March 2008, and updated every five years thereafter. Act 220 requires the Water Plan to contain several key components, including: 1) surface and groundwater inventories; 2) assessments and projections of a variety of existing and future demands, needs, and abilities to meet them; 3) identification of potential problems with water availability or conflicts among uses and users, of projects and practices that reduce water use or increase efficiency of use, and of practical alternatives; and 4) a review and evaluation of statutes, regulations, policies, institutional arrangements, alternatives, and recommended programs. Act 220 designates six planning regions, two of which include the Delaware River Basin and the Lake Erie Basin.

The coastal program has been working during this evaluation period to develop performance indicators in line with the national coastal management performance measurement

system. It is also beginning to develop the upcoming Section 309 assessment and strategy. As noted above, it is still considering an expansion of the existing coastal program boundary, and during the site visit there was some discussion about reconsidering the focus of the grants program to use state funds for projects and CZM funds for administrative and staffing costs. Finally, the Water Planning Office and the PCZMP will be addressing questions about how the Water Plan fits into the coastal program and how the coastal program priorities and activities relate to the Water Plan. It may be an appropriate time for the coastal program to work towards a clear vision of where the program wants to go and how it will get there as it works on all of these activities.

PROGRAM SUGGESTION: The PCZMP should take advantage of the various planning processes and activities in which it is involved at this time (Water Plan development, performance measures, Section 309 process, boundary expansion, focus of grants program) to focus on a clear vision of its future and the ways and means to attain that vision.

Related to the issue of vision is the issue of visibility and identity. This may always be a struggle for the PCZMP (and many other state coastal programs) that, from necessity, develop numerous partnerships, collaborative ventures, and coordination mechanisms to accomplish shared goals. In these instances, making a difference is more important than taking credit, but it is important to retain some visibility and identity in order to be recognized as a player in the accomplishment of good works. The coastal program has taken steps to be more visible throughout this evaluation period, and many of those activities are noted in these findings. However, the program should continue to look for opportunities to be a visible and unique program (e.g., continually update and populate its website, have the DEP secretary publicly announce project awards or recognize project completion).

PROGRAM SUGGESTION: The PCZMP should continue to seek out opportunities to establish greater program visibility and its unique identity.

2. Grants Management

Funding from the PCZMP's cooperative agreement award from NOAA is made available for projects in both coastal zones and for state agency projects as well. The PCZMP attempts to provide approximately one-third of federal and state funds available for grants to local Lake Erie coastal zone projects, one-third to local Delaware Estuary coastal zone projects, and one-third to state agency projects in either or both coastal zones. The Coastal Zone Advisory Committee (Advisory Committee) annually approves the selection criteria for the following grant year for both coastal zones. The Advisory Committee also establishes the priority for state agency projects. The two steering committees review and rank applications in the appropriate coastal zone, based primarily on the selection criteria established by the Advisory Committee.

The coastal program staff and the steering committee members with whom the evaluation team met all indicated that, in general, the process has worked well and there is usually sufficient money available to fund most of the applications received each year. With the exception of one

issue discussed below, the grants program appears to be well handled. Since initial coastal program approval in 1980, the PCZMP has subcontracted with the Delaware Valley Regional Planning Commission and the Erie County Department of Planning to help with the implementation of the coastal program in the corresponding coastal zone. This assistance includes administration of the grant selection process and help with management of CZM-funded projects. Such local administrative and management assistance is helpful to both local grant applicants and recipients and to the PCZMP staff in Harrisburg.

Applications can be completed on-line, downloaded electronically, then signed and mailed. (Because original signatures are required, the applications cannot yet be submitted electronically.) The PCZMP has increased the visibility of the grants process so that the number of applications is increasing. The coastal program web site (which was itself completely revamped in 2004) contains a large amount of information related to grants, and that material is frequently updated: solicitations for applications for Section 306 funds and for coastal nonpoint pollution control program funds; all application forms, related materials, and guidance documents; and at least five years of descriptive listings of projects funded by the coastal program. The PCZMP has also begun to send out postcards to a larger audience announcing the grant solicitation process. It also holds a series of pre-application and post-award workshops in both coastal zones to improve application quality and quantity and project management, including accuracy and timeliness of various financial and performance reports. In order to bring more attention to the coastal program and the projects it supports through its grants process, the DEP Secretary publicly announced the FY 2003 awards at an event in the city of Chester. The staff continues to look for opportunities to bring the coastal program's work through grant awards to the attention of both decision makers and the general public.

ACCOMPLISHMENT: The PCZMP grants management process is generally well handled, and the coastal program has worked successfully to increase the visibility and quality of the grants program through a variety of mechanisms.

However, there is one potentially worrisome issue in the grants process that was discussed during the site visit. Steering committee members generally do not recuse themselves during the application ranking and recommendation process even when they (or an agency or entity whom they represent) have submitted an application for funding. The fact that no one has yet objected to this process is no guarantee that objections will not occur when funding is more limited or applications more plentiful. And the conflict of interest in this process is obvious. The bylaws of the steering committees do not address the issue of recusing oneself from any voting when a member has an interest in a particular application or project.

During the site visit the PCZMP staff indicated to the evaluation team that it intends to review the current grant process and to consider changes to both streamline and clarify DEP and coastal program expectations and priorities. It may also consider using state funds for projects and dedicating CZM funds for staff and administrative costs. Finally, the PCZMP staff indicated that it intends to reconsider the role, function, and necessity of the Advisory Committee and revisit the bylaws of the Steering Committees. All of these reviews are a good and important part of a normal management and administration evaluation over time. NOAA strongly supports

and recommends that this be done, particularly as it relates to the grants management issue of conflict of interest among steering committee members and grant applications.

PROGRAM SUGGESTION: NOAA encourages the PCZMP to reconsider and revisit the roles, functions, and bylaws of both the Advisory Committee and the two Steering Committees, particularly as they relate to potential conflicts of interest in the grants application and project selection processes.

3. Use of Technology

One of the recommendations from the 2002 evaluation findings encouraged the PCZMP to take advantage of NOAA's Coastal Services Center (CSC) training opportunities to improve and coordinate data collection and GIS applications and to consider incorporating various data records into the program's GIS system. During the period covered by this evaluation, the GIS capabilities of the coastal program staff have been significantly enhanced. Several coastal program staff members have taken a variety of courses offered by the CSC involving several levels of ArcGIS training and metadata and remote sensing training. Based upon discussions between PCZMP staff and the CSC program manager for remote sensing, the CSC is planning to hold the first ever remote sensing training in Harrisburg for a number of PCZMP and DEP employees. As part of an effort within the Section 309 program, a public access map has been generated for the Lake Erie coastal zone. This effort should provide a tool to help the coastal program determine the success of activities and projects designed to increase public access and will help staff track and analyze performance indicators.

Within DEP, *eFACTS* and *eMAP* are the state's mechanisms for tracking and sharing wetland permit records, and wetland permit spatial data can be downloaded from *eMAP*. However, neither allows the addition of other attributes of permit records that the PCZMP believes are necessary for wetland mitigation monitoring and tracking. Therefore, the coastal program is developing separate GIS layers for tracking wetland mitigation sites.

The coastal program has created GIS layers based on the center points of the program's aerial photography inventory and has created a GIS layer depicting the location of marinas in the Delaware Estuary coastal zone. Control point locations along the bluffs of Lake Erie have been successfully documented through a process utilizing GPS technology. Finally, staff members have begun the process of gathering GPS data from CZM-funded projects in both coastal zones for eventual inclusion into the GIS and are exploring the possibility of collecting and storing submerged resources data in the GIS.

ACCOMPLISHMENT: The coastal program has significantly increased its technological capabilities and capacity since the last evaluation and continues to seek additional opportunities to do so.

B. HABITAT AND NATURAL RESOURCE PROTECTION

The issue of invasive species is of particular concern to the Commonwealth and the coastal program. Aquatic invasive species can damage and displace existing recreational fisheries, causing a very real environmental and economic threat to Pennsylvania's coastal zone. A 2004 study by the Pennsylvania Fish and Boat Commission (PFBC) suggests that anglers attracted to the steelhead fishery in the northwestern part of the state spent nearly \$9.5 million on trip-related expenditures in 2003. According to PFBC, this activity generates \$5.71 million in new value-added activity in Erie County, supporting 219 jobs in the economy through direct and indirect effects.

In January 2004 Governor Rendell signed an executive order creating the Governor's Invasive Species Council. This action resulted from prior work completed by a CSC Coastal Fellow. The purpose of the Council is to advise the governor on and direct the development and implementation of a state invasive species management plan; to provide guidance on prevention, control, and rapid response initiatives; and to facilitate coordination among federal, regional, state, and local efforts. The Water Planning Office and coastal program staff members have been assisting the Commonwealth's Department of Agriculture in establishing the Council. Staff has also been working with the DEP Bureau of Watershed Management and Pennsylvania Sea Grant on efforts related to invasive species.

In April 2005, a federal court sided with DEP's Water Planning Office/PCZMP program and six other Great Lakes states in striking down a U.S. Environmental Protection Agency (EPA) regulation that failed to control the discharge of ballast water from oceangoing vessels. The states of Pennsylvania, New York, Illinois, Michigan, Minnesota, Ohio and Wisconsin filed an amicus brief in July 2004 to support a lawsuit that challenged EPA's exemption of ballast water from federal Clean Water Act rules. In its April 2005 ruling, the U.S. District Court for the Northern District of California ordered EPA to repeal its ballast-water exemption. The PCZMP continues to provide support as EPA moves forward to take action on the court order.

C. COASTAL HAZARDS

The major coastal hazards facing the Commonwealth are bluff recession and shoreline erosion in the Lake Erie coastal zone. The coastal program has long provided technical advisory assistance to bluff property owners at no cost in an effort to fully inform residents of the dynamic processes of bluff recession and shoreline erosion. In general, this consists of an on-site inspection and verbal and written recommendations for shoreline protection, surface and groundwater control, bluff stabilization, and use of vegetation.

The Commonwealth's Bluff Recession and Setback Act (BRSA) was passed in 1980 and requires that new residential, commercial, and industrial structures be constructed outside of designated bluff recession hazard areas. (The statutory authority of the Act only applies to Lake Erie.) Regulations developed in 1980 implement the BRSA and control the location of new structures and improvements to existing structures located in the bluff recession hazard area. The regulations were based upon a 1975 study of shoreline erosion and flooding in Erie County.

Coastal municipalities with designated active bluff recession areas were required to enact local ordinances. Eight municipalities along the Lake Erie coast have designated bluff recession hazard areas and have enacted new or amended existing ordinances to incorporate the setback requirements. The City of Erie was not included in the 1975 study and was thus not subject to BRSA regulations. The PCZMP continues to provide financial and technical assistance for local administration and enforcement of the BRSA.

During the period covered by this evaluation, the PCZMP conducted an updated study to identify bluff recession hazard areas. Based upon the study, the Department of Environmental Protection (DEP) will make recommendations concerning designations to the Environmental Quality Board (EQB), which is the entity that actually promulgates rules for the DEP. The coastal program staff indicated that the City of Erie will now be included in terms of applicability of the BRSA and implementing regulations. The PCZMP anticipates submitting a program change to OCRM in 2007 to address newly promulgated and adopted regulations implementing the BRSA.

The PCZMP also developed a guidance document during the period covered by this evaluation that addresses the criteria and methodology for the proper and consistent placement of groin structures along the Lake Erie shoreline. The guidance document is used by DEP personnel in review of Chapter 105 permits authorized by the Pennsylvania Dam Safety and Encroachments Act. The guidance applies to all Lake Erie shoreline property owners applying for a permit to construct groin structures below the ordinary high water mark for the purpose of beach maintenance or shoreline erosion, to property owners who have existing, unpermitted groin structures, and to owners of permitted structures seeking to modify those structures.

ACCOMPLISHMENT: The PCZMP has developed a guidance document for the consistent application of criteria and methodology for the proper and consistent placement of groin structures along the Lake Erie shoreline. The document is an important tool for DEP permitting personnel as well as for property owners within the Lake Erie coastal zone.

D. WATER QUALITY

Much of the work supported by the PCZMP addresses water quality issues in both coastal zones. The Commonwealth's coastal nonpoint pollution control program (CNPCP) received full approval in May 2001. During the period covered by this evaluation, numerous projects have been funded to address water quality for citizen education, stream and creek bed stabilization and restoration work, water quality monitoring, and even debris and trash removal.

The coastal program and Pennsylvania's "Growing Greener" program jointly funded a nonpoint source pollution control project in Lower Southampton Township, Bucks County, in the Delaware coastal zone. The project was designed to reduce nonpoint source pollution from a residential development into Turkey Run, a tributary of the Neshaminy Creek. As part of the project, riparian buffers along storm water ponds adjacent to the Sweetwater Farms residential development in the township were designed and installed. A 50-foot infiltration trench was

developed and placed on the longest and steepest slope adjacent to the ponds to capture and treat high-velocity storm flows. Another mitigation step involved alternative mowing practices in order to allow the return of natural vegetation along the banks of the creek and the development's detention ponds. Local volunteers from the township accomplished most of the planting. As evidence of the project's success, the landscape architect with the firm hired to carry out the project received the 'Planning and Analysis Merit Award' from the American Society of Landscape Architects (ASLA) for her work. Stream and creek bed stabilization and restoration work was also conducted along Mill Creek in Lower Merion Township in Montgomery County and Tookany Creek in Cheltenham Township in the southeast CNPCP area.

Two separate projects within the southeast CNPCP boundaries looked at the effectiveness of using rain barrels in urban settings and developed educational materials based upon data collected and feedback from the communities. Within the northwest CNPCP boundaries, funding over several years has been directed to collection of data using a variety of parameters addressing aquatic habitats, physical conditions, and stream water quality at sites within eight streams. The project also has an educational and outreach component.

The coastal program has supported development of a smart boating/clean marina program by the Philadelphia Water Department. In conservation districts within the CNPCP boundaries, the PCZMP also has funded some positions which are responsible for issuance of water discharge permits and general permits for work in streams.

Nearly a decade after the revised 1978 Great Lakes Water Quality Agreement was signed by the International Joint Commission (Canada and the United States) to "restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes Basin Ecosystem," the two nations agreed that the worst areas would be given priority attention. Subsequently, 43 such areas were designated as Areas of Concern because they contained contaminated sediment, inadequately treated wastewater, nonpoint source pollution, inland contaminated sites or degraded habitat to a greater degree than the rest of the Great Lakes. Presque Isle Bay was designated as Area of Concern #43.

Since that time, Erie County and other partners and concerned citizens have worked to address the impairments (to fish and sediments) identified in the designation of Presque Isle Bay as an Area of Concern. Over \$100 million has been spent to address sewage and outfall issues, and there are no longer any combined sewage outfalls left on the Bay. The waterfront has changed from industrial use to commercial and recreational uses. The International Joint Commission has now declared Presque Isle Bay as one of only two Areas of Concern to be "in recovery." Active remediation is no longer needed, but monitoring will continue.

ACCOMPLISHMENT: Through the efforts of the PCZMP and other partners and concerned citizens, the Presque Isle Bay has been designated in the Great Lakes Water Quality Agreement by the International Joint Commission as one of only two Areas of Concern now listed as "in recovery."

E. COMMUNITY DEVELOPMENT AND WATERFRONT REVITALIZATION

The coastal program continues to be supportive of efforts of local municipalities to deal with community development and waterfront revitalization issues and has provided funding and/or technical support to a variety of recipients for these efforts during the period covered by this evaluation. Many of the projects address community development, waterfront revitalization, and public access issues, and some of these are briefly mentioned in the following “Public Access” section. In the Erie coastal zone, for example, the Erie Port Authority used PCZMP funds to construct an asphalt multi-use walkway and associated landscaping to link the existing bayfront bikeway system to the Sassafra Street pier at the edge of Presque Isle Bay. In the Delaware coastal zone, the coastal program has provided funds to the City of Chester for development of the City’s waterfront action plan to assess existing land uses and contemplated activities in the city’s waterfront corridor and to determine their impact on the waterfront and the coastal zone area.

The PCZMP supports the Delaware County Coastal Zone Task Force, which has become an effective mechanism for the municipalities to meet, share common concerns and information, and devise plans and projects that are of benefit to all the municipalities. Some of the coastal boroughs are working together on open space/recreational planning and on planning for placement of lighter industrial use where heavier industrial uses are pulling out or where vacant space currently exists. One of the future projects the task force members are considering is a water taxi service along the waterfront.

The coastal program also established and continues to help fund and support the Urban Waterfront Action Group (UWAG) in the Delaware Estuary coastal zone. This is a permanent forum, chaired and organized by the Delaware Valley Regional Planning Commission (DVRPC). The forum brings together federal, state, and local agencies as well as developers who plan any construction or revitalization efforts along the Delaware Estuary coastal zone waterfront. It serves as a means to coordinate permitting requirements, clarify issues and concerns, and otherwise acts as a pre-construction coordinating meeting with all the principal players at the table. The DVRPC organizes, advertises, and coordinates the UWAG meetings, which are held at the DVRPC offices, on a bi-monthly basis.

F. PUBLIC ACCESS

The PCZMP faces two different challenges in providing public access to the coast in the two coastal zones. In the Delaware Estuary coastal zone, the area is highly urbanized. There are ports and port related development, commercial shipping, oil and petroleum storage facilities, and significant homeland security concerns. The opportunities for public access are often squeezed between industrial and commercially developed areas. In the Erie coastal zone, there are more areas suitable for public access to the coast, but the need for reverse public access from the water to land is also a great concern. Weather conditions on the lake are unpredictable and quick to change, and boaters need to be able to reach “safe haven” within a short distance at almost any time.

The coastal program has worked with its networked partners to help ensure that public access is provided on all reconstruction and rehabilitation projects within both coastal zones. The issue was brought up through the PCZMP review of legislation transferring submerged Commonwealth lands. A set of public access conditions has been developed that now serves as “boilerplate” language for public access requirements needed in subsequent legislation.

During the period covered by this evaluation, the PCZMP has provided several grant awards in both coastal zones to acquire land, plan, or provide facilities for public access. In the Erie zone, for example, Harborcreek Township was able to develop a plan for an off-shore “safe harbor” and boat launch facility at the township’s public lakeside park called Shades Beach. Funds were provided to develop plans for the Elk Creek Access Area in Girard Township, including planning for future development of the area with a proposed safe harbor and boat launch. The Erie Port Authority was able to build a 1,400-square foot public fishing pier on Dobbins Landing of the East Canal Basin of Presque Isle Bay.

In the Delaware Estuary zone several grants have funded elements in the planning and development of a Kensington and Tacony pedestrian and biking trail system that will run along the North Delaware Riverfront shoreline for eight miles. The Borough of Marcus Hook used PCZMP funds to expand its Market Square Memorial Park by extending an existing walkway at the Park to link up with a newly purchased parcel of land, removing a fence dividing the two properties, and repairing the property’s main pier. Ridley Township purchased a parcel of land known as Belk Marina to provide more public land access to Ridley Creek and the municipal marina.

These projects are representative of all of the projects that the coastal program funded or supported to increase public access in both coastal zones.

G. FEDERAL CONSISTENCY, PERMITTING, AND ENFORCEMENT

For the second time in five years, the PCZMP successfully applied interstate consistency review procedures to a U.S. Army Corps of Engineers’ federal maintenance dredging activity in Conneaut Harbor, Ohio. This 2004 project was basically the same as the 1999 project, which proposed to dredge both the federal commercial and municipal access navigation channels.

Prevailing west to east littoral drift along this section of Lake Erie shoreline would normally transport approximately 10,000 cubic yards of sands and gravels along the shoreline from Ohio to Pennsylvania. Conneaut Harbor extends out into the lake one mile, occupies 650 acres of submerged lands, and blocks littoral material moving towards Pennsylvania. Approximately 500,000 cubic yards of beach quality sands and gravels are trapped along the updrift side of the western breakwall, and another 1,000,000 cubic yards of similar beach suitable materials are trapped inside the Harbor, creating a 70-acre exposed shoal in the western basin.

When the project originally called for disposal of all suitable dredged material in deeper water (approximately 13 feet), the coastal program objected. The PCZMP contains policies addressing coastal hazards and dredging; federal consistency provisions require that federal activities such as this be consistent with the policies of the state program. It also provides for aspects of interstate jurisdiction, which in this case was a federal activity occurring in Ohio that had reasonably foreseeable negative effects on coastal resources in Pennsylvania. As the result of actions by the PCZMP, a letter of agreement between the U.S. Army Corps of Engineers and the Commonwealth provided that approximately 50,000 cubic yards of trapped sands and gravels from the municipal access channel and municipal pier area, suitable for onshore disposal, will be placed along the shoreline east of the harbor in water no more than four feet in depth.

ACCOMPLISHMENT: For the second time in five years, the PCZMP successfully applied interstate consistency review procedures to a U.S. Army Corps of Engineers federal maintenance dredging activity in Conneaut Harbor, Ohio. As a result, dredged materials suitable for onshore disposal will no longer be deposited in deep water.

H. PUBLIC OUTREACH AND EDUCATION

One of the coastal program's strengths is that it has recognized it is better suited to provide some public outreach and education through partnerships rather than trying to use its own limited staff and resources directly. The program has established an impressive network with numerous groups in both coastal zones by, in some cases, simply providing some grant funding to an educational or outreach provider for a particular activity that directly addresses issues and topics of concern to the PCZMP.

In the Lake Erie coastal zone, the coastal program has a strong relationship with the Bayfront Center for Maritime Studies. Grants from the PCZMP to the Bayfront Center have allowed the Center to develop and implement the "Environmental Rediscoveries" program. This program taught students about the local environment and proper stewardship of resources. It included a classroom segment and a daylong field trip onboard a traditionally rigged wooden sailboat, the sloop *Momentum*. Students learned how to sail and navigate on Presque Isle Bay and how to collect and examine water and sediment samples.

The coastal program has maintained a strong partnership with the Lake Erie – Allegheny Earth Force (LEAEF). Earth Force was established in 1994 by the Pew Charitable Trust to respond to young people's desire to act on behalf of the environment and their desire to help the community. In 1997 Earth Force recognized a need for more community-based programming to engage youth over the long term, and the Lake Erie-Allegheny chapter was one of the first local offices established. The PCZMP began its support at that time and has continued it.

The LEAEF works with middle schools through a number of steps to design and carry out a variety of environmental projects. In its first seven years, LEAEF has supported projects addressing community action and problem solving; global rivers environmental education network; and an after school component. The LEAEF works with both students and teachers on the projects and also facilitates educator workshops and youth training days. In 2004 the

PCZMP provided funding and support to add a component addressing nonpoint source pollution within the Lake Erie watershed. The education activities of LEAEF clearly address the issues and activities the coastal program has identified as high priorities.

The “Erie Times-News in Education” (Erie Times NIE) program is a non-profit organization specializing in producing educational resource materials for schools and the public using the daily newspaper. The Erie Times NIE has developed a good working relationship with the PCZMP to address environmental literacy and to collaborate in the Lake Erie International Coastal Cleanup (ICC). Funding from the coastal program to the Erie Times NIE has resulted in the production of special full-page inserts in special newspaper features dedicated to the concept of a healthy watershed and to the Lake Erie Coastal Cleanup. Additional copies were produced and provided to over 40,000 students in the region.

In 2003, event participants collected over 42,000 pounds of litter and discarded items that had accumulated along Erie County shorelines. The goodwill created by this program helped in November 2004 when approximately 1,000 tires washed onto the Lake Erie shoreline. Volunteers (some of whom participate in the annual ICC cleanup) helped collect the tires, which appeared to have been used in an attempt to stabilize properties along the Erie bluffs. In the Delaware Estuary coastal zone, cleanup of Little Tinicum Island is supported by the PCZMP staff. The program is working toward establishing an annual ICC event in the Estuary, with the goal of matching the success of the Erie event.

PCZMP staff in DEP’s Northwest Regional office played a major role in building the annual International Coastal Cleanup (ICC) program in Erie, and one member received and accepted a local award on behalf of the PCZMP. The Pennsylvania Lake Erie ICC steering committee was nominated by the PCZMP for one of the 2005 Walter B. Jones Memorial/NOAA Excellence awards.

In the Delaware Estuary coastal zone, the Philadelphia Water Department has developed the Fairmount Water Works Interpretive Center, which is becoming one of the premier ecotourism, educational, and outreach experiences in the Delaware Estuary. Opened in 2003, the Interpretive Center occupies Philadelphia’s first water works, built in the early 1800’s on the eastern bank of the Schuylkill River to provide the city with a constant supply of uncontaminated drinking water. The water works was both an architectural, aesthetic, and technological creation and drew tourists from all over the world. It was closed in 1909 when the Schuylkill became heavily polluted. The Philadelphia Water Department has transformed the facility into the Delaware River Basin’s watershed education center, to which the DEP has provided support. It complements PCZMP’s efforts to educate the public about nonpoint pollution, water quality, and the urban watershed. Its location in Philadelphia and the heavily populated region allows it to provide important information to a much larger audience than the PCZMP alone could reach.

I. PROGRAMMATIC COORDINATION AND PARTNERSHIPS

The coastal program is particularly skilled at developing and maintaining strong partnerships with a variety of agencies and groups. Coordination is a necessity because of the

geographic distances between the two coastal zones and the main office in Harrisburg. During the period covered by this evaluation, the staff has maintained long-term partnerships and sought out new partners for a variety of efforts and activities. Many of the partnerships involve education and public outreach, and some of these are discussed in the section above.

In the Lake Erie coastal zone, the completion of the Tom Ridge Environmental Center at Presque Isle State Park and the Regional Science Consortium is one of the significant new mechanisms promoting programmatic coordination. The Center, which was under construction and nearing completion at the time of the site visit, contains over 40,000 square feet and houses almost a dozen state agencies and nongovernmental organizations. These include (but are not limited to) Pennsylvania Sea Grant, Department of Conservation and Natural Resources, Department of Environmental Protection and its Office of the Great Lakes and the PCZMP, the Pennsylvania Audubon, and Lake Erie-Allegheny Earth Force. The location of these groups within a single building helps to make coordination much easier.

The Tom Ridge Environmental Center is also home to the new Regional Science Consortium, whose purpose is to promote and facilitate research and education related to Lake Erie and the Upper Ohio River Basin, with special emphasis on the Presque Isle ecosystem. Approximately 22 colleges, universities, and environmental agencies (including the DEP) operate eight laboratories and utilize classrooms, a large format theater, greenhouse, research vessels, resource library, and video conferencing. The facilities may be used by researchers, students, and any representatives from full or associate member organizations (or by affiliate members for a fee). The Regional Science Consortium offers a variety of educational opportunities, both classroom and field experience, for researchers, students, teachers, and the general public. The PCZMP provided several grants to purchase research and laboratory equipment for the Center and the Consortium.

Such proximity to research and education opportunities helps the coastal program extend its reach and expertise beyond PCZMP and DEP resources without the expenditure of limited funds or an increase in staff or staff workload. The Consortium's research opportunities and topics, emphasizing a watershed approach, closely align to many of the issues and priorities the PCZMP addresses.

ACCOMPLISHMENT: The completion of the Tom Ridge Environmental Center at Presque Isle Park, the co-location there of the PCZMP staff with so many other agency and organization staffs, and the coastal program's membership in the Regional Science Consortium significantly facilitate coordination and enhance the coastal program's visibility in the Lake Erie coastal zone.

The coastal program also has opportunities for coordination with numerous river basin commissions and interstate associations by virtue of its location in the Water Planning Office. The Water Planning Office coordinates Pennsylvania's responsibilities as a member of eight interstate organizations. The PCZMP also has a coastal program staff representative in the DEP Northwest Region Office of the Great Lakes, whose work involves partnerships with Canada as well. In the Delaware zone, the DEP (and thus the PCZMP) is a member of the recently formed

Schuylkill Action Network (SAN). The SAN was organized in 2003 to focus on drinking water and water quality issues of the Schuylkill River watershed. Other members of the collaborative network include the US Environmental Protection Agency, the City of Philadelphia Water Department, the Delaware River Basin Commission, conservation districts, local officials, nongovernmental organizations, educational institutions, and other state and federal agencies.

During the site visit, the evaluation team and the program staff discussed an opportunity that may not be fully exploited. Much of the Delaware Estuary coastal zone is highly urbanized, faces highly urbanized areas of New Jersey directly across the Delaware River, and is also immediately adjacent to highly urbanized areas of the state of Delaware. All three states on both shores of the River must deal with many of the same issues and problems (e.g., homeland security, port development, scarcity of public access), and yet there is less coordination and cooperation between the states here than there is in the Lake Erie coastal zone among Canada and the other Great Lakes states. It is likely that none of the three states is knowledgeable about the other's activities and programs along the shorelines.

With the local partnerships the PCZMP has developed in the Delaware Estuary coastal zone, the program could take the lead in working with the states of New Jersey and Delaware and their coastal programs to identify and address common problems in concert with numerous partners on both sides of the Delaware River. The Delaware Estuary Program could prove to be a valuable partner in facilitating closer coordination and collaboration.

PROGRAM SUGGESTION: The PCZMP should consider initiating discussions with the states of New Jersey and Delaware and their coastal management programs about common coastal concerns and issues and some ways in which the three states, three coastal programs, and local municipalities and organizations could work together or support one another to address some of their common priority areas.

V. CONCLUSION

Based upon the recent evaluation of the PCZMP, I find that the Commonwealth of Pennsylvania is adhering to its approved program and is making satisfactory progress in implementing the provisions of its approved coastal management program. The PCZMP has made notable progress in the following areas: (1) Program Operation and Management; (2) Coastal Hazards; (3) Water Quality; (4) Federal Consistency, Permitting, and Enforcement; and (5) Programmatic Coordination and Partnerships.

The evaluation team identified the following two areas where the PCZMP could be strengthened or improved: (1) Program Operation and Coordination; and (2) Programmatic Coordination and Partnerships.

These evaluation findings contain six (6) recommendations, all of which are Program Suggestions that should be considered by the PCZMP prior to the next §312 evaluation of the program.

This is a programmatic evaluation of the PCZMP which may have implications regarding the Commonwealth's financial assistance awards(s). However, it does not make any judgment about or replace any financial audits.

3/10/06

Date

/s/ Eldon Hout

Eldon Hout, Director
Office of Ocean and Coastal
Resource Management

LIST OF PERSONS CONTACTED

U.S. Senators

Honorable Arlen Specter
Honorable Rick Santorum

U.S. Representatives

Honorable Robert A. Brady
Honorable Chaka Fattah
Honorable Phil English
Honorable Curt Weldon
Honorable Michael G. Fitzpatrick
Honorable Allyson Y. Schwartz

Pennsylvania Department of Environmental Protection

Kathleen A. McGinty, Secretary
Cathleen Curran Myers, Deputy Secretary for Water Management
John Hines, Executive Director, Water Planning Office
Kelly Burch, Director, Northwest Regional Office
Lori Boughton, Chief, Office of the Great Lakes
Jim Grazio, Office of the Great Lakes
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State Agency Representatives

Harry Leslie, Manager, Presque Isle State Park, Department of Conservation and
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Mike Mumau, Assistant Park Manager, Presque Isle State Park, Department of
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Local Government Representatives

Janet Anderson, Director, Erie County Department of Economic Development and Planning
Robert Wisener, Erie County Department of Economic Development and Planning
Ed Grusheski, General Manager, Public Affairs, Philadelphia Water Department
Tiffany Ledesma Groll, Office of Watersheds, Philadelphia Water Department
Bruce Dorbian, Manager, Marcus Hook Borough
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Brian Van Wyk, Delaware County, Norwood Borough
Peter Subers, Delaware County, Prospect Park Borough
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Academia

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Eric Obert, Associate Director, Pennsylvania State University, Pennsylvania Sea Grant
Ann Faulds, Associate Director, Delaware Estuary, Pennsylvania State University,
Pennsylvania Sea Grant
David Skellie, Pennsylvania State University, Pennsylvania Sea Grant
Sarah Whitney, Pennsylvania State University, Pennsylvania Sea Grant

Other Organizations and Representatives

Sister Annette Marshall, OSB, Lake Erie-Allegheny Earth Force
Anna McCartney, Erie Times News in Education
Richard Morris, Chair, Lake Erie Coastal Zone Steering Committee
Ed Kissel, Vice-chair, Lake Erie Coastal Zone Steering Committee
Tom Fuhrman, Lake Erie Coastal Zone Steering Committee
Jim Stewart, Executive Director, Bayfront Center for Maritime Studies
Ray Schreckengost, Executive Director, Erie-Western PA Port Authority
Mark Weber, Director of Education, Erie Maritime Museum
Carolyn Wallis, Director, Southeast PA Community Redevelopment Programs, Pennsylvania
Environmental Council
Linda Houldin, Brandywine Conference and Visitors Center
Bobbi Britton, East Coast Greenway Alliance
Fred Cummings, Philadelphia International Airport

PERSONS ATTENDING THE PUBLIC MEETING

The public meeting was held on Wednesday, July 13, 2005, at 7:00 p.m. at the Philadelphia Water Works Fairmount Water Works Interpretive Center, 640 Water Works Drive, Philadelphia, Pennsylvania.

No members of the public attended the meeting.

WRITTEN COMMENTS RECEIVED AND RESPONSES

No written comments were received regarding the management or administration of the Pennsylvania CZMP.

RESPONSE BY THE PCZMP TO PREVIOUS 2002 EVALUATION FINDINGS

PROGRAM SUGGESTION: PCZMP is strongly encouraged to take advantage of the training opportunities provided by the NOS Coastal Services Center to improve and coordinate data collection and GIS applications (wetlands and coastal hazards data collection). Also, PCZMP should explore incorporating wetland permit records, collect and store submerged resources data (shipwrecks) and CZM funded project records into the program GIS system.

Response: The PCZMP has been working to take advantage of the excellent training opportunities available at the NOS Coastal Services Center. For example, Kevin Hess attended the *Coastal Applications Using ArcGIS* training in Spring 2004, Randy Brown attended the *Metadata and Remote Sensing* training in the fall of 2004, and Donovan Houck attended the *Introduction to ArcGIS I* and *Coastal Applications* training in 2005. In addition, Shamus Malone and Jim Nagy attended CSC ArcGIS 9.0 training offered in Ohio in October 2004. The CSC has also been assisting the CZM/PSU-Sea Grant Invasive Species Partnership in program development. Finally, Lori Mohr recently attended the April 2005 CSO Great Lakes Land Use & Coastal Monitoring Workshop, initiating a dialogue with the CSC Program manager for Remote Sensing, which has resulted in the scheduling of Remote Sensing training in Harrisburg by CSC staff in October 2005. The PCZMP is very interested in learning how to use remote sensing to enhance and support current GIS efforts.

For the Department, eFACTS and eMAP are the state's ways of tracking and sharing wetland permit records. Our Coastal Zone efforts will add value by making that system more accurate for historical records. Wetland permit spatial data can be downloaded from eMAP. Since eFACTS and eMAP do not allow additional attributes the Coastal Zone program deems necessary for wetland mitigation monitoring and tracking, the program is developing separate GIS layers for tracking wetland mitigation sites. Of greater significance to the program at this point in time are the complex legal issues involving historical licenses and permits for the filling or occupying of public trust submerged lands, and how prior approvals relate to current regulations and redevelopment. This is especially important in cases of land use changes from water dependent to non-water dependent uses.

The PCZMP also began exploring the possibility of collecting and storing submerged resources data into GIS. After the program's GIS position was filled and redefined, initial contacts were made with the Erie Bayfront Center for Maritime Studies and the PA Historical and Museum Commission (PHMC) to determine what data they have available. The PCZMP will readdress this issue as resources allow.

Additionally, Everald McDonald has undertaken an initiative to gather GPS data (e.g., location, etc) of Coastal Zone-funded projects in both of PA's coastal zones. The CZM intern, Alexis Melusky, has also been assisting in this effort as time permits.

PROGRAM SUGGESTION: PCZMP and the Pennsylvania Historical and Museum Commission (PHMC) should build on their strong working relationship in the support of mutual sharing and transfer of information. PCZMP should work with PHMC and other appropriate agencies to protect underwater resources, to include education of the diving public and the consideration of a diving permit program for purposes of protection and public safety.

Response: As mentioned previously, the PCZMP began exploring the possibility of collecting and storing underwater resources data into GIS. After the program's GIS position was filled and redefined, initial contacts were made with the PA Historical and Museum Commission, in order to help avoid duplication and determine what data they have available.

The Bayfront Center for Maritime Studies, located in Erie, was given a grant in 2001 to develop an "underwater classroom" in Presque Isle Bay and the neighboring waters of Lake Erie. This project consisted of marking five popular diving wreck sites with Coast Guard-approved moorings, extensively mapping the five dive sites and producing informational literature about the wrecks and how they came to sink off the Erie coast.

The Bayfront Center used this project as a springboard toward developing the GIS database described above, and Donovan Houck of the PCZMP program has had discussions with the Center regarding the project. Since 2001, the Center has received additional funding from the state to design and construct a new facility along the Erie bayfront. The PCZMP has funded several follow-on projects to map the Lake Erie lakebed with side-scan radar. Phase 1 of this effort (about 20 square km) has been completed and Phase 2 will commence in the summer of 2005.

Strong Vincent High School and the Villa Maria Academy in Erie teamed up to receive a CZM grant for a unique program entitled "SCUBA Do's". Funds were used to train a group of 8th and 9th graders to become certified SCUBA divers. Students were given both classroom and 'in-pool' instruction and teamed with certified diver-mentors. After successfully completing their certification dives, the students went into Presque Isle Bay to place a series of sediment collection devices in order to collect storm event sediment samples for further study. Results will be used to determine appropriate remediation actions as the bay moves through its EPA 'Area of Recovery' status. The unique work of SCUBA Do's was recently recognized by the 'River Network' and the group may be invited to participate in the Network's annual "River Rally" in Keystone, Colorado this summer. Also, Jim Rutkowski, a biology and environmental science teacher at Strong Vincent High School in Erie, was recently recognized as the 'High School Teacher of the Year for 2005' by the Carnegie Science Center for the SCUBA Do's work.

PROGRAM SUGGESTION: The relocation of the PCZMP within the DEP must be submitted to OCRM as a program change as soon as possible to become a part of the program.

Response: In the last routine program change (RPC) submitted (December 2002), the relocation was addressed. However, another reorganization has taken place since then. A description of the latest change has been drafted and will be submitted with the next RPC.

PROGRAM SUGGESTION: The PCZMP should explore expansion of its coastal zone boundary to include more of the coastal watershed on both the Erie and Delaware coasts.

Response: Considerable discussion and work has been completed regarding this suggestion. The possibility of an expansion to include watershed boundaries has been discussed with the program's local Steering Committees. An analysis of several options was conducted using GIS technology, which included the number of municipalities impacted by various possible changes. It should be noted that final approval of PA's Coastal Nonpoint Pollution Control Program did expand the CNPCP boundaries of the coastal program to the majority of the Coastal Zone watersheds. It is the intention of the program to continue to keep this open for additional research.

PROGRAM SUGGESTION: The PCZMP should determine the degree of severity of the issue of water quality degradation during dredge spoil removal, assess what other states have done to deal with this issue, and, if appropriate, work to assure that adequate safeguards are in place.

Response: Dredging is an important issue for PA's Coastal Zones, supported by both enforceable and encouragement policies. The Enforceable Policy is intended to help promote recovery of commercial littoral and limnetic resources in ways that assure environmental integrity. The Encouragement Policy is to promote hydraulic vs. bucket dredging – which is not always practical in some tight areas of some dredging operations, especially in the Delaware Estuary Coastal Zone.

To help further the understanding of dredging, the program has funded several dredging and dredging-related projects since 2002, including:

- 2002-PD.10 – “Dredge Disposal Analysis of Viable Alternative Sites”
Grantee: Philadelphia Regional Port Authority
- 2002-PD.11 - “Philadelphia Cruise Terminal Deepening Study”
Grantee: Delaware River Port Authority
- 2003-PD.11 - “Wetland Mitigation Analysis and Feasibility Study” *

Grantee: Philadelphia Regional Port Authority

- 2004-PS.04 – “South Port Expansion Plan” *
Grantee: Philadelphia Regional Port Authority

(* These projects were ongoing at the time of the site visit, and final reports were not available.)

PROGRAM SUGGESTION: The annual meeting of local code enforcement officers should be expanded to include presentations regarding all coastal activities on the Erie coast. In addition, information regarding various State functions should be discussed.

Response: This has been accomplished.

PROGRAM SUGGESTION: The PCZMP should look into the need for new topographical maps of the Lake Erie coastline, assess existing alternatives, and determine how best to support mapping of the Lake Erie bluff.

Response: This has been addressed through the Department’s recently released Bluff Study, which is leading to anticipated regulatory changes. In addition, Pennsylvania has begun a county by county rectified aerial photography mapping project called PAMAP. PAMAP is the Pennsylvania expression of “The National Map” program of USGS. PAMAP’s core layers are 1:2400 or better, and this can serve as an added map resource. Erie County has submitted an agreement to the Bureau of Topographic and Geologic Survey; the project will proceed after the agreement has been finalized. The Department of Environmental Protection is one of several state partners that has contributed financially to this project.

The PCZMP has also utilized grant funding to address the mapping of bluffs. In FY 2003, the PCZMP funded a project entitled “Girard Township Bluff Mapping,” which has been completed.

PROGRAM SUGGESTION: The PCZMP should develop a program to more actively and aggressively market the Program and the opportunities the program offers. Training in the larger set of CZM issues for the Committees and code enforcement officers involved should be developed with the idea of expanding their horizons beyond just their specific scopes of work.

Response: Significant progress has been made concerning the promotion of the program. For example, the Department now publicly announces grant awards as soon as possible after NOAA approves the annual grant application. The program announcement was elevated to the Department’s Executive Staff level in 2004, when the Department Secretary announced the FY03 grants at an event in Chester. The Secretary’s presence

attracted local media to the area that is undergoing an impressive Renaissance with support from the Coastal Zone program. Other promotional opportunities that have been implemented include:

- The Partnership for the Delaware Estuary rented billboards in the Philadelphia Airport that welcomed visitors to “Southeastern PA’s Coastal Zone in the Beautiful Delaware Estuary!” Approximately 2 million passengers fly in/out of Philadelphia Airport monthly.
- Coast Day events in the Delaware Estuary and the International Coastal Cleanup in Erie have effectively raised the profile of the program.
- The PCZMP’s coastal capacity building in partnership with Pennsylvania Sea Grant has significantly increased both programs’ visibility and effectiveness in outreach and extension.
- Support of the Ridge Center in Erie and the acquisition of office space that puts us at the center of Pennsylvania’s coastal gateway to Lake Erie positions us for even greater visibility and effectiveness.
- The Coastal Nonpoint Program is being implemented in cooperation with the Coastal Zone county conservation districts, which raises visibility with all of the county governments and all of the watershed initiatives and partners within the counties.
- The Delaware County Coastal Zone Task Force brings together community leaders on a bi-monthly basis, to discuss ways to promote the CZM program and coordinate efforts by various groups within the Coastal Zone.
- The Program Manager has assumed leadership for Pennsylvania’s role on the Delaware Estuary Implementation Committee, and the Water Planning Office Executive Director serves on the Policy Committees for both the Delaware Estuary and the Christina Basin. The latter affects the State of Delaware’s Coastal Zone and the drinking water supply for the City of Wilmington.

Regarding training of the Committees and Code Enforcement Officers, significant progress continues to be made through the annual Officer training that the Department conducts with the County. A recent area of interest has been incorporating Uniform Construction Codes from a 2004 state law into the work of the Code Enforcement Officers, as applicable to bluff setback ordinances in the Lake Erie Coastal Zone.

Some analysis has been conducted on training needs for the Committees, and no significant needs have arisen. However, the Delaware County CZ Task Force has been very successful in outreach/education of local CZ residents, and the program will continue to support that Task Force and has been exploring the possibility of expanding the concept to additional counties.

LIST OF ACCOMPLISHMENTS AND RECOMMENDATIONS

ACCOMPLISHMENTS

Program Operation and Management

- **Organizational Structure, Program Elements, and Operation:** The PCZMP effectively recognizes, ‘celebrates,’ and serves the unique needs and conditions of the Commonwealth’s two very different coastal zones through development of local partnerships and programs and technical assistance designed to address local situations.
- **Grants Management:** The PCZMP grants management process is generally well handled, and the coastal program has worked successfully to increase the visibility and quality of the grants program through a variety of mechanisms.
- **Use of Technology:** The coastal program has significantly increased its technological capabilities and capacity since the last evaluation and continues to seek additional opportunities to do so.

Coastal Hazards

- The PCZMP has developed a guidance document for the consistent application of criteria and methodology for the proper and consistent placement of groin structures along the Lake Erie shoreline. The document is an important tool for DEP permitting personnel as well as for property owners within the Lake Erie coastal zone.

Water Quality

- Through the efforts of the PCZMP and other partners and concerned citizens, the Presque Isle Bay has been designated in the Great Lakes Water Quality Agreement by the International Joint Commission as one of only two Areas of Concern now listed as “in recovery.”

Federal Consistency, Permitting, and Enforcement

- For the second time in five years, the PCZMP successfully applied interstate consistency review procedures to a U.S. Army Corps of Engineers federal maintenance dredging activity in Conneaut Harbor, Ohio. As a result, dredged materials suitable for onshore disposal will no longer be deposited in deep water.

Programmatic Coordination and Partnerships

- The completion of the Tom Ridge Environmental Center at Presque Isle Park, the co-location there of the PCZMP staff with so many other agency and organization staffs, and the coastal program's membership in the Regional Science Consortium significantly facilitate coordination and enhance the coastal program's visibility in the Lake Erie coastal zone.

RECOMMENDATIONS

- **PROGRAM SUGGESTION (Organizational Structure, Program Elements, and Operation):** The PCZMP should submit program changes that have occurred since NOAA's approval of changes from 2000 and 2001. New program changes should include the relocation of the PCZMP to the Water Planning Office in the Department of Environmental Protection.
- **PROGRAM SUGGESTION (Organizational Structure, Program Elements, and Operation):** The PCZMP should continue its consideration of expansion of its coastal zone boundary to include the entire Lake Erie and lower Delaware River watersheds.
- **PROGRAM SUGGESTION (Organizational Structure, Program Elements, and Operation):** The PCZMP should take advantage of the various planning processes and activities in which it is involved at this time (Water Plan development, performance measures, Section 309 process, boundary expansion, focus of grants program) to focus on a clear vision of its future and the ways and means to attain that vision.
- **PROGRAM SUGGESTION (Operational Structure, Program elements, and Operation):** The PCZMP should continue to seek out opportunities to establish greater program visibility and its unique identity.
- **PROGRAM SUGGESTION (Grants Management):** NOAA encourages the PCZMP to reconsider and revisit the roles, functions, and bylaws of both the Advisory Committee and the two Steering Committees, particularly as they relate to potential conflicts of interest in the grants application and project selection processes.
- **PROGRAM SUGGESTION (Programmatic Coordination and Partnerships):** The PCZMP should consider initiating discussions with the states of New Jersey and Delaware and their coastal management programs about common coastal concerns and issues and some ways in which the three states, three coastal programs, and local municipalities and organizations could work together or support one another to address some of their common priority areas.