

Coastal Zone Management Act of 1972 (as amended)

U.S. Department of Housing and Urban Development
Guidelines For Compliance

June 2009



Guidance Purpose

To Instruct Appraisers, Mortgage Insurance Professionals, and Responsible Entities on the Restrictions, Prohibitions, and Importance of Compliance with the Coastal Zone Management Act

(Public Law 92-583, 16 U.S.C. 1451-1456)



Training Objectives

- At the conclusion of this training, you will:
 - Understand the goal of the Coastal Zone Management Act (CZMA);
 - Know which states have coastal zone management plans;
 - Know the restrictions to Federal assistance and programs;
 - Know where to go for additional information; and
 - Know how to apply the act

What is a Coastal Zone?

The coastal zone includes:

- coastal salt waters and adjacent shorelands,
- intertidal areas,
- barriers and other islands,
- estuaries, and
- land whose use would have a significant impact on coastal waters.



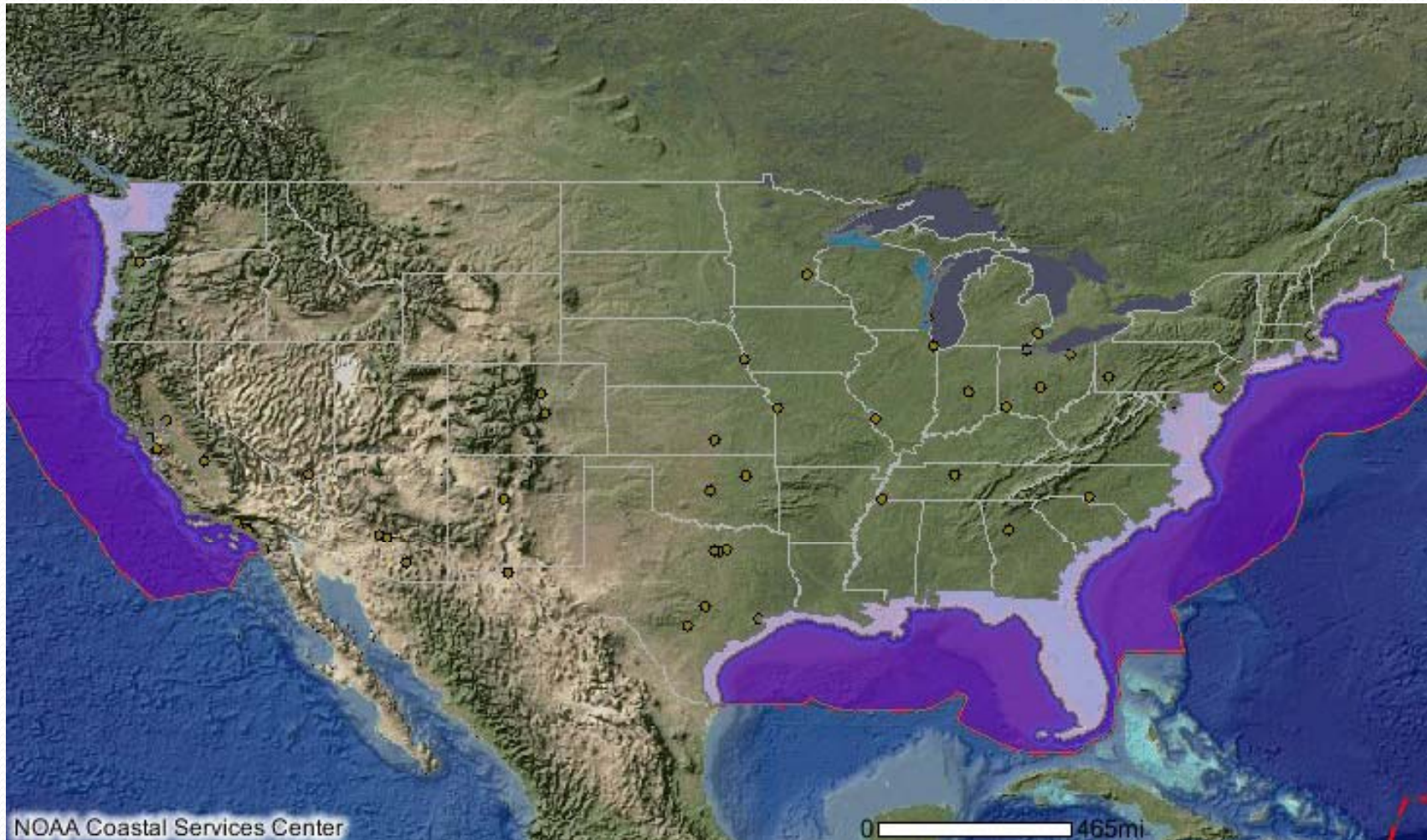


Why is Development in a Coastal Zone a Problem?

Public Safety and Ecological Determinants including:

- Habitat loss
- Air and Water Pollution
- Hurricanes and severe storms
- Erosion and Land Subsidence
- Flood Hazards
- Hampered Navigation
- Loss of public access to coastal areas
- Interference with Natural Processes, and
- Increases in Damage to Coastal Areas

United States Coastal Zones





Coastal Zone Management Mission

To ensure the conservation and responsible use of our
nation's coastal and ocean resources

-National Oceanic and Atmospheric Administration



Coastal Zone Management Act Purpose

The CZMA aims to help preserve, protect, develop, and restore the Nation's coastal zone by implementing programs that manage both environmental conservation and economic development

-Coastal Zone Management Act



Coastal Zone Management Act Requirements

State Level (Section 306) management programs must include:

- Identification of the coastal zone boundaries
- Definition of permissible land and water uses within the coastal zone
- Inventory and designation of areas of concern within the coastal zone
- List of relevant State constitutional provisions, laws, regulations, and judicial decisions
- Guidelines on priorities of uses in particular areas
- Description of the organizational structure proposed to implement the management program
- Definition of the term “beach” and a planning process for the protection of, and access to, public beaches
- Planning process for energy facilities likely to be located in or significantly affect the coastal zone, and
- A planning process for assessing the effects of, and evaluating the ways to control, or lessen the impact of, shoreline erosion



Coastal Zone Management Act Requirements

Federal Level (section 307)

- All Federal actions which directly affect a coastal zone must be consistent with approved State Coastal Zone Management Plans
- The Federal agency must provide a consistency determination to the relevant State agency as early as possible, but no later than 90 days before final approval of the Federal activity



Four types of Federal Actions under the CZMA

- **Federal agency activities** – an activity proposed to be conducted by, or on behalf of, a federal agency (15 C.F.R. part 930, subpart C);
- **Federal license or permit activities** – an activity proposed by a non-federal entity applying for a required federal authorization (15 C.F.R. part 930, subpart D);
- **Outer Continental Shelf (OCS) Oil and Gas Plans** – a plan for the exploration or development and production of oil or gas in federal waters under the Outer Continental Shelf Lands Act (OCSLA) (15 C.F.R. part 930, subpart E); and
- **Federal financial assistance activities** – an application by a state agency or local government for federal financial assistance (15 C.F.R. part 930, subpart F).



CZMA and HUD

All HUD projects subject to “Related Federal laws and authorities” (24CFR50.4 or 24CFR58.5) must comply with the Coastal Zone Management Act of 1972 as amended



Does the Coastal Zone Management Act Affect You?

- If your project can affect a coastal zone, is in an area protected by a State Coastal Zone Management Program, and involves:
 - New Construction,
 - Conversion of land use,
 - Major rehabilitation of existing structures or,
 - Acquisition of undeveloped land

YES

Which States Have Coastal Zone Management Programs?

If your project is in one of the following states or territories, consult the local State Coastal Management Program Office



Illinois is currently in the process of having their Coastal Zone Management Program Approved



How Can You Know if Your Proposed Action is in a Coastal Zone?

**Call the local State Coastal Management
Program Office**

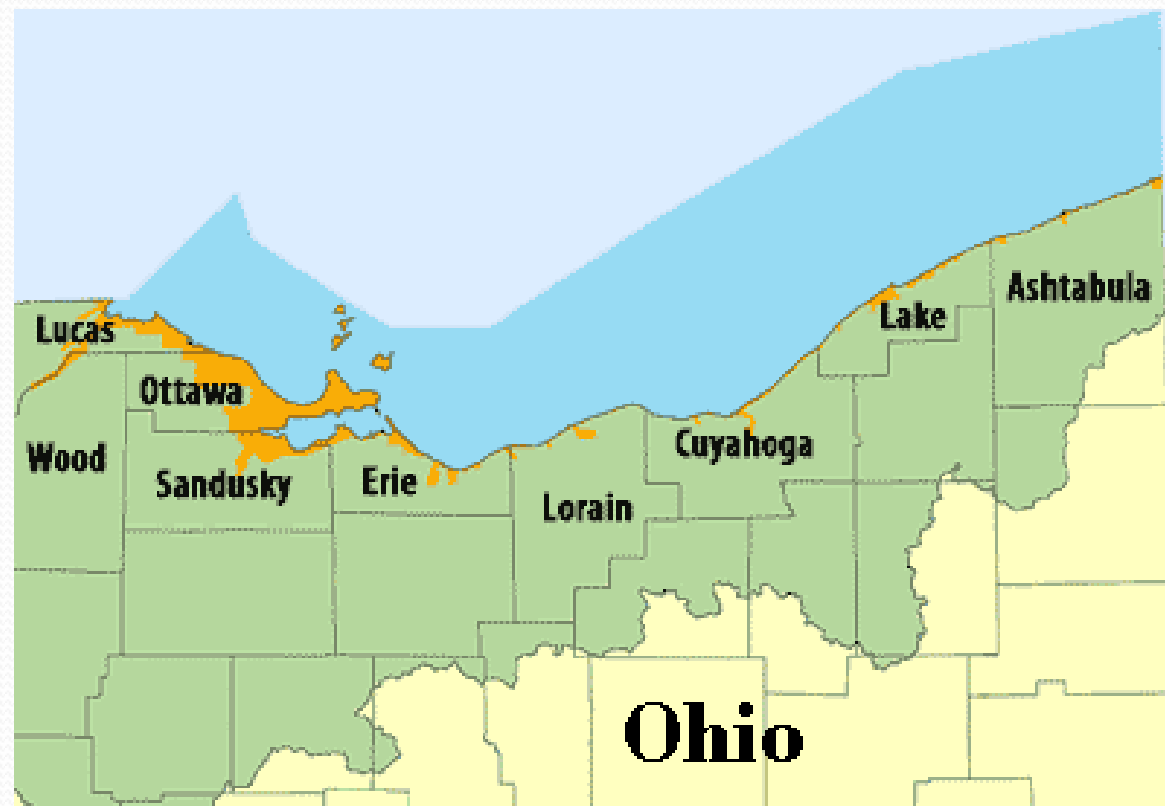
<http://coastalmanagement.noaa.gov/mystate/welcome.html>

Or

**Find the coastal zone boundaries for your
State Management Program**

<http://coastalmanagement.noaa.gov/mystate/docs/StateCZBoundaries.pdf>

What do the maps look like?





Where Can You Get More Information on the Coastal Zone Management Act?

Check the National Oceanic and Atmospheric
Administration (NOAA) Ocean and Coastal Resource
Management Website at:

<http://coastalmanagement.noaa.gov>



For Assistance Contact:

HUD Field Environmental Staff:

<http://www.hud.gov/offices/cpd/environment/contact/localcontacts/>

Mapping:

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GIS Integration & Development Program Manager

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