

The Coastal Zone Management Act (CZMA) defines the coastal zones wherein development must be managed to protect areas of natural resources unique to coastal regions. States are required to define the area that will comprise their coastal zone and develop management plans that will protect these unique resources through enforceable policies of state coastal zone management (CZM) programs. Federal as well as local actions must be determined to be consistent with the CZM plans and policies before they can proceed. As defined in the Act, the coastal zone includes coastal waters extending to the outer limit of state submerged land title and ownership, adjacent shorelines, and land extending inward to the extent necessary to control shorelines. While this is a Federal law, your state coastal zone commission or agency will be your only required contact.

F-1. Determining if your project is in a designated coastal zone

Generally, the coastal zone includes all territorial U.S. waters and adjacent land areas. The coastal zone includes beaches, islands, salt marshes, and wetlands, and some adjacent inlands. Each state designates the area of land and water resources that are included in their coastal zone and is regulated by a state coastal zone management program. If your project is in a state with a coastline (on the Atlantic Ocean, Pacific Ocean, Gulf of Mexico, or Great Lakes), you will need to consider the CZMA, and consult with your state coastal zone management program to determine if your project is in the coastal zone. If it is, you should contact your appropriate state agency (<http://www.ocrm.nos.noaa.gov/czm/czmsitelist.html>) to determine if your project is in an area that is regulated. Information may also be available online, such as maps or descriptions of state coastal zone areas. If a map or description of your state's coastal zone area is available on-line, you can make a determination on your own whether you are in the designated coastal zone. It is important to note that some projects a considerable distance, even hundreds of miles, from the coastline may trigger this Act due to discharges or other factors.

If you need to initiate contact with your state coastal zone management program, your communication should:

- Indicate you are applying for federal aid, and you are requesting information about the coastal zone consistency of your project
- Include the name of the nearest city and the names of the county and state where the project will occur
- Include a detailed description of the proposed project
- Include a 1:24,000 USGS topographic map marked with the project location. Topographic maps can be ordered from the USGS directly (<http://topomaps.usgs.gov/>), or can be obtained free of charge online from the United States Department of Agriculture (<http://datagateway.nrcs.usda.gov/>).

Agencies typically take at least 30 days to respond, so it is important to initiate your correspondence early. If you have not received an agency response as you are finalizing your application, it is a good idea to follow up with them to find out when you can expect it or see if you can get a consistency determination over the telephone. Indicate the status

of this correspondence in the project application, and scan and attach any letters you receive in response to your contact.

Once you receive a response from the regulatory agency, read it carefully to determine if any additional coordination will be required, or if the agency needs additional information. Responses from regulatory agencies can contain valuable information pertinent to your project, such as: conditions for permitting, required environmental mitigation measures, or even suggestions for changes to the scope of work. Incorporate comments from the coastal zone regulatory agency directly into the PDM application. If any mitigation is required, include that in your scope of work and as a line item in your cost estimate. Be sure to include in your scope of work and cost estimate any post-construction treatments needed to restore the site such as seeding, mulching, or planting. Additional project costs that are necessary for permitting conditions, mitigation, and site restoration are eligible expenses under PDM if they are identified in the scope of work and in the cost estimate.

If you or the state coastal zone management agency determines your project is in the coastal zone, check “yes” to Section F, Question 1 of the PDM Environmental and Historic Preservation Questions.

If you live in a state that does not have a coastline, answer “no” to Section F, Question 1 of the PDM Environmental and Historic Preservation questions and note this in the comment area.

F-2. How to address adverse effects

Adverse effects to the coastal zone are those which are inconsistent with the coastal zone management plan in your state. If the coastal zone management agency in your state determines your project is inconsistent with the coastal zone management goals, you will need to develop alternatives to the project or modify the scope of work such that the coastal zone management agency determines your project is consistent with the coastal zone management goals.

F-3. How to provide relevant and helpful support documentation

If you answered “yes” to Section F, Question 1 of the PDM Environmental and Historic Preservation Questions, there are two important things to attach to your application as support documentation.

First, documentation of your contact with the state coastal zone management program, including:

- Scanned and attached copies of response letters, faxes, or emails
- Summaries of relevant telephone conversations
- The status of outstanding correspondence

Second, attach a 1:24,000 scale USGS topographic map indicating the project site, or a short narrative describing where your project site is relative to the designated coastal

zone. Topographic maps can be ordered from the USGS directly (<http://topomaps.usgs.gov/>), or can be obtained free of charge online from the United States Department of Agriculture (<http://datagateway.nrcs.usda.gov/>).