

**GAO**

Report to the Subcommittee on Oceans,  
Atmosphere, Fisheries, and Coast  
Guard, Committee on Commerce,  
Science, and Transportation, U.S.  
Senate

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September 2008

# COASTAL ZONE MANAGEMENT

## Measuring Program's Effectiveness Continues to Be a Challenge





Highlights of [GAO-08-1045](#), a report to the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, Committee on Commerce, Science, and Transportation, U.S. Senate

## Why GAO Did This Study

In 1972, Congress enacted the Coastal Zone Management Act (CZMA) to protect the nation's coastlines from growing demands associated with residential, recreational, commercial, and industrial uses. The act encourages coastal states and territories to develop programs to manage and balance economic development and coastal protection. The National Oceanic and Atmospheric Administration (NOAA) administers the program and provides financial and technical assistance to participating states.

GAO was asked to provide information on (1) NOAA's methodology for awarding CZMA grants to the states, (2) the extent to which NOAA has processes for ensuring that grants are used in a manner that is consistent with the CZMA, and (3) the extent to which NOAA's state program evaluations and performance measurement system enable the agency to assess the effectiveness of the National Coastal Zone Management Program. GAO reviewed relevant laws, regulations, and documents and interviewed NOAA and the 34 state coastal program officials.

## What GAO Recommends

GAO suggests that Congress clarify whether CZMA grants should reflect state coastal variations and that NOAA address a number of weaknesses in its current processes for awarding grants, evaluating state performance, and assessing the effectiveness of the program. NOAA agreed with the majority of our recommendations.

To view the full product, including the scope and methodology, click on [GAO-08-1045](#). For more information, contact Anu Mittal at (202) 512-3841 or [mittala@gao.gov](mailto:mittala@gao.gov).

# COASTAL ZONE MANAGEMENT

## Measuring Program's Effectiveness Continues to Be a Challenge

### What GAO Found

NOAA awards coastal program grants to states generally according to the requirements of the CZMA and congressional direction provided through the annual appropriations process. For the majority of grant funding awarded by NOAA, CZMA regulations require the agency to provide each state a base amount and a proportional share of funding based on a state's shoreline miles and coastal population. For more than 20 years, because of a congressionally mandated cap of \$2 million per state, NOAA has had to redistribute funds from those states whose proportional share would have exceeded the cap to other states whose grant amount is under the cap. As a result, states with longer shorelines or larger coastal populations have essentially received a static level of funding, while states with shorter shorelines or smaller coastal populations have seen increases greater than they likely would have received without the cap. In addition, NOAA's present practices for awarding coastal zone grants deviate somewhat from its regulations. For example, NOAA is not using a competitive process for awarding coastal zone enhancement grants as required.

NOAA has established processes to ensure that state grant activities comply with the requirements of the CZMA. Specifically, NOAA requires states to submit draft grant proposals each year that include a detailed narrative and budget for each project proposed for funding. NOAA reviews the states' grant applications and negotiates the terms of work and management of the projects before awarding the grant. NOAA officials told us that, as part of this review, they ensure that the states' grant requests are consistent with the goals outlined in the CZMA. After the funds are awarded, NOAA monitors the states' progress through semiannual reports that the states must submit.

NOAA's periodic evaluations of states' coastal management programs and its performance measurement system have weaknesses that limit the agency's ability to determine the effectiveness of the National Coastal Zone Management Program. NOAA's evaluations of state programs are of limited value because they do not provide the agency with independent information to assess program performance against performance goals. NOAA's recently developed performance measurement system is also of limited value because it lacks measurable targets, a process for ensuring data reliability, or measures for assessing state programs' effectiveness in meeting all CZMA goals. Furthermore, although NOAA plans to use both the results from its periodic evaluations of state programs and its new performance measurement system to determine the effectiveness of the National Coastal Zone Management Program, the agency has not yet developed an approach that would allow it to integrate the information from these sources to assess progress at the national level.

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United States Government Accountability Office  
Washington, DC 20548

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September 12, 2008

The Honorable Maria Cantwell  
Chairman  
The Honorable Olympia J. Snowe  
Ranking Member  
Subcommittee on Oceans, Atmosphere, Fisheries,  
and Coast Guard  
Committee on Commerce, Science, and Transportation  
U.S. Senate

Our nation's coastal areas, including those lining the Great Lakes, are home to more than half the population of the United States, and millions of people visit these areas each year. Coastal economic activities, such as fishing, shipping, oil and gas development, tourism, and recreation, benefit coastal communities as well as the nation's economy, contributing billions of dollars and millions of jobs each year. Coastal habitats also provide important environmental benefits by filtering pollutants from runoff; buffering shoreline communities against storms; and providing spawning grounds, shelter, and food for marine life, including a number of endangered or commercially important species. A number of factors, however, such as coastal development and associated sprawl, pollution, worsening storm damage, and rising sea levels jeopardize the future prosperity of our nation's coastal zones. Coastal development can damage habitats and alter sediment and water flows. Pollution from this development, including sewage effluent and stormwater discharges, can contaminate water and marine life and may lead to outbreaks of diseases or curtail beach and ocean recreation. Coastal hazards, such as hurricanes and projected sea level rise, put people and property at risk. In addition, recent growth in offshore ocean economic activities—such as liquefied natural gas terminals, pipelines, offshore wind farms, and sand and gravel operations—also demonstrate the need for responsible management of the

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coastal zone that balances economic development with protecting coastal resources.<sup>1</sup>

In 1972, Congress enacted the Coastal Zone Management Act (CZMA) to protect the nation's coastal environment from growing demands associated with residential, recreational, commercial, and industrial uses. The act encourages coastal states, Great Lakes states, and the U.S. Territories and Commonwealths—hereafter referred to as “states”—to develop programs to manage and balance economic development and coastal protection. The CZMA declares the national policy is to encourage states to preserve, protect, develop, and, wherever possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using these habitats. As amended, the act's goals for state programs are broad and include protecting coastal resources, managing development in hazardous areas, improving public access to the coasts for recreation, assisting in redevelopment of urban waterfronts and ports, and improving government coordination.

To accomplish the CZMA's goals, Congress established a framework for a federal and state coastal management partnership. The Department of Commerce's National Oceanic and Atmospheric Administration's (NOAA) Office of Ocean and Coastal Resource Management (OCRM) administers this partnership, known as the National Coastal Zone Management Program, at the federal level and provides financial and technical assistance to states participating in the program. State participation in the National Coastal Zone Management Program is voluntary. To participate, states must develop and implement a comprehensive coastal management program that addresses the CZMA's goals and meets other federal requirements. These requirements include designating coastal area boundaries subject to the state's management program, identifying permissible land uses in the coastal zone, and describing the organizational structure for implementing the state's program. NOAA must

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<sup>1</sup>Recognizing this need, the Pew Oceans Commission, funded by the private Pew Charitable Trusts, issued a report in 2003, reviewing the state of the oceans and calling for an overhaul of the nation's ocean-related policies. Shortly thereafter, the federally commissioned U.S. Commission on Ocean Policy issued another report, which also recommended a policy overhaul and outlined a national agenda for protecting and restoring marine environments. See Pew Oceans Commission, *America's Living Oceans: Charting a Course for Sea Change* (Philadelphia: Pew Charitable Trusts, 2003), and U.S. Commission on Ocean Policy, *An Ocean Blueprint for the 21st Century* (Washington, D.C.: 2004).

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approve each state's program; at present, 34 of 35 eligible states have NOAA-approved coastal management programs.

The CZMA provides states with the flexibility to design coastal management programs to best fit their coastal needs. As a result, the National Coastal Zone Management Program includes 34 individual state programs, which vary in their organizational structure and the issues they choose to address. For example, some states, such as Rhode Island, have a single centralized agency at the state level that administers the entire coastal program, while other states, such as Washington, engage in partnerships with local and county government to implement their coastal programs. In addition, the activities of the state programs also vary across states. For example, Louisiana primarily conducts permitting, mitigating, and enforcement activities, while Minnesota focuses heavily on preservation activities by collaborating with other government agencies and nonprofit organizations to restore and protect critical habitat.

Under the CZMA, states are eligible to receive, among others, two primary grants: (1) grants to manage state programs (known as coastal zone management grants) and (2) grants to support improvements in state programs (known as coastal zone enhancement grants). Coastal zone management grants support the management and administration of state programs, providing funds for personnel costs, supplies, and equipment. When determining the amount of coastal zone management grant awards, the CZMA requires NOAA to (1) determine a maximum and minimum grant amount each fiscal year to promote equity between coastal states and effective coastal management, and (2) consider the extent and nature of the shoreline and area covered by the program, population of the area, and other relevant factors. In contrast, coastal zone enhancement grants fund specific activities that promote the continuous improvement of state coastal programs in specified areas of national significance, such as reducing development in high-hazard locales or protecting coastal wetlands. The CZMA requires states to submit proposals to receive grants, and NOAA evaluates and rates these proposals when awarding the grants. Total funds provided under the two grants to the 34 states in fiscal year 2008 was \$65.5 million, with the majority of funding (\$55.5 million) allocated that year to coastal zone management grants.

To ensure that the states are adhering to their approved coastal management program, the CZMA calls for performance evaluations of all state coastal zone management programs. These evaluations are to include a written report with an assessment of the extent to which states have (1) implemented and enforced their approved programs, (2) addressed the

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coastal management needs identified in the CZMA, and (3) adhered to the terms of the federal grant awards. According to NOAA, it uses these periodic evaluations to identify and describe state program accomplishments and identify solutions to resolve deficiencies as well as to help evaluate the overall program's progress toward national goals. However, several external reviews have criticized the agency for being unable to demonstrate the effectiveness of the National Coastal Zone Management Program using quantifiable evidence. Specifically, the Department of Commerce's Inspector General in 1997 and the Office of Management and Budget in 2003 cited it for failure to demonstrate the progress the national program has made in achieving the CZMA's goals.<sup>2</sup> According to these reviews, NOAA is able to offer only anecdotal evidence from its periodic state program evaluations to demonstrate the accomplishments of the national program. In response to this criticism and congressional committee direction, the agency began developing the Coastal Zone Management Act Performance Measurement System to use in conjunction with the results of its performance evaluations. This performance measurement system consists of six broad focus areas, such as coastal water quality and public access, with 15 core performance measures. For example, to measure the effectiveness of public access activities, NOAA has developed a performance measure for the number of new public access sites added through acquisitions or easements using coastal zone management funds. As part of this effort to determine effectiveness of the coastal zone management program in achieving the CZMA's goals, it intends to use quantitative data collected by the states as indicators of performance, along with qualitative data collected from the periodic evaluations.

With the reauthorization of the CZMA under consideration by Congress,<sup>3</sup> you asked us to determine (1) the methodology NOAA uses for awarding grants to the states; (2) the extent to which NOAA has processes for

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<sup>2</sup>U.S. Department of Commerce, Office of Inspector General, *National Oceanic and Atmospheric Administration: Coastal Zone Management and National Estuarine Research Reserve System Programs Require Management Attention to Increase Effectiveness*, Report No. IPE-9044 (Washington, D.C.: December 1997), and Office of Management and Budget, *Performance Assessment Reporting Tool, Coastal Zone Management Act Programs, Assessment Year 2003* (Washington, D.C.: 2003).

<sup>3</sup>Congress has considered reauthorization of the CZMA numerous times over the past 3 decades, most recently, with two reauthorization bills introduced in the 110th Congress. Both NOAA and the Coastal States Organization, a group representing participants in the National Coastal Zone Management Program, have been developing suggested revisions for potential CZMA reauthorization.



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ensuring that grants are used in a manner that is consistent with the requirements of the CZMA; and (3) the extent to which NOAA's state program evaluations and performance measurement system enable the agency to determine the effectiveness of the National Coastal Zone Management Program.

To evaluate the processes NOAA follows for awarding grants and for ensuring that the grants are used for activities consistent with the CZMA, we reviewed (1) applicable statutes and regulations, (2) NOAA's policies and procedures, and (3) the funding methodology used by NOAA. To determine the extent to which the agency evaluates state coastal programs and can assess the effectiveness of the National Coastal Zone Management Program, we reviewed applicable statutes and regulations to identify NOAA's evaluation requirements. We also reviewed the policies and procedures the agency follows for conducting performance evaluations of state programs and accompanied NOAA evaluators during a state evaluation. In addition, we examined NOAA's Coastal Zone Management Act Performance Measurement System to determine whether the measures align with national goals, cover core state program activities, and include measurable targets with reliable data. Finally, we interviewed NOAA program officials and state coastal zone program managers from the 34 states and territories to gather their opinions on NOAA's grant processes, the benefits of the evaluation process and the challenges in measuring the effectiveness of the overall program with the current performance measurement system. Appendix I presents a more detailed description of our scope and methodology. We performed our work between September 2007 and September 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Results in Brief

Although NOAA has generally followed the requirements of the CZMA and congressional direction provided through the annual appropriations process, the grants awarded to the states do not reflect variations in states' shoreline miles and coastal populations. NOAA primarily divides its coastal grant budget between coastal zone management grants and coastal zone enhancement grants, with the majority of funding available for coastal zone management grants. To calculate how much each state will receive in the form of a coastal zone management grant, NOAA determines

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a base, or minimum amount of funding that each state should receive. NOAA also determines each state's proportional share of the total funding that takes into account variations in states' shoreline miles and coastal populations. NOAA initially allocates to each state either the base amount or the proportional share, depending on which amount is higher. For example, in fiscal year 2008 if a state's proportional share was less than the base amount for that year—\$672,000—then the state's allocation would be the base amount. For those states whose proportional share exceeds the base amount, NOAA is also required to apply a cap to each grant. For over 20 years, NOAA has applied a congressionally-mandated cap of \$2 million per state, and because of the cap, NOAA has had to redistribute funds from those states whose proportional share would have exceeded \$2 million to other states. As a result, states with longer shorelines or larger coastal populations have essentially received a static level of funding over time, while states with shorter shorelines or smaller coastal populations have seen funding increases greater than they likely would have received without the cap. To calculate coastal zone enhancement grant awards for states with approved proposals, NOAA uses a similar process, which is weighted by shoreline miles and coastal populations. Although NOAA is generally adhering to statutory requirements and congressional guidance when administering CZMA grants, we found several instances where the agency was not following its established regulations. For example, NOAA's regulations state that the agency will rank states' enhancement strategies, and may also award a portion of the coastal zone enhancement grants competitively to those projects that have special merit. However, NOAA is not using either competitive process for awarding these grants. According to agency officials, NOAA determined that the administrative effort to institute a competitive process to award a portion of funds to projects that have special merit outweighed the relatively limited amount of funding available for these grants.

NOAA has established processes to ensure that state grant activities comply with the requirements of the CZMA. Specifically, NOAA requires states to submit draft grant proposals each year that include a detailed narrative and budget for each project proposed for funding under the award, along with project deliverables and benchmarks. NOAA reviews the states' grant applications and negotiates the terms of work and management of the projects before finalizing and awarding the grant. NOAA officials told us that, as part of this review, they ensure that the

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states' grant requests are consistent with the goals outlined in the CZMA. After the funds are awarded, NOAA also requires the states to submit semi-annual performance reports that describe the status of each proposed task and indicate whether the task is on schedule and when the work is expected to be completed. The states must also submit a number of financial reports that include information on cash management. NOAA officials told us that through the review of these financial and semi-annual performance reports, they monitor the progress of the grants and assess whether the states' actions are consistent with all applicable federal grant guidelines and laws, including the CZMA.

Both NOAA's periodic evaluations of states' coastal management programs and its performance measurement system have weaknesses that limit the agency's ability to determine the effectiveness of the National Coastal Zone Management Program. Although NOAA's periodic evaluations of state programs provide valuable information on states' accomplishments and identify areas of potential improvement, these evaluations are of limited value in determining the effectiveness of the national program. This is because the evaluations lack independence and do not assess states' progress toward performance goals. For example, according to state program officials, before a state evaluation is undertaken, state officials influence the topics selected for NOAA's review, identify program stakeholders for NOAA to interview, and participate in these interviews. We believe that conducting state program evaluations in this manner cannot provide NOAA with the objective, unbiased information that it needs for an independent assessment of the national program. NOAA is currently implementing a performance measurement system to provide quantitative data to assess the effectiveness of the national program. While the performance measures appear objective and link to goals outlined in the CZMA, several weaknesses in this system limit its usefulness. In particular, NOAA has not developed measurable targets for the majority of the 15 core performance measures it has identified, nor has it established a process to ensure that the performance measurement data collected from the states are valid, accurate, and consistent. In addition, NOAA has not developed measures to assess state programs' effectiveness in meeting all CZMA goals, especially those that call for improved and expedited decision making regarding coastal resources. Furthermore, although NOAA plans to use both the qualitative results from its periodic evaluations of state programs and quantitative information collected through its new performance measurement system to determine the

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effectiveness of the National Coastal Zone Management Program, the agency has not yet developed an approach that would allow it to integrate the information from these two sources. Integrating this information could provide the agency with a more effective approach for assessing the coastal zone management program.

We are suggesting that as Congress considers reauthorization of the CZMA, it may wish to reconsider whether coastal zone management grants should reflect each state's respective shoreline miles and coastal population and if so, whether the \$2 million cap should be raised or eliminated. In addition, we are recommending that NOAA review and revise, as needed, its regulations and grant award practices for the coastal zone grants to ensure that they are in alignment. We are also recommending that in order to strengthen NOAA's ability to evaluate the overall progress of the National Coastal Zone Management Program, the agency make improvements to its' current evaluation tools—by, among other things, creating measurable targets and a process for ensuring the accuracy of performance measurement data. In commenting on a draft of this report, NOAA agreed with the majority of our recommendations, but disagreed with our recommendation to develop performance measures to assess state programs' progress toward improving coastal management processes. NOAA stated that it believes that the inclusion of a performance measure to measure the percent of federal consistency projects modified due to consultation with the states addresses our recommendation. We do not believe the inclusion of this measure in the agency's performance measurement system adequately assesses other key aspects of states' effectiveness in coordinating and simplifying procedures to expedite governmental decision making. Furthermore, because NOAA is currently phasing in the performance measurement system and is continuing to make changes to the system, we believe that now is the time for NOAA to ensure that its performance measurement system contains measures that address all of the goals outlined in the CZMA.

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## Background

In 1972, Congress enacted the Coastal Zone Management Act to balance the competing demands of growth and development with the need to protect coastal areas. In enacting the CZMA, Congress declared that it is national policy "to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone." The act establishes a voluntary, cooperative program, known as the National Coastal Zone Management Program, to encourage states to exercise authority over coastal areas through the development and implementation of management programs. To participate, states must develop and seek

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federal approval for a coastal zone management program that minimally addresses federal guidelines and the goals outlined in the CZMA. The goals for state programs include

- protecting and restoring natural resources;
- managing coastal development to improve, safeguard, and restore the quality of coastal waters;
- improving public access to the coast;
- managing coastal development to minimize the loss of life and property in coastal hazard areas;
- assisting in the redevelopment of deteriorating urban waterfronts and ports, and sensitive preservation and restoration of historic, cultural, and esthetic coastal features;
- providing for priority consideration for coastal-dependent uses; and
- improving government coordination and decision making.

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## Grants Available Under the CZMA

To encourage state participation, NOAA provides federal grants and other assistance. The grants fall into three categories:

- *Coastal zone management grants (CZMA section 306 and 306A)*. Coastal states participating in the National Coastal Zone Management Program receive a coastal zone management grant each year for programmatic costs. States are required to match the grant funds provided. Coastal zone management grants fund personnel costs, supplies, overhead, and equipment. They also fund projects that assist communities and organizations in planning for management of resources in coastal areas and educational and public outreach projects. Although these funds are primarily programmatic, states may use a portion to help preserve or restore coastal areas, redevelop urban waterfronts and ports, and provide access to public beaches and coastal waters.
- *Coastal zone enhancement grants (CZMA Section 309)*. Congress established these grants, which do not require state matching funds, in 1990 to encourage each state to continually improve coastal programs in the following areas: wetland protection and restoration, increased public access to coastal areas, control of development impacts, reducing and managing development in coastal hazard areas, special area management

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planning, management of ocean resources, reduction of marine debris along the coast, and facilitating the siting of energy and aquaculture facilities. To receive these grants, every 5 years a state must assess the success of its previous management actions within the key areas and identify priority needs for improvement. Each state must also develop a proposal that describes the projects it will undertake to achieve enhancements in selected areas. Examples of program improvements include new or enhanced management plans to address issues such as sea level rise and improved protection against coastal hazards.

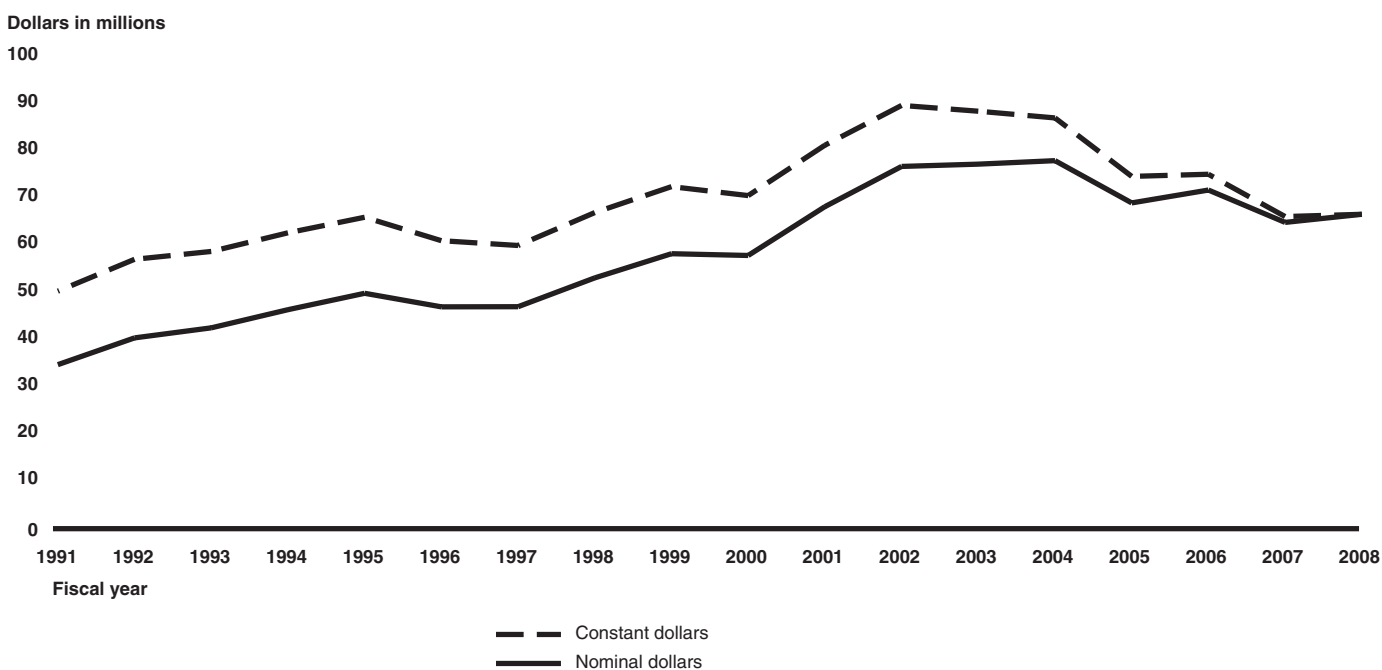
- *Coastal nonpoint pollution control grants (CZMA Section 6217)*. In the 1990 reauthorization of the CZMA, Congress required states in the National Coastal Zone Management Program to develop a nonpoint pollution control program to restore and protect coastal waters. Nonpoint pollution is runoff from sources such as lawns, roadways, farms, construction sites, and leaking septic tanks, which threatens coastal water quality. States must develop a program that implements management measures to prevent and mitigate degradation of coastal waters from polluted runoff. NOAA and the Environmental Protection Agency jointly administer the program at the federal level, and both agencies must approve states' programs. NOAA awards a small amount of grant funding to the states to assist with the nonpoint pollution program. These grants have ranged from a total of \$10 million in fiscal year 2002 to no funding in fiscal year 2007, and in fiscal year 2008, NOAA divided a total of \$2 million among the states.

In addition to these federal grants, NOAA also provides technical assistance, and the CZMA offers another incentive, known as federal consistency, to any coastal state or territory willing to develop and implement an approved comprehensive coastal management program. Federal consistency allows states with approved coastal programs to review federal actions—including agency activities, permits, financial assistance, and outer continental shelf activities—that might affect the state's coastal uses or resources.

Through fiscal year 2008, 34 of 35 eligible coastal states and territories have chosen to develop coastal zone management programs and have received federal approval for these programs. Illinois, the only coastal state not participating in the program, is currently developing a program. Together, the national network of approved state programs covers 99 percent of the nation's 95,331 miles of shoreline, including the Great Lakes.

Through fiscal year 2008, NOAA has awarded states approximately \$1.7 billion in grants to develop and implement state coastal zone management programs. Funding for the program increased overall through the 1990s, but has leveled off more recently, with NOAA distributing \$67 million to the 34 state programs in fiscal year 2008. Figure 1 shows the National Coastal Zone Management Program funding from fiscal year 1991 to fiscal year 2008.

**Figure 1: Funding for the National Coastal Zone Management Program for Fiscal Years 1991 through 2008**



Source: GAO analysis of NOAA data.

To provide Congress information on how state programs use CZMA funds and on the program’s accomplishments, the CZMA calls for NOAA to prepare a report to Congress every 2 years; NOAA issued the most recent of these reports in 2006. In the past, the agency has primarily relied on anecdotal evidence compiled in part from its evaluations of state programs to identify program accomplishments that it includes in these reports.

**CZMA Program Evaluation Requirements**

NOAA’s evaluation of a state’s program consists of a weeklong visit to the state by a team of NOAA evaluators—comprising a NOAA lead evaluator, a coastal management specialist (who serves as the day-to-day liaison with the state coastal program), and a representative from another state coastal

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program. These evaluators meet with state coastal program officials and individuals familiar with the state's program (such as local officials and environmental groups); they also visit some of the sites where the state program is conducting projects and hold at least one public meeting. In addition to the site visit, NOAA evaluators review relevant state documents, such as grant and project reports. They also conduct follow-up interviews with stakeholders, as needed, to understand the program's activities. At the end of the evaluation week, the NOAA evaluators discuss with state program officials the issues identified during meetings with stakeholders, the state's accomplishments, and potential recommendations to improve the program with state program officials. NOAA's recommendations fall into two categories: (1) program suggestions—actions that NOAA believes a state should take to improve its program—and (2) necessary actions—actions the state must take by a specific date or the next regularly scheduled evaluation. The CZMA requires NOAA to issue a findings report within 120 days after the last public meeting.

Although these periodic evaluations provide NOAA anecdotal evidence of accomplishments, NOAA's reporting of accomplishments did not provide specific measurable effects resulting from program implementation. Both a 1997 report by the Department of Commerce's Inspector General and a 2003 evaluation by the Office of Management and Budget concluded that NOAA was unable to demonstrate results for the National Coastal Zone Management Program and required NOAA to develop a system of quantifiable goals and performance measures.

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## NOAA's Efforts to Establish a CZMA Performance Measurement System

In response to criticism about its inability to demonstrate results for the CZMA program and requests from Congress, NOAA, working with the state programs, has been developing a performance measurement system. Beginning in 2001, NOAA commissioned the H. John Heinz III Center for Science, Economics, and the Environment to develop a framework for the performance measurement system. Using this framework, NOAA and volunteers from nine state coastal programs—Alabama, Alaska, California, Hawaii, Michigan, Minnesota, New York, Oregon, and South Carolina—developed an initial list of performance measures. In 2004, seven state coastal programs—Florida, Maine, the Northern Marina Islands, South Carolina, Virginia, Washington, and Wisconsin—volunteered to participate in a pilot project to evaluate the draft performance measures for usefulness and feasibility. On the basis of results from the pilot project, OCRM modified the performance measures in January 2005. States began



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submitting data using a phased approach in 2006, and, according to NOAA officials, NOAA will complete the final phase of the system in 2009.

The Coastal Zone Management Act Performance Measurement System establishes a framework to demonstrate the national impact of the CZMA.<sup>4</sup> The system currently consists of performance measures organized under the following six broad issue areas developed to capture the objectives of the CZMA:

- *Government coordination and decision making.* Three performance measures collected through 55 different categories of data focused on state's federal consistency review processes and activities related to education and training.
- *Public access.* Three performance measures collected through 10 different categories of data to quantify the impact of state programs on providing new and enhanced public access to the coastal zone.
- *Coastal water quality.* Four performance measures collected through six different categories of data to describe state's ability to manage coastal development to improve, safeguard, and restore the quality of coastal waters.
- *Coastal habitat.* Three performance measures collected through 13 different categories of data to determine trends in acres of created, restored, and protected habitat, including wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs.
- *Coastal-dependent uses and community development.* One performance measure collected through two different categories of data to describe the role of state programs in working with coastal communities to develop and implement local plans to manage growth and development and in redeveloping underused and deteriorating urban waterfront areas and ports.
- *Coastal hazards.* One performance measure collected through two different categories of data to describe the role of state programs in working with communities to manage coastal development so as to minimize the loss of life and property caused by improper development in

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<sup>4</sup>See appendix IV for a complete listing of the performance measures included in the Coastal Zone Management Act Performance Measurement System.

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areas vulnerable to floods, storm surge, erosion, sea-level rise, land subsidence, and saltwater intrusion.

In addition to the core performance measures, NOAA developed financial measures to track state expenditures in each of the six issue areas and contextual measures to provide information on environmental and socioeconomic factors influencing a state's program. According to NOAA, states will submit data for the financial measures, and both the state programs and NOAA will collect data for the contextual measures. NOAA officials stated that, although the current list of performance measures is being implemented, they are continually revising the system throughout the ongoing implementation phase on the basis of feedback they receive from state coastal programs.

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## NOAA Generally Follows Statutory Requirements, but CZMA Grants Do Not Reflect Differences in States' Shoreline Miles and Coastal Populations

Each year NOAA awards coastal program grants to states according to appropriations acts and congressional direction. Partly because of a 24-year-old congressional cap on the amount that any one state can receive in coastal zone management grants, these grants do not reflect the variations in states' shoreline miles and coastal populations. NOAA's present practices in awarding coastal zone management and coastal zone enhancement grants deviate somewhat from its regulations. In addition to coastal zone management grants and coastal zone enhancement grants, NOAA also awards a small amount of funding to the states to support coastal nonpoint pollution control activities: the CZMA requires NOAA to award these grants according to its coastal zone management grant regulations.

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## NOAA Generally Awards Coastal Management Grants to States According to Congressional Direction and Statutory Requirements

Although Congress does not appropriate a specific amount of money for CZMA grants to states each year, annual appropriation committee reports direct NOAA to award a certain amount of grant funding under the coastal zone management program. NOAA follows this direction in establishing its annual budget for CZMA grants. The agency then determines the amounts of funding that will go, respectively, into coastal zone management grants and coastal zone enhancement grants. NOAA has awarded the majority of funding to the coastal zone management grants because the CZMA limits the amount of funds that can be allocated for coastal zone enhancement grants to between 10 and 20 percent of the amount appropriated for all coastal grants—up to \$10 million annually. In fiscal year 2008, the total amount NOAA planned to award in coastal zone management grants was \$55 million. Once NOAA has determined the annual budget allocation for each type of CZMA grant, it calculates the amount of funding each state

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will receive for each grant, generally in accordance with statutory requirements.

For the coastal zone management grants, the CZMA requires NOAA to establish a minimum and maximum grant amount the states may receive and also provide states with amounts that consider each state's shoreline miles and coastal population. NOAA determines a minimum or base amount that will be applicable to all states. According to the NOAA official responsible for calculating the grant, he determines the minimum amount by considering the previous year's funding and the current available budget. In fiscal year 2008, the minimum amount each state could receive was \$672,000. As the first step in determining each state's coastal zone management grant amount, NOAA calculates a proportional share of funding for each state according to the state's shoreline miles and coastal population.<sup>5</sup> As required by its regulations, NOAA uses a formula to determine each state's proportional share of coastal management grants, weighted 60 percent for shoreline miles and 40 percent for coastal population. NOAA's figures for coastal population—defined as the population of counties that are located entirely or partially within a state's federally approved coastal zone boundary—come from the decennial census. NOAA's data for shoreline miles primarily come from a study the agency published in the 1970s.<sup>6</sup>

After NOAA officials calculate each state's proportional share of coastal zone management grants, they determine if the state's proportional share is below the minimum amount that each state could receive for the year. For states whose proportional share is below the minimum amount, NOAA assigns the state the minimum amount. Thus, for this step in the allocation process, states only receive their proportional share if the proportional share exceeds the minimum amount. However, this practice does not match NOAA's regulations. The regulations specify that each state will receive a coastal zone management grant amount that is based on a (1) a minimum share plus (2) a proportional share of the remaining funds. While under current funding conditions the results of NOAA's allocation formula are not significantly different than what would result from the allocation

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<sup>5</sup>The CZMA states that NOAA can also consider special factors in addition to shoreline mileage and coastal population. Nevertheless, NOAA has never used any special factors.

<sup>6</sup>NOAA regulations required NOAA to use the most recent available data from or accepted by the National Ocean Survey. NOAA uses mileage listed in NOAA's "The Coastline of the United States."

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formula required by its regulations, this deviation could have significant consequences in the future if funding conditions change, such as additional funds are made available to the program.

In addition to the minimum and the proportional aspect, CZMA also calls for NOAA to use a coastal zone management grant allocation method that includes a cap to promote more equity among the states. As a result, NOAA's next step in the grant calculation process is to establish a maximum cap on the amount of funding that any one state can receive in the form of a coastal zone management grant. Although the CZMA gives NOAA discretion to determine the maximum cap, for the last 24 years, Congress has set the cap at \$2 million, and NOAA has used this mandated congressional limit instead of setting its own.<sup>7</sup> NOAA applies the cap to every state's initial grant amount that is based on the states proportional share or the minimum and those states whose proportional share exceeds the cap will have funds redistributed to those states whose initial grant amounts are below the cap. When NOAA redistributes funds to states whose grant amounts are below the cap, it again takes into consideration each state's shoreline miles and coastal population.

The net effect of applying the relatively low congressional cap of \$2 million is that the grants that NOAA makes to the states currently do not reflect their proportional shares. For example, for fiscal year 2008, without any cap in place, California's proportional share is approximately \$5.6 million. Because of the \$2 million cap, NOAA will have to redistribute approximately \$3.6 million from California to those states whose share is below the cap. Conversely, for the same year, Delaware's proportional share is approximately \$275,000, and because this is below the minimum base amount that NOAA has determined that each state must receive for the year of \$672,000, NOAA will increase the amount Delaware will receive to the minimum base amount. In addition, because Delaware's base amount is below the \$2 million congressional cap, when NOAA redistributes funds from states like California whose proportional share exceeds the cap, Delaware will receive an additional \$539,000. Appendix II provides an example of how NOAA calculates coastal zone management grant awards. This grant calculation process results in states like California receiving only about 36 percent of what would be their purely

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<sup>7</sup>Each year in appropriations law, Congress dictates that no state may receive more than \$2 million in the form of a coastal zone management grant. However, if the funds provided for coastal CZMA grants exceed the funds provided in the previous year, no state may receive more than 5 percent or less than 1 percent of the additional funds.

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proportional share of the coastal zone management grant funding and states like Delaware receiving over 400 percent of their proportional share of this funding. While the CZMA requires a minimum and maximum to promote equity, the congressional cap of \$2 million that is imposed in annual appropriations acts has the effect of limiting the impact of the CZMA's requirement that funding regulations consider shoreline and coastal areas.

Funding for coastal zone management grants has grown slightly over the last decade, such that NOAA awarded \$11 million more in fiscal year 2008 than it did in fiscal year 1998. As a result of the congressional cap on coastal zone management grants, however, states with longer shorelines or larger coastal populations have received a relatively static level of funding, while states with shorter shorelines or smaller coastal populations have seen their funding increase beyond what they likely would have received under the CZMA. Eleven states have been at the cap since 1998 and have had no increases in funding. For example, Florida—with over 8,000 shoreline miles and approximately 16 million in coastal population—has not received any increases in funding since 1998. When the dollars are adjusted for inflation, Florida has experienced an effective funding decrease of 37 percent when comparing fiscal year 1998 to fiscal year 2008. In contrast, the other states have seen funding increases in large part because of the cap. Because NOAA redistributes the funds from the states over the cap to those below the cap according to shoreline miles and coastal population, the larger of the remaining states have gained more than the smaller ones. For example, Wisconsin—with 820 shoreline miles and approximately 2 million in coastal population—has seen an increase in funding since fiscal year 1998 of approximately \$1 million. This represents an effective 92 percent increase over the same time period when adjusted for inflation. Guam—with 110 shoreline miles and approximately 155,000 in coastal population—has seen an increase in funding from fiscal year 1998 to fiscal year 2008 of \$240,000. At the fiscal year 2008 grant funding level, 18 states were at the \$2 million cap—with several others not far behind.

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### NOAA's Award Practices for Coastal Zone Enhancement Grants Do Not Completely Reflect Grant Regulations

As in determining grant awards for coastal zone management grants, once NOAA receives its budget for the year, it determines the amount of funding to award in coastal zone enhancement grants. However, the CZMA limits the total amount of funds available for coastal zone enhancement grants to between 10 and 20 percent of the amount appropriated for all coastal grants—up to a maximum of \$10 million annually. Since fiscal year 2000, NOAA has awarded \$10 million each year in coastal zone enhancement

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grants. In fiscal year 2008, the individual state awards ranged from \$76,000 to \$536,000.

To award coastal zone enhancement grants, the CZMA requires NOAA to evaluate and rank state proposals for the grants and make funding decisions on the basis of these proposals. NOAA's regulations further outline the criteria the agency must follow for these grants and allow for the funds to be awarded competitively. According to these regulations, NOAA is to determine each year the amount of coastal zone enhancement funding to be distributed according to a weighted formula and the amount to be distributed through projects of special merit that are to be awarded competitively. According to the regulations, for the weighted formula, NOAA is to start by using the same method for grant distribution as used for coastal zone management grants. NOAA is to provide a base amount to each state and additional funding based on shoreline miles and coastal population. Then, NOAA must take this number and multiply it by an additional weighting factor. NOAA is to develop this additional weighting factor based on an evaluation and ranking of each state's strategy for using the funds. According to NOAA's *Federal Register* notice for coastal zone enhancement grant regulations, it interprets the word "rank" to mean that a state's strategy would be assigned a position or rank, relative to other state submissions. NOAA anticipated that the ranking would result in several ranking categories.

NOAA does not rank states in accordance with its own interpretation of the relevant grant regulations. When awarding coastal zone enhancement grants, NOAA does provide a base level of funding to each state that has an approved strategy and additional funding based on state's shoreline miles and coastal population. NOAA also evaluates and approves each state's proposal. However, NOAA does not establish a rank order for all proposals; instead, it ranks each proposal as "pass" or "fail." As a weighting factor, NOAA assigns states with proposals that pass a 1 and those that fail a 0. States receiving a zero receive no coastal zone enhancement funds. This is not the position NOAA took when it issued the regulations, and we believe that this ranking process does not establish a relative ranking of states in relation to one another. Moreover, if NOAA developed a relative ranking scheme, then the amount of funds that states would receive as coastal zone enhancement grants would also vary according to the competitive ranking of their strategies, in addition to their shoreline miles and coastal populations.

Since 1995, NOAA has chosen not to award any coastal zone enhancement grants through a competitive process to projects of special merit. This is

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because according to NOAA officials, they had awarded a portion of the grants through a competitive process to projects of special merit in fiscal years 1992 through 1995, but that experience led to the conclusion that the administrative effort for NOAA and the states was too much relative to the relatively small amount of available funding to make the effort worthwhile. In addition, NOAA officials said that funding according to a weighted formula based on coastal miles and population provides the states a more predictable level of funding to support multiyear activities.

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### NOAA Awards a Small Amount of Funds as Coastal Nonpoint Pollution Control Grants

To receive coastal nonpoint pollution control grants, which must be matched by state funding, states must have at least conditional approval of their coastal nonpoint programs from both NOAA and the Environmental Protection Agency. Currently, 21 states have full approval, and 13 states have conditional approval. States with full approval receive more in CZMA grant funds.

NOAA determines the amount of funding to award to states as coastal nonpoint pollution control grants each year. Like the other CZMA grants, Congress does not appropriate a specific amount of money for coastal nonpoint pollution control grants, but committee reports direct NOAA to allocate a certain total amount for these grants. In fiscal years 2003 through 2006, NOAA awarded states almost the full amount suggested by Congress for nonpoint pollution control grants.<sup>8</sup> In fiscal year 2007, however, NOAA did not award any coastal nonpoint pollution control grants. According to NOAA officials, in fiscal year 2007, the coastal nonpoint pollution control program was identified as a congressional earmark and was not included in the President's fiscal year 2007 budget request. Congress funded NOAA via a continuing resolution in 2007, without a relevant committee report directing NOAA to spend funds on the nonpoint pollution control grants. In the absence of committee direction, NOAA chose not to make any coastal nonpoint pollution control grants. In fiscal year 2008, in contrast, NOAA has thus far awarded states half of the amount suggested by Congress.

The CZMA directs NOAA to award nonpoint pollution control grants primarily on the basis of its regulations for coastal zone management grants. NOAA's application of the methodology (e.g., establishing

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<sup>8</sup>In fiscal years 2003-2006, NOAA awarded the states 99 percent of the full amount, and in fiscal year 2004, NOAA awarded states 95 percent of the amount suggested by Congress.

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minimum and maximum amounts) has varied through the years depending upon the funding levels available for these grants. In fiscal year 2008, all 34 states received \$42,000 each for their coastal nonpoint pollution control programs, and the 21 states that had full approval of their coastal nonpoint pollution control programs received an additional \$26,000 each. According to the NOAA official responsible for the program, there has been a marked reduction in nonpoint pollution control funding, which has led NOAA to emphasize providing each state minimum funding sufficient to maintain some effort on the program. Appendix III provides the amount of CZMA grant funds awarded to each state for all three grants from fiscal years 2004 through 2008.

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## NOAA Monitors States' Use of Grant Funding to Ensure That Spending Aligns with the Goals of the Coastal Zone Management Act

NOAA reviews states' grant applications and negotiates the terms of work and management of projects before finalizing and awarding grants. The agency has also established processes to ensure that states' spending of funds awarded under the CZMA complies with the law's requirements. NOAA requires states to submit a draft grant application each year via an online system. As part of the application, states must submit a project narrative and detailed budget for each proposed project, along with project deliverables and benchmarks. The detailed budget must show how states will spend federal dollars as well as state matching funds.

According to NOAA, to approve and monitor the use of CZMA funds that states receive, agency officials take the following steps:

- *Review grant applications.* OCRM coastal management specialists review the draft application to ensure that proposed activities meet the following criteria: (1) address goals outlined in the CZMA; (2) address the state's priority coastal issues; (3) fund activities that are part of the state's approved coastal management program and take place within the state's coastal zone boundary; (4) adhere to federal grant guidelines, including adequate detail on individual project goals and activities to determine purpose and likelihood of success; (5) receive appropriate state matching dollars; (6) address recommendations from state evaluations that require funding; and (7) adhere to other relevant federal laws, such as the National Environmental Policy Act and the Endangered Species Act.
- *Negotiate changes.* After initial review of the grant application, the coastal management specialist provides comments to the state and negotiates any changes that may be required for the application to meet NOAA's criteria and receive approval.



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- *Approve and award grants.* After OCRM and the state program reach agreement, the state submits a final application. The coastal management specialist, along with OCRM program and budget officials, reviews the final application. After OCRM staff are satisfied that the draft application meets all applicable criteria, they forward the grant application and a recommendation to approve the award to NOAA's Grants Management Division. Officials in this division conduct a cost analysis and legal review of the grant application. Once they complete their review, they formally approve the award and issue the state the funds. According to NOAA and over half of the 34 state program officials we interviewed, the recent changes to the process for reviewing, approving, and awarding grants—such as the new online system—has improved the timeliness of states' receiving their annual funding.
  - *Continual monitoring.* After receiving funding, states are required to use the online system to submit semiannual reports describing the status of each task approved for funding. The coastal management specialist reviews the reports to determine states' progress completing tasks as outlined in the approved grant application. The state must also submit a number of financial reports that include information on cash management. Both the coastal management specialist and the Grants Management Division review the financial reports to monitor the progress of the grants and assess whether the states actions are consistent with all applicable federal grant guidelines and laws, including the CZMA.

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## NOAA Conducts Periodic Evaluations of States' Coastal Programs and Has Developed Some Performance Measures, but Cannot Determine Overall Program Effectiveness

The OCRM strategic plan states that it will use periodic evaluations of states' coastal zone management programs and the performance measurement system to determine the effectiveness of the National Coastal Zone Management Program. However, NOAA's evaluations of the states' coastal zone management programs lack the independence required to provide the agency with unbiased data and the criteria needed to measure the states' progress toward achieving CZMA's overall goals. In addition to weaknesses in the evaluations, NOAA's recently developed performance measurement system (1) lacks measurable targets; (2) relies on state program officials to report their own activities, without validation from the agency; and (3) does not include measures to assess CZMA goals that call for improved and expedited decision making regarding coastal resources. Furthermore, NOAA has not developed an approach that would allow it to integrate the qualitative information obtained from its state evaluations and the quantitative information collected through the performance measurement system, which could provide the agency with a more effective approach to assessing the coastal zone management program.

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## NOAA's Periodic State Evaluations Lack Independence and Performance Goals to Determine Whether State Programs Are Achieving Results

NOAA's evaluations of state coastal programs provide the agency with a synopsis of ongoing activities, program accomplishments, and program deficiencies, but are not adequate for assessing state program effectiveness. This is because assessing program effectiveness involves independent monitoring and evaluating of accomplishments against established goals. However, NOAA's evaluations neither provide the agency with objective and independent information nor do they assess states' progress toward established goals.

NOAA's evaluations of state programs lack the independence needed to assess effectiveness, because state program officials influence the topics of review, identify stakeholders for NOAA to interview, and generally participate in NOAA's interviews with the state coastal program's stakeholders—potentially hindering an open discussion about the program's performance. Numerous state program officials reported to us that they influence the evaluation in several ways. Specifically, one official said, “the results [of the evaluation] are based on who NOAA meets with, and we [state program officials] decide who to march in front of them.” Another state program official commented that during the evaluations “we showed them what we wanted them to see; we decide what they see, where they go, and who they meet.” In addition, one state program official commented that interviews conducted during the evaluation could result in a limited exchange of information because interviewees are hesitant to be negative about the program while state program officials are present. Although NOAA officials acknowledge that the involvement of state program officials during the evaluations may give the impression that the evaluations lack independence, they believe that the involvement of state officials is critical to helping them identify topics for review and stakeholders to interview. Based on our interviews and observations, we believe that conducting state program evaluations in this manner cannot provide NOAA with the objective, unbiased information that it needs for an independent assessment of the national program.

The evaluations also lack a means to measure results because NOAA has not developed performance goals for the state programs, nor has it requested states to do so. For example, during the evaluations, NOAA requests state programs to provide examples of accomplishments they have made since the prior evaluation. Yet without criteria against which to measure the states' program accomplishments, NOAA cannot say whether they met, exceeded, or failed to meet expected progress. In addition, while most state program officials told us the evaluations are beneficial—because they provide state program officials with evidentiary support to convince other state partners of needed program changes—several state

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officials commented that the use of criteria, such as performance goals, would make the evaluations more useful. NOAA recognizes that the evaluations lack a means to measure results, and agency officials told us that the CZMA does not expressly call for the agency or state programs to develop such criteria.

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**Weaknesses in NOAA's Performance Measurement System Limit the Agency's Ability to Assess Effectiveness of the National Coastal Management Program**

Although NOAA has made progress in developing a quantifiable performance measurement system based on the goals outlined in the CZMA, additional work is needed before the system will provide a clear picture of whether the program has furthered CZMA goals effectively. The current system does not include meaningful, measurable targets—essential elements for measuring a program's progress toward an identified outcome. In reviewing the targets included in the system, we could identify only one measurable performance target and even this target cannot demonstrate whether the related activity is needed or will be effective in meeting coastal needs. Specifically, the one performance target that NOAA has developed is to create 250 new or enhanced public access sites each year through 2012. NOAA officials reported that the agency developed this target on the basis of historical data indicating that on average state programs create 250 new public access sites per year. Although the agency has identified this as a target, we could find no support to suggest whether an increase of 250 public access sites was an appropriate number to meet a need within these coastal areas.

The remainder of the performance measures included in the system lack measurable targets entirely. For example, state programs reported to NOAA that 4,305 volunteer monitoring events were conducted in coastal watersheds in 2006 through 2007. However, without establishing how many monitoring activities are needed to achieve a certain end goal, a simple count of activities says nothing about their effectiveness. In addition, numerous state program officials told us they were concerned about the lack of targets in the performance measurement system. One state official remarked that without meaningful targets, the system could lead to state programs “teaching to the test,” that is, focusing activities on issues that they know NOAA will measure, and excluding non-measured activities that might actually be necessary to address a coastal need. Another official stated that the current measurement system uses a “shotgun approach”—collecting many pieces of data and hoping that some of them will be useful. NOAA officials stated that, as the agency completes the phased implementation of the system, they plan to work with state programs to develop additional measurable targets.

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Furthermore, for NOAA to use the performance data for cumulatively reporting progress toward intended results, it must ensure that the data are consistent and reliable. The agency receives data from 34 separate state programs—with many states in turn receiving the data from various sources outside their own programs. Our survey of state program officials highlighted several areas of concern relating to data accuracy, reliability, and consistency, including:

- *Accuracy.* Some states reported that they submit precise numbers to NOAA, while other states reported that they often submit estimates for some measures. We found numerous instances where NOAA included state-submitted estimates in its internal analysis of performance measurement data and did not indicate that the analysis was based partly on estimates.
- *Reliability.* At least 10 state program officials reported that they must rely on external sources, such as other state or local government agencies, to collect data that they submit to NOAA. Collecting data from external sources concerns some program managers, with one state program official stating that he has no control over the reliability of those data. Another state program official commented that much of the data requested by NOAA are the responsibility of other agencies, which are “inadequately staffed and have no time to gather and compile the data.” According to NOAA, the networked organizational structure of many state programs increases the level of difficulty in reliably reporting on coastal zone management program activities implemented through networked partners.
- *Consistency.* Although NOAA provides states with a guidance document to define performance measure terms, the terminology used within the performance measurement system still can lead to inconsistencies in the data submitted by the states. Several state program officials reported that the system’s terminology is open to interpretation because they did not believe that NOAA has provided clear definitions for all of the performance measures. For example, NOAA developed a performance measure for the percentage of marinas in the coastal zone participating in the Clean Marina designation program. To support this performance measure, the agency requested that states submit data regarding marinas. One state program official reported difficulty identifying the number of marinas because of the varying definitions of the term marina within federal, state, and local governments, and NOAA did not provide a clear definition of the term in its guidance to state programs. Reviewing the data submitted, we found that some state programs determined “marinas” to include public docks, boat launches, boat yards, yacht clubs, community

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docks, and upland slips. Yet, it is unclear whether all states used the same definition.

According to NOAA officials, the agency does not have a documented process for ensuring the accuracy, reliability, and consistency of data reported by the states. Rather, NOAA officials reported that they provide states with written guidance describing each performance measure, conduct annual workshops to increase state program officials' knowledge of reporting requirements, review state performance measurement data to determine if it is "reasonable," and ask state program officials to review the data they submit. In addition, NOAA requests states to maintain documentation of data submitted for the performance measurement system. However, NOAA officials acknowledged that they have not reviewed any documentation supporting the data submitted by the state, nor can they verify that states are collecting or maintaining this type of documentation. While we agree that it is important to provide sufficient guidance regarding the performance measures, without appropriate internal controls, such as a systematic review process, NOAA cannot ensure that the data it is receiving are sufficiently accurate and reliable for reporting progress toward overall CZMA goals.

In addition to weaknesses within the current performance measurement system, NOAA has not developed measures to assess state programs' effectiveness in meeting those CZMA goals that call for improved and expedited decision making regarding coastal resources. As stated in NOAA's strategic plan for the National Coastal Zone Management Program, one of the program's central tenets is to improve government coordination and efficiency in coastal management. Without including measures that assess state program's ability to improve processes, the agency cannot report whether state programs are accomplishing these CZMA's goals effectively, and the agency could be missing an opportunity to improve program management. For example, CZMA calls for state programs to coordinate and simplify procedures in order to expedite government decision making regarding coastal resources. During our review, however, a local government official commented that the state coastal program in his state was ineffective at reviewing coastal development permits within the period allotted by state law. As a result, coastal permits routinely receive default approval, without review to ensure consistency with responsible coastal development. The official stated that the problem has existed for a number of years, and the coastal program has been unable to improve its permit review procedures. With a performance measure to determine states' effectiveness at improving procedures to increase timeliness and expedite decision making, NOAA as

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well as the states would be more aware of states' performance and problems and be able to focus their efforts on correcting these issues. NOAA officials recognize the importance of expedited decision making and improved efficiency, but they told us that they have not included explicit measures for this goal in their performance measurement system because of the difficulty in identifying outcome-oriented measures and the expense and burden it would place on state programs. We recognize the difficulties and potential costs associated with developing these measures, but believe that developing such measures in the performance measurement system would help NOAA as well as the states improve the national coastal program. Furthermore, according to the results of a 2002 NOAA survey to determine how many states were already participating in a performance measurement system, 10 state programs already collect data to assess government efficiency. For example, North Carolina is already counting the number of permits issued within a 75-day statutory target to measure its success in developing streamlined techniques to improve permit response time. By working collaboratively with state programs that already collect such data for their state-based performance measurement system, we believe NOAA could ease the expense and burden that developing and implementing these measures might place on state programs.

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### NOAA Lacks a Strategy for Integrating Information from Its Periodic State Evaluations with Its Performance Measurement System

NOAA recognized the need in the OCRM strategic plan to use both the qualitative data from its periodic state evaluations and the quantitative data collected through the performance measurement system for determining the coastal zone management program's effectiveness. However, it has not yet developed an approach for integrating the qualitative and quantitative information obtained from these two evaluation tools. Integrating the information from these evaluation tools could provide the agency with a more effective approach to assessing the coastal zone management program, including:

- *Better understanding of program performance.* Strictly using quantitative data will provide NOAA with information about the extent to which state programs have met certain program goals but may not be able to provide information on key questions, such as how to improve program performance, the reasons for observed performance, or the program's net

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impact on its outcome goals.<sup>9</sup> For example, the agency developed a performance target for state programs to have 700 public access sites in the coastal zone by 2007 and increase that by 250 each year through 2012. NOAA's performance measurement data indicate that as of April 2008, state programs have approximately 1,000 public access sites in the coastal zone. While the numbers suggest that state programs have not only achieved but have surpassed NOAA's numeric target, they provide little indication on how these 1,000 public access sites address the CZMA's goal of providing public access to the coasts for recreational purposes. However, if this quantitative data is integrated with the qualitative information collected during NOAA's periodic evaluations of states' programs it would enhance the agency's ability to fully assess a state programs' progress in furthering the CZMA's goals.

- *Improved assessment for difficult-to-measure activities.* Many coastal programs conduct activities intended to result in social and environmental change, which is often difficult to measure using only quantitative data. When interviewed, several state program officials expressed concern that the performance measures alone do not capture the effects—such as changing public opinion or achieving voluntary compliance with development regulations—of many of their coastal zone management activities. For example, one state program official commented that the state conducts many activities to educate developers and the public on responsible development. As a result of these efforts, according to this official many of the development permits that are now submitted to the state for review do not require modification to align the developers' plans with coastal development laws. Yet, this state official was concerned that although the performance measurement system captures the number of educational activities and the number of permits modified, it cannot capture the effect of the educational activities, such as developers' increased awareness about coastal development laws. However, if NOAA developed an approach to integrate its quantitative and qualitative data sets, it could use information collected during its state program evaluations to complement its performance measurement data and thereby more fully assess these often difficult-to-measure activities.<sup>10</sup>

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<sup>9</sup>GAO, *Program Evaluation: Studies Helped Agencies Measure or Explain Program Performance*, [GAO/GGD-00-204](#) (Washington, D.C.: Sept. 29, 2000), and GAO, *Program Evaluation: Strategies for Assessing How Information Dissemination Contributes to Agency Goals*, [GAO-02-923](#) (Washington, D.C.: Sept. 30, 2002).

<sup>10</sup>GAO, *Managing for Results: EPA Faces Challenges in Developing Results-Oriented Performance Goals and Measures*, [GAO/RCED-00-77](#) (Washington, D.C.: Apr. 28, 2000).

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- *Validation of progress assessments.* An integrated approach will also provide NOAA with a process to validate both its quantitative and qualitative data sets. For example, NOAA could take advantage of data collected and work performed during its weeklong state program evaluations to check the reliability of state-submitted data. However, NOAA currently has no mechanism for communicating or integrating the on-the-ground evidence obtained during these evaluations with the data submitted by the states for the performance measurement system. NOAA officials have recognized the potential benefits of integrating the evaluation tools and told us they have recently developed a workgroup to research opportunities for integration, but could not provide us a time frame when this action might be completed.

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## Conclusions

When Congress passed the CZMA, it established a requirement that NOAA should distribute coastal zone management grants to the states according to regulations that take into account variations in each state's shoreline miles and coastal population. Over time, however, the annual congressional cap on the maximum amount that a state can receive in the form of a coastal zone management grant has caused many states to receive similar amounts of funding, regardless of their shoreline miles or coastal populations. We recognize that any changes to NOAA's current method of distributing grant awards would inevitably result in some states' receiving more funds and some receiving less funds. Nevertheless, if Congress wishes to give full effect to the CZMA provision authorizing proportional grants to the states, then the annual hard cap—which has been constant for the past 24 years—prevents NOAA from developing a cap that, over time, could give the states coastal zone management funding that is more proportional to their respective shoreline miles and coastal population.

While NOAA's current methods for calculating grants generally comply with statutory requirements, the agency is not following its own regulations when determining the states' grant amounts. We believe that, if the agency is not going to follow its established regulatory process, then either the regulations should be updated to reflect current practices or the practices should be modified to comply with the regulations. Currently, the amounts awarded to the states for coastal zone management grants are not significantly different as a result of NOAA's deviation from the regulations. However, if Congress were to raise or eliminate the cap, this deviation could be significant. Furthermore, when NOAA developed its regulations for awarding coastal zone enhancement grants, the agency stated its intent that a portion of the grants would be awarded by a ranking



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process, and the remainder to projects selected competitively. However, NOAA has not followed the ranking processes outlined in its regulations when awarding these grants and has discontinued awarding any funds for selected projects, given the limited funding available for these grants and the administrative burden of awarding the grants competitively.

Finally, assessing effectiveness of a national program comprising of 34 individual state programs with each conducting its own management activities is a complex and difficult undertaking. To its credit, NOAA has periodically evaluated state coastal programs and is currently implementing a performance measurement system. However, the agency's ability to determine the effectiveness of the National Coastal Zone Management Program is undermined by the lack of (1) independent and credible performance data; (2) meaningful, performance goals for the state programs; (3) measures to assess state program's progress toward improving coastal management processes; and (4) an approach for integrating information gathered from state evaluations and the performance measurement system. We believe that the combined effect of these deficiencies will continue to prevent NOAA from being able to present a clear and credible picture of what the National Coastal Zone Management Program has achieved and how the individual state programs have contributed to the achievement of CZMA's overall goals.

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## Matter for Congressional Consideration

In reauthorizing the CZMA, Congress may wish to clarify whether it would like eligible states to receive equal amounts of funding under the coastal zone management grants or whether these grants should be proportional and reflect each state's respective shoreline miles and coastal population. If Congress decides that states should receive coastal zone management grants that are proportional to each state's varying shoreline miles and coastal population, then Congress should consider raising or eliminating the cap.

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## Recommendations for Executive Action

We recommend that the Administrator of NOAA review and revise as needed its regulations and grant award practices for the coastal zone management and enhancement programs to ensure that they are in alignment.

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To strengthen NOAA's periodic evaluations of state coastal management programs, we recommend that NOAA take the following two actions:

- Establish performance goals so that evaluators have criteria for evaluating state coastal programs.
- Ensure that evaluations are independent by revising the role of state coastal management officials in the review process.

To enhance NOAA's ability to evaluate the overall progress of the National Coastal Zone Management Program, we recommend that NOAA take the following three actions:

- Create targets for performance measures already developed that can be used to assess the effectiveness of the national program.
- Develop appropriate internal controls for verifying that the data received for the performance measurement system are reliable and consistent across participating states.
- Develop measures to assess state programs' effectiveness in improving processes.

To strengthen NOAA's ability to determine the effectiveness of the National Coastal Zone Management Program, we further recommend that NOAA develop an approach to integrate the qualitative data from its periodic state evaluations with the quantitative data in its performance measurement system.

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## Agency Comments and Our Evaluation

We provided a draft of this report to the Department of Commerce for review and comment and we received written comments from NOAA on behalf of the Department. NOAA generally agreed with the report's assessment and recommendations, but stated that the limitations of the current CZMA and the intricacies associated with managing a congressionally mandated federal-state partnership program present significant challenges. Of the seven recommendations that we made, NOAA disagreed with one. Specifically, NOAA disagreed with our recommendation that it should develop performance measures to assess the effectiveness of state programs in improving processes. In this regard, NOAA believes that the performance measure it has selected to measure the percent of federal consistency projects modified due to consultation with the states is appropriate and addresses our recommendation. NOAA

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further stated that developing additional process measures in response to our recommendation would increase implementation costs and diminish the focus on program outcomes. While we are aware of the measure used by NOAA to assess the effectiveness of federal consistency reviews, we do not believe this measure adequately assesses other key aspects of states' effectiveness in coordinating and simplifying procedures to expedite governmental decision making. Moreover, as we noted in the report, a number of states are already collecting data to assess the efficiency of governmental decision-making. Therefore, we continue to believe that NOAA should work with the states to develop measures to assess these processes. While we understand NOAA's concern that adding additional measures to a system that is already collecting data for 88 categories of data could increase costs, we believe that because NOAA is phasing in the performance management system and is continuing to make changes to the system that this provides the agency an ideal opportunity to ensure that all its performance measures address all of the goals outlined in the CZMA.

NOAA also provided us with technical comments that we incorporated, as appropriate. The full text of NOAA's written comments as well as our response can be found in appendix V.

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As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 17 days from the report date. At that time, we will send copies of this report to interested congressional committees and the Secretary of Commerce. We will also make copies available to others upon request. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>.

If you or your staffs have any questions about this report, please contact me at (202) 512-3841 or [mittala@gao.gov](mailto:mittala@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix VI.



Anu K. Mittal  
Director, Natural Resources and Environment

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# Appendix I: Objectives, Scope, and Methodology

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We were asked to address issues related to the Coastal Zone Management Act, as amended (CZMA), by reviewing the National Oceanic and Atmospheric Administration's (NOAA) methodology for awarding financial assistance, and evaluating NOAA's ability to determine effectiveness of the national coastal program. Specifically, we were asked to determine (1) the methodology NOAA uses for awarding grants to the states; (2) the extent to which NOAA has processes for ensuring grants are used in a manner that is consistent with the requirements of the CZMA; and (3) the extent to which NOAA's state program evaluations and performance measurement system enable the agency to determine the effectiveness of the National Coastal Management Program.

To determine the methodology followed by NOAA in awarding states financial assistance under the CZMA, we reviewed the act and its regulations. We also reviewed NOAA's policies and procedures for calculating grant awards. In semi-structured interviews with NOAA officials and officials from each of the 34 state coastal zone programs participating in the National Coastal Zone Management Program, we discussed NOAA's methodology for awarding grants and the extent to which the awards were timely. We obtained documentation from NOAA on grant awards to the states from fiscal year 1991 (the earliest year for which NOAA had readily available information) through fiscal year 2008. Because congressional committee reports direct NOAA on the amount of funds Congress would like awarded to the states in CZMA grants, we reviewed congressional committee reports for fiscal years 2003 through 2008. We also determined the extent to which NOAA adheres to these proposed amounts.

To determine the processes NOAA has in place for ensuring that grants are used in a manner consistent with the requirements of the CZMA, we reviewed NOAA's policies and procedures for awarding grants. We also reviewed a number of approved grant applications states submit to NOAA. We interviewed NOAA officials to gain a better understanding of the procedures for reviewing and negotiating grant awards and conducting oversight of state activities.

To determine the extent to which NOAA evaluates state coastal programs and can assess the effectiveness of the National Coastal Zone Management Program, we reviewed the CZMA, the Government Performance and Results Act of 1993, and Department of Commerce regulations to identify NOAA's review requirements. We interviewed NOAA officials and officials from each of the 34 state coastal zone programs to discuss the process for conducting evaluations and benefits the evaluations have for state

programs. We obtained and reviewed prior evaluations conducted on the program, such as a 1997 Department of Commerce Inspector General report and the 2003 Office of Management and Budget performance review. We obtained and reviewed NOAA's *Procedural Guidance for Conducting Evaluations*, the evaluation template used for developing final evaluation reports, and accompanied NOAA evaluators during a state evaluation. To assess the effectiveness of NOAA's evaluations, we relied on criteria identified in previously published GAO reports, as well as Office of Management and Budget guidance.<sup>1</sup> Specifically, we determined that evaluations should be independent, systematic, and objective, and answer questions about program performance and results. In addition, we reviewed the findings of a NOAA convened committee that evaluated NOAA's evaluation process in 2004.

In addition, we reviewed NOAA's Coastal Zone Management Act Performance Measurement System to determine whether the measures meet criteria for successful performance measures. We developed the following criteria to evaluate performance measures using previously published GAO reports: (1) alignment with national goals, (2) addressing core program activities, (3) objectivity, (4) measurable targets or goals, (5) reliability, and (6) inclusion of government priorities. In addition, we considered key legislation, such as the Government Performance and Results Act of 1993. We obtained and reviewed guidance documents that NOAA provided to state coastal program managers, and we attended an information session NOAA conducted for state officials that explained initial findings and lessons learned from implementing the performance measures. We interviewed NOAA officials and officials from each of the 34 state coastal zone programs to discuss the development of the performance measures, and the successes and challenges associated with implementing the system. We also obtained and reviewed the performance data NOAA collected from state programs and analyzed the comments state program officials provided NOAA about the data they submitted.

In conducting our 34 semi-structured interviews with officials from each of the state coastal zone programs, we gathered their opinions on NOAA's grant processes, the benefits of the evaluation process, and the challenges in measuring the effectiveness of the overall program with the current

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<sup>1</sup>GAO, *Performance Measurement and Evaluation: Definitions and Relationships*, [GAO-05-739SP](#) (Washington, D.C.: May 2005), and Office of Management and Budget, *What Constitutes Strong Evidence of a Program's Effectiveness?* (Washington, D.C.).

performance measurement system. We conducted the majority of these interviews in person, although, several required telephone interviews. We tape-recorded and transcribed these interviews. We then conducted content analyses of the 34 interviews in order to summarize themes and opinions expressed by state coastal program officials.

We conducted this audit from September 2007 to September 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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# Appendix II: NOAA's Calculation of Coastal Zone Management Grant Awards

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## Step 1: NOAA Determines Budget

NOAA determines the amount of its fiscal year budget to award in coastal zone management grants. NOAA may also add additional funds to this amount from unspent funds returned by the states from the prior year.

## Step 2: NOAA Determines the Minimum and Maximum Amounts

NOAA determines a minimum and maximum amount that each state will receive. Congress dictates that the cap shall not exceed \$2 million. In addition, if the funds provided for all CZMA grants (e.g., management and enhancement grants) exceed the funds provided in the previous year, no state may receive more than 5 percent or less than 1 percent of the additional funds.

## Step 3: NOAA Determines Each State's Weighting Factor for Calculating Proportional Shares

NOAA determines a weighting factor for each state based on the state's proportional share of shoreline miles and coastal population. NOAA determines a weighting factor for shoreline miles and a weighting factor for coastal population and then adds them together to create one weighting factor.

The weighting factor for coastal mileage is determined by:

60% multiplied by shoreline miles for the state divided by total national shoreline miles.

Example: Delaware has 381 miles of coastline, and there are 95,429 total national shoreline miles.  $(0.6) \times 381$  divided by 95,429 = 0.002395

The weighting factor for coastal population is determined by:

40% multiplied by coastal population for the state divided by total coastal population.

Example: Delaware has 783,600 people living in coastal counties, and there

are a total of 122,411,728 nationally.  $(0.4) \times 783,600$  divided by 122,411,728 = 0.00256

Delaware's combined weighting factor is 0.002395 plus 0.00256 = 0.00496

#### Step 4: NOAA Calculates Each State's Proportional Share

NOAA multiplies each state's weighting factor by the total amount of funds available for the coastal zone management grants.

#### Step 5: NOAA Adjusts Funds Based on Minimum and Maximum Allocation Levels

NOAA determines whether each state's proportional share places them below the minimum amount or above the maximum amount. For states below the minimum, NOAA increases the funds to reach the minimum amount. For states above the maximum amount, NOAA reduces the funds to the maximum amount.

For fiscal year 2008, NOAA determined that the minimum amount would be \$672,000. For states whose proportional share was lower than this amount, NOAA raises the state's grant to \$672,000. NOAA determined that the maximum cap will be \$1,967,000. For states whose proportional share exceeds this cap, NOAA reduced the state's grant to \$1,967,000.

#### Step 6: NOAA Redistributes Funds in Excess of the Cap

The excess funds from states whose proportional share exceeded the maximum are redistributed to the states below the maximum using each state's coastal miles and population weighting factor, relative to the other states below the maximum. This process may have to be repeated several times because after each redistribution additional states may have grant amounts in excess of the cap and then NOAA will have to readjust their amounts as well resulting in another round of redistributed funds.



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**Appendix II: NOAA's Calculation of Coastal  
Zone Management Grant Awards**

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**Step 7: NOAA Calculates the Total Grant Award**

Once all excess funds have been allocated, NOAA finalizes the states grant amount.

# Appendix III: Coastal Zone Management Act Grants by State

This appendix provides information on the grant awards the states received in fiscal years 2004 through 2008. There are tables for each of the grant types—coastal zone management, coastal zone enhancement, and coastal nonpoint pollution control.

**Table 1: Coastal Zone Management Grant Awards by State for Fiscal Years 2004 through 2008**

State	Coastal mileage	Coastal population	Fiscal years				
			Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
Alabama	607	540,258	\$1,606,000	\$1,347,000	\$1,382,000	\$1,295,000	\$1,278,000
Alaska	33,904	538,332	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
American Samoa	126	57,291	888,000	818,000	842,000	783,000	779,000
California	3,427	24,260,099	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Connecticut	618	2,120,734	2,020,000	1,960,000	1,998,000	1,874,000	1,848,000
Delaware	381	783,600	1,509,000	1,276,000	1,309,000	1,226,000	1,211,000
Florida	8,426	15,982,378	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Georgia	2,344	538,469	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Guam	110	154,805	922,000	844,000	866,000	807,000	803,000
Hawaii	1,052	1,211,537	2,020,000	1,921,000	1,969,000	1,847,000	1,821,000
Illinois	63	6,021,097	0	0	0	0	0
Indiana	45	741,468	1,158,000	1,016,000	1,044,000	976,000	966,000
Louisiana	7,721	2,170,717	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Maine	3,478	944,847	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Maryland	3,190	3,592,430	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Massachusetts	1,519	4,783,167	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Michigan	3,224	4,842,023	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Minnesota	189	236,946	1,041,000	932,000	955,000	893,000	885,000
Mississippi	359	363,988	1,273,000	1,102,000	1,130,000	1,057,000	1,046,000
New Hampshire	131	389,592	1,062,000	946,000	972,000	906,000	900,000
New Jersey	1,792	7,575,546	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
New York	2,625	16,088,089	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
North Carolina	3,375	826,019	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Northern Mariana Islands	206	69,221	972,000	880,000	905,000	845,000	837,000
Ohio	312	2,767,328	2,020,000	1,960,000	2,038,000	1,899,000	1,869,000
Oregon	1,410	1,326,072	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Pennsylvania	140	2,946,892	2,020,000	1,915,000	1,961,000	1,841,000	1,815,000
Puerto Rico	700	2,685,883	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000

**Appendix III: Coastal Zone Management Act  
Grants by State**

State	Coastal mileage	Coastal population	Fiscal years				
			Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
Rhode Island	384	1,048,319	1,646,000	1,376,000	1,413,000	1,323,000	1,307,000
South Carolina	2,876	981,338	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Texas	3,359	5,211,014	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
U.S. Virgin Islands	175	108,612	963,000	872,000	896,000	835,000	831,000
Virginia	3,315	4,440,709	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Washington	3,026	4,070,515	2,020,000	1,960,000	2,080,000	1,967,000	1,967,000
Wisconsin	820	1,992,393	2,020,000	1,960,000	2,080,000	1,967,000	1,940,000

Source: NOAA grant data.

Notes: In some instances, a state may receive more than the \$2 million maximum amount because NOAA also awards states any money returned from the previous year unspent.

Illinois does not participate in the National Coastal Zone Management Program.

**Table 2: Coastal Zone Enhancement Grant Awards by State for Fiscal Years 2004 through 2008**

State	Fiscal years				
	Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
Alabama	\$105,000	\$105,000	\$104,000	\$104,000	\$104,000
Alaska	540,000	540,000	536,000	536,000	536,000
American Samoa	76,000	76,000	76,000	76,000	76,000
California	540,000	540,000	536,000	536,000	536,000
Connecticut	179,000	179,000	177,000	177,000	177,000
Delaware	101,000	101,000	101,000	101,000	101,000
Florida	540,000	540,000	536,000	536,000	536,000
Georgia	273,000	273,000	270,000	270,000	270,000
Guam	77,000	77,000	77,000	77,000	77,000
Hawaii	175,000	175,000	174,000	174,000	174,000
Indiana	0	0	86,000	86,000	86,000
Louisiana	540,000	540,000	536,000	536,000	536,000
Maine	413,000	413,000	409,000	409,000	409,000
Maryland	526,000	526,000	521,000	521,000	521,000
Massachusetts	418,000	418,000	413,000	413,000	413,000
Michigan	540,000	540,000	536,000	536,000	536,000
Minnesota	82,000	82,000	82,000	82,000	82,000
Mississippi	92,000	92,000	91,000	91,000	91,000

**Appendix III: Coastal Zone Management Act  
Grants by State**

State	Fiscal years				
	Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
New Hampshire	83,000	83,000	83,000	83,000	83,000
New Jersey	540,000	540,000	536,000	536,000	536,000
New York	540,000	540,000	536,000	536,000	536,000
North Carolina	396,000	396,000	392,000	392,000	392,000
Northern Mariana Islands	80,000	80,000	80,000	80,000	80,000
Ohio	182,000	182,000	180,000	180,000	180,000
Oregon	219,000	219,000	216,000	216,000	216,000
Pennsylvania	174,000	174,000	172,000	172,000	172,000
Puerto Rico	219,000	219,000	215,000	215,000	215,000
Rhode Island	107,000	107,000	106,000	106,000	106,000
South Carolina	352,000	352,000	349,000	349,000	349,000
Texas	540,000	540,000	536,000	536,000	536,000
U.S. Virgin Islands	79,000	79,000	79,000	79,000	79,000
Virginia	540,000	540,000	536,000	536,000	536,000
Washington	539,000	539,000	532,000	532,000	532,000
Wisconsin	193,000	193,000	191,000	191,000	191,000

Source: NOAA grant data.

Note: Indiana was not eligible for this grant in fiscal years 2004 and 2005.

**Table 3: Coastal Nonpoint Pollution Control Awards by State for Fiscal Years 2004 through 2008**

State	Fiscal years				
	Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
Alabama	\$89,000	\$45,000	\$70,000	0	\$42,000
Alaska	305,000	112,000	102,000	0	42,000
American Samoa	240,000	92,000	82,000	0	68,000
California	580,000	197,000	187,000	0	68,000
Connecticut	283,000	105,000	95,000	0	68,000
Delaware	257,000	97,000	87,000	0	68,000
Florida	305,000	112,000	102,000	0	68,000
Georgia	172,000	71,000	70,000	0	42,000
Guam	72,000	40,000	70,000	0	68,000
Hawaii	110,000	52,000	70,000	0	42,000

**Appendix III: Coastal Zone Management Act  
Grants by State**

State	Fiscal years				
	Grant allocation in 2004	Grant allocation in 2005	Grant allocation in 2006	Grant allocation in 2007	Grant allocation in 2008
Indiana	0	28,000	70,000	0	42,000
Louisiana	305,000	112,000	102,000	0	42,000
Maine	535,000	183,000	173,000	0	68,000
Maryland	580,000	197,000	187,000	0	68,000
Massachusetts	539,000	184,000	174,000	0	68,000
Michigan	305,000	112,000	102,000	0	42,000
Minnesota	75,000	41,000	81,000	0	68,000
Mississippi	80,000	43,000	70,000	0	42,000
New Hampshire	246,000	94,000	84,000	0	68,000
New Jersey	305,000	112,000	102,000	0	42,000
New York	305,000	112,000	102,000	0	68,000
North Carolina	524,000	180,000	170,000	0	68,000
Northern Mariana Islands	244,000	93,000	83,000	0	68,000
Ohio	114,000	53,000	70,000	0	42,000
Oregon	137,000	60,000	70,000	0	42,000
Pennsylvania	280,000	104,000	94,000	0	68,000
Puerto Rico	307,000	113,000	103,000	0	68,000
Rhode Island	260,000	98,000	88,000	0	68,000
South Carolina	221,000	86,000	76,000	0	68,000
Texas	305,000	112,000	102,000	0	42,000
U.S. Virgin Islands	244,000	93,000	83,000	0	68,000
Virginia	580,000	197,000	187,000	0	68,000
Washington	305,000	112,000	102,000	0	42,000
Wisconsin	291,000	108,000	98,000	0	68,000

Source: NOAA grant data.

Note: Indiana was not eligible for this grant if fiscal year 2004.

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# Appendix IV: Coastal Zone Management Act Performance Measurement System

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NOAA developed the following issue areas and performance measures to determine the effectiveness of the National Coastal Zone Management Program.

**Issue area: government coordination and decision making**

Performance measures

1. Percent of federal consistency projects submitted where the project was modified due to consultation with the applicant to meet state coastal zone management (CZM) policies
2. Number of (a) educational activities offered by the CZM program and (b) the number of participants
3. Number of (a) training opportunities offered by the CZM program and (b) the number of participants

Categories of data

- Total number of federal consistency projects reviewed during the reporting period
- Number of federal agency activities projects reviewed where the project was modified due to consultation with the applicant to meet state CZM policies
- Number of federal license or permit activity projects reviewed where the project was modified due to consultation with the applicant to meet state CZM policies
- Number of Outer Continental Shelf projects reviewed where the project was modified due to consultation with the applicant to meet state CZM policies
- Number of projects for federal financial assistance to state agencies or local governments reviewed where the project was modified due to consultation with the applicant to meet state CZM policies
- For each issue area (public access, coastal habitat, coastal water quality, coastal hazards, and coastal dependent uses and community development ):
  - Number of educational activities offered by the CZM program.
  - Number of educational activities reported above that was conducted jointly with a National Estuarine Research Reserve (NERR)
  - Number of participants in educational activities offered by the CZM program
  - Number of participants reported above that participated in educational activities conducted jointly with a NERR
  - Number of marine debris and coastal cleanup activities supported by the CZM program
  - Number of pounds of debris removed by marine debris and coastal cleanup stewardship activities supported by the CZM program

Categories of data (con't)

- For each issue area (public access, coastal habitat, coastal water quality, coastal hazards, and coastal dependent uses and community development ):
  - Number of training opportunities offered by the CZM program.
  - Number of training opportunities reported above that was conducted jointly with a NERR
  - Number of participants in training opportunities offered by the CZM program
  - Number of participants reported above that participated in training opportunities conducted jointly with a NERR

**Issue area: public access**

Performance measures

4. Number of new public access sites added through acquisition or easement using CZM funds
5. Number of existing public access sites enhanced using CZM funds
6. Number of sites where public access was (a) created, (b) protected, or (c) enhanced through CZM regulatory activities

**Categories of data**

- Number of new recreational boating public access sites added through acquisition or easement using CZM funds
- Number of new nonboating public access sites added through acquisition or easement using CZM funds
- Number of existing recreational boating public access sites enhanced using CZM funds
- Number of existing nonboating public access sites enhanced using CZM funds
- Number of new recreational boating public access sites created through CZM regulatory activities
- Number of new nonboating public access sites created through CZM regulatory activities
- Number of recreational boating public access sites protected through CZM regulatory activities
- Number of nonboating public access sites protected through CZM regulatory activities
- Number of recreational boating public access sites enhances through CZM regulatory activities
- Number of nonboating public access sites enhances through CZM regulatory activities

**Issue area: coastal habitat**

Performance measures

7. Number of acres of key coastal habitats (a) created or (b) restored using CZM funds
8. Number of acres of habitat in the coastal zone protected by acquisition or easement using CZM funds
9. Number of acres of key coastal habitats lost or gained due to core CZM regulatory programs

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**Appendix IV: Coastal Zone Management Act  
Performance Measurement System**

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Categories of data

- Number of acres of tidal (or Great Lakes) wetlands created using CZM funds
- Number of acres of tidal (or Great Lakes) wetlands restored using CZM funds
- Number of acres of beach or dune created using CZM funds
- Number of acres of beach or dune restored using CZM funds
- Number of acres of nearshore (intertidal, subtidal, submerged) habitat created using CZM funds
- Number of acres of nearshore (intertidal, subtidal, submerged) habitat restored using CZM funds
- Number of acres of other habitat created using CZM funds
- Number of acres of other habitat restored using CZM funds
- Number of acres of habitat in the coastal zone protected by acquisition or easement using CZM funds
- Number of acres of tidal (or Great Lakes) wetlands lost or gained due to activities subject to core CZM regulatory programs
- Number of acres of beach and dune lost or gained due to activities subject to core CZM regulatory programs
- Number of acres of nearshore (intertidal, subtidal, submerged) habitat lost or gained due to activities subject to core CZM regulatory programs
- Number of acres of other key habitat lost or gained due to activities subject to core CZM regulatory programs

**Issue area: coastal water quality**

Performance measures

10. Percent of marinas in the coastal zone participating in the clean marina designation program
11. Number of volunteer monitoring program activities in coastal watersheds conducted with CZM funds
12. Number of sites monitored by volunteer programs supported with CZM funds
13. Number of coastal communities supported by CZM funds in developing or implementing ordinances, policies, or plans to control or prevent polluted runoff to coastal waters



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**Appendix IV: Coastal Zone Management Act  
Performance Measurement System**

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Categories of data

- Number of marinas in the coastal zone
- Number of marinas in the coastal zone participating in a clean marina designation program
- Number of volunteer monitoring program activities in coastal watersheds conducted with CZM funds
- Number of sites monitored by volunteer monitoring programs conducted with CZM funds
- Number of coastal communities and special units of government such as storm water districts supported by CZM funds in developing or implementing ordinances, policies, or plans to control or prevent polluted runoff to coastal waters
- Number of coastal communities and special units of government such as storm water districts in which CZM funded policies, plans, or projects to control or prevent polluted runoff to coastal waters were implemented during the reporting period

**Issue area: coastal hazards**

Performance measures

14. Number of communities in the coastal zone that have (a) undertaken activities to reduce future damage from hazards and (b) implemented educational programs to raise public awareness of coastal hazards using CZM funds

Categories of data

- Number of communities that undertook activities to reduce future damage from hazards using CZM funds
- Number of communities that implemented educational programs or campaigns to raise public awareness of coastal hazards using CZM funds

**Issue area: coastal dependent uses and community development**

Performance measures

15. Number of coastal communities supported by CZM funds in (a) developing and implementing local plans that incorporate growth management principles and (b) port or waterfront redevelopment projects

Categories of data

- Number of coastal communities supported by CZM funds in developing and implementing local plans that incorporate growth management principles
- Number of coastal communities supported by CZM funds in port or waterfront redevelopment projects

# Appendix V: Comments from the Department of Commerce

Note: GAO comments supplementing those in the report text appear at the end of this appendix.



UNITED STATES DEPARTMENT OF COMMERCE  
The Under Secretary of Commerce  
for Oceans and Atmosphere  
Washington, D.C. 20230

SEP -4

Ms. Anu Mittal  
Director  
Natural Resources and Environment  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, D.C. 20548

Dear Ms. Mittal:

Thank you for the opportunity to review and comment on the Government Accountability Office's draft report entitled *Coastal Zone Management: Measuring Program's Effectiveness Continues to be a Challenge* (GAO-08-1045). On behalf of the Department of Commerce, I enclose the National Oceanic and Atmospheric Administration's comments on the draft report.

Sincerely,

A handwritten signature in black ink, appearing to read "Conrad C. Lautenbacher, Jr.", written in a cursive style.

Conrad C. Lautenbacher, Jr.  
Vice Admiral, U.S. Navy (Ret.)  
Under Secretary of Commerce for  
Oceans and Atmosphere

Enclosure



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THE ADMINISTRATOR



Department of Commerce  
National Oceanic and Atmospheric Administration  
Comments on the Draft GAO Report titled  
“Coastal Zone Management: Measuring Program’s  
Effectiveness Continues to be a Challenge”  
(GAO-08-1045/September 2008)

**General Comments**

The National Oceanic and Atmospheric Administration (NOAA) appreciates the focus on the Coastal Zone Management Program, and is in agreement with many of the report’s recommendations. We note, however, the Government Accountability Office (GAO) limited its review to state coastal programs and not the entirety of the Coastal Zone Management Act (CZMA) programs. The National Estuarine Research Reserves are authorized and implemented via Section 315 of the CZMA and are subject to Section 312 program evaluations, but were not evaluated by GAO for this report. The focus of the GAO findings only relates to evaluation of state coastal programs.

This report will provide another perspective as NOAA moves forward towards reauthorization of the CZMA. Concepts identified by the report in terms of enhanced performance measurement and competitive funding are similar to ideas raised during the CZMA visioning process, and are important topics to consider during reauthorization. While NOAA generally agrees with the assessment and recommendations in GAO’s report, the limitations of the current CZMA, and the intricacies of a congressionally mandated federal-state partnership program, provide significant challenges.

***Comment 1 – Evaluations***

According to GAO, NOAA can establish measurable goals and criteria by which state coastal programs will be evaluated. NOAA believes that we must evaluate coastal programs against the three criteria for evaluations established in the CZMA: (1) the extent to which the state has implemented and enforced the program approved by the Secretary (of Commerce); (2) the extent to which the state has addressed the coastal management needs identified in section 303(2)(A)-(K); and (3) the extent to which the state has adhered to the terms of any grant, loan, or cooperative agreement funded under CZMA. Therefore, NOAA conducts evaluations of coastal management programs as mandated by the three criteria established in the CZMA. NOAA is currently evaluating the CZMA for potential improvements relevant to GAO and other recommendations.

***Comment 2 – State Program Measurable Goals***

The GAO report’s discussion of measurable goals and targets to guide demonstration of national effectiveness has been an important consideration in NOAA’s efforts to develop the CZMA Performance Measurement System. As part of this process, NOAA has worked cooperatively with state programs to identify measurable goals and performance measures relating to the objectives of CZMA. NOAA recognizes the need to develop targets related to goals in the performance measurement system currently under development. However, NOAA feels the

See comment 1.

See comment 2.

appropriate level for setting targets is at the national program level, rather than for each individual state program.

Given the existing statutory framework and the complexity and costs associated with developing state level targets for 34 separate states, NOAA believes it would be impractical to begin developing state level targets. Under the CZMA, states develop coastal management programs and submit them to NOAA for approval. Once approved, NOAA does not have the authority to compel states to meet additional requirements to maintain program approvability. Thus, there would be limited capacity to establish and enforce state level targets. There are also practical constraints with developing individual state targets given the diverse nature of state programs, and the broad, sometimes conflicting goals, enumerated in the CZMA.

***Comment 3 – Data Reliability***

The GAO report raises a critical need for data accuracy, reliability, and consistency. NOAA is addressing this need using a phased approach to develop a performance measurement system. NOAA and the states have used an iterative process to refine or eliminate measures that had low reliability, problems with consistency across states, or that had low accuracy due to reliance on external sources. For example, the majority of the current performance measures rely primarily on data from activities directly funded or conducted by state programs.

The phased implementation approach was also used to work out consistency issues that would be revealed through national implementation. For example, NOAA has refined and finalized performance measure terms based on needs identified by each implementation phase. The full range of consistency issues could only be identified once each program began reporting and are being addressed at the end of each phase through improved guidance and streamlining of measures to eliminate measures with high levels of inconsistency that cannot be resolved.

In addition, state programs have used the phased implementation period to establish new data tracking and collection systems necessary to accurately report on performance measures. State programs have invested significant resources to meet new requirements of the performance measurement system; however, establishing data tracking systems requires significant time and effort. States will continue to improve these reporting systems as the performance measurement system matures.

***Comment 4 – Process Measures***

The GAO report's discussion of the need to assess state programs' effectiveness in meeting the CZMA goal for improved and expedited decision making regarding coastal resources identifies an important aspect of the national program and its success. However, the report does not recognize the performance measure related to federal consistency meets their recommendation for assessing effectiveness for improved decision making. Federal consistency is one of the primary processes states use to improve and expedite decision making for coastal resources. The federal consistency measure focuses on the "*Percent of federal consistency projects submitted where the project was modified due to consultation with the applicant to meet State CZM policies.*" Federal consistency is an important mechanism to achieve the goal of improved and expedited decision making that involves state review of federal activities affecting the uses or resources of the coastal zone in coordination with state coastal zone management policies. This

See comment 3.

See comment 4.

consultation process is one of the primary ways states improve and expedite decision making for coastal resources.

***Comment 5 – “Measurable Goals” and “Targets”***

The GAO report’s discussion of integrating performance measurement data with evaluation information supports NOAA’s intention to provide both quantitative and qualitative data to demonstrate the effectiveness of the national program. However, the report is somewhat inconsistent in its use of the terms ‘measurable goals’ and ‘targets.’

NOAA uses the definitions suggested by the Office of Management and Budget (OMB) in the Program Assessment Rating Tool (PART) guidance. The term measurable goals as used by GAO in this report, best relates to the PART term “performance goals.” OMB defines performance goals as measurable objectives against which achievement can be compared. The term “target” is defined as a quantifiable or otherwise measurable characteristic that tells how well a program must accomplish a performance measure.

NOAA developed performance or measurable goals in conjunction with a programmatic strategic plan. These goals are one of the considerations used when evaluating state program accomplishments in implementing their approved program. However, targets specific to individual programs have not been developed and changes to the CZMA would be required to use such targets as criteria for evaluation. As discussed earlier, the appropriate level for setting targets is at the national program level, rather than for each individual state program.

See comment 5.

**NOAA Response to GAO Recommendations**

**Recommendation 1:** “We recommend that the Administrator of NOAA review and revise as needed its regulations and grant practices for the coastal zone management and enhancement programs to ensure they are in alignment.”

**NOAA Response:** NOAA agrees with this recommendation. NOAA believes it is in compliance with the existing regulations, but recognizes it is useful to periodically review and revise regulations and internal procedures. The report raises a specific concern regarding the process for allocating base coastal management funding. The regulations 15 C.F.R. 923.110(c)(1)-(2), require each state receive both a minimum share and a proportional amount of the funding, which is what currently happens. The other issue raised by the report is the Section 309 enhancement grants program. While the program has evolved since its inception in 1990, NOAA continues to meet regulatory requirements to review state enhancement strategies based on the criteria defined in the regulations, and provides each state with a weighting factor based on this review.

See comments 1 & 2.

**Recommendation 2:** “To strengthen NOAA’s periodic evaluations of state coastal management programs, we recommend that NOAA take the following action: establish measurable goals for the program so that evaluators have criteria for evaluating state coastal programs.”

**NOAA Response:** NOAA generally agrees with this recommendation, and is already establishing measurable goals for the national coastal zone management program. Because state

programs are given flexibility to design their programs to best fit their coastal needs, they have variation in organizational structure, the issues they choose to address, and how they address those issues. NOAA is researching ways to integrate the state program evaluations and the national performance measurement system, but NOAA believes it requires changes to the CZMA in order to fully accomplish this. NOAA is also working with its state partners to develop national program targets. Given the existing statutory requirements, and the complexity and costs associated with developing state level targets for 34 separate states, NOAA believes that it would be premature to begin developing state level targets. Once the national level program targets are established, it may be appropriate to consider whether additional targets at the state level are desirable.

**Recommendation 3:** “To strengthen NOAA’s periodic evaluations of state coastal management programs, we recommend that NOAA take the following action: ensure that evaluations are independent by revising the role of state coastal management officials in the review process.”

**NOAA Response:** NOAA generally agrees with this recommendation and will consider process improvements to further enhance independent data collection methods. The responsibility for evaluations rests with a division separate from the division working closely with coastal programs and awarding funding. The evaluation team also includes a manager or senior staff member from another state coastal program to provide additional external and independent perspective. Because of the nature of the federal-state partnership established by Congress for the national coastal zone management program, NOAA needs some assistance from state coastal management officials to identify key partners for program implementation, provide general background information and to coordinate site visit logistics. A public meeting is held to seek independent input from citizens, and written comments sent to NOAA are encouraged and accepted from anyone. Anyone, including someone with whom the evaluation team met during the site visit, is welcome to contact the evaluation team leader after the visit to provide additional information or ask questions. Historically, evaluation teams have met with state partners, agency representatives, and other groups both with and without state coastal program officials present.

**Recommendation 4:** “To enhance NOAA’s ability to evaluate the overall progress of the National Coastal Zone Management Program, we recommend that NOAA take the following action: create targets for performance measures already developed that can be used to assess the effectiveness of the national program.”

**NOAA Response:** NOAA agrees with the recommendation to create and improve national level targets for performance measures to assess the effectiveness of the national program.

**Recommendation 5:** “To enhance NOAA’s ability to evaluate the overall progress of the National Coastal Zone Management Program, we recommend that NOAA take the following action: develop appropriate internal controls for verifying that the data received for the performance measurement system are reliable and consistent across participating states.”

**NOAA Response:** NOAA agrees with the recommendation to develop appropriate internal controls for verifying performance measurement data reported by states. NOAA has established an interim process for reviewing performance measurement data reported by states during the

See comment 3.

phased implementation approach. However, once phased implementation is completed, NOAA recognizes the need to formally establish appropriate review processes to verify state reported data.

**Recommendation 6:** “To enhance NOAA’s ability to evaluate the overall progress of the National Coastal Zone Management Program, we recommend that NOAA take the following action: develop measures to assess state programs’ effectiveness in improving processes.”

**NOAA Response:** NOAA does not support the recommendation to develop additional performance measures for decision-making processes. NOAA’s goal is a streamlined performance measurement system that focuses on outcomes. In addition, the use of process rather than outcome measures does not support the requirements from OMB related to their evaluation of the national program under the PART. After considering several process measures, NOAA chose to include one measure related to the federal consistency process to demonstrate national program effectiveness in improving decision making. NOAA believes additional process measures would increase implementation costs and diminish the focus on program outcomes.

**Recommendation 7:** “To strengthen NOAA’s ability to determine the effectiveness of the National Coastal Zone Management Program, we further recommend that NOAA develop an approach to integrate the qualitative data from its periodic state evaluations with the quantitative data in its performance measurement system.”

**NOAA Response:** NOAA supports the recommendation to integrate qualitative data from state evaluations with quantitative performance measurement system data to demonstrate the effectiveness of the National Coastal Zone Management Program.

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The following are GAO's comments on NOAA's letter, dated September 4, 2008.

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## GAO Comments

1. As we recognize in our report, NOAA's periodic evaluations are to determine the extent to which a state has implemented and enforced its approved program, addressed the coastal management needs identified in the CZMA, and adhered to the terms of federal grant awards. We believe that establishing performance goals at the state level would enhance NOAA's evaluation process because such goals would enable the agency and the states to determine if the state has met or exceeded expected progress and also help better identify needed actions.
2. As long as NOAA intends to use its periodic evaluations of state programs as part of its efforts to determine the effectiveness of the national program, it is important to be able to clearly measure the accomplishments of the state coastal programs. To this, we continue to believe that it is important to establish state level goals and targets although we recognize that NOAA, under the current CZMA, does not have the authority to compel states to meet such targets.
3. We disagree that the federal consistency measure adequately captures states' effectiveness in coordinating and simplifying procedures in order to expedite governmental decision making. As we note in our report, some states have already developed appropriate performance measures and are collecting these data for their states' performance measurement systems. We understand NOAA's concern that adding additional measures to a system that is already collecting data for 88 categories of data could increase costs. However, we believe that NOAA could ease the expense and burden by working collaboratively with those states that have already developed and implemented such measures. Moreover, because NOAA is currently phasing in the performance management system and is continuing to make changes to the system, we believe that this is an ideal time to ensure that the agency's performance measurement system contains measures that address all of the goals outlined in the CZMA.
4. We revised our report as appropriate.
5. As stated in our report, we do not believe that NOAA is in compliance with the existing regulations for awarding coastal zone management and enhancement grants but are encouraged that the agency has



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agreed to review its regulations and practices and bring them into alignment.

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# Appendix VI: GAO Contact and Staff Acknowledgments

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## GAO Contact

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## Staff Acknowledgments

In addition to the contact named above, Sherry McDonald, Assistant Director; Leigh White and Jay Spaan made key contributions to this report. Also contributing to this report were Elizabeth Beardsley, Ellen W. Chu, and Anne Rhodes-Kline.

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