

Coastal Zone Management Act Frequently Asked Questions

What is the Coastal Zone Management Act?

The Coastal Zone Management Act (CZMA) of 1972 is a federal law that provides for the management of the nation's coastal resources, specifically to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone."

Administered by the federal National Oceanic and Atmospheric Administration (NOAA), the CZMA establishes a voluntary partnership between the federal government and coastal states through the establishment of federally approved, state-developed coastal management programs.

This landmark state and federal partnership was based on the idea that coastal states have unique knowledge and on-the-ground expertise about how best to manage shared coastal resources of national significance. As a result, it gives states meaningful oversight of federal projects as well as federally permitted or licensed projects that can impact the coast.

Prior to enactment of the CZMA, the federal government generally had sole discretion over approval of projects such as dredging and the creation of jetties and breakwaters by the U.S. Army Corps of Engineers, underwater projects involving high-energy sounds or explosive blasts, and offshore oil and gas drilling or leasing.

What has the CZMA accomplished in California?

Since the late 1970s, hundreds of federal projects in California have undergone state review under the CZMA to identify and address impacts to coastal resources. This process has a long track record of success — protecting and promoting California's \$51 billion ocean-based economy.

Key decisions made by California within its CZMA authority include protection of the internationally recognized Trestles surf break, a competition site for the upcoming 2028 Olympics; replenishment of public beaches with millions of tons of sand dredged by the U.S. Army Corp of Engineers; the repurposing of former military bases for development, public access and habitat protection; restoration of tens of thousands of acres of salt marsh and other habitat; protection of endangered ocean life including whales and sea turtles; and holding polluters accountable, such as in the wake of offshore oil spills.

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How does CZMA review work in California?

Under the CZMA, coastal states develop Coastal Zone Management Programs that provide the framework for permitting and planning along the coast and offshore. This system gives states flexibility to design programs unique to their coastal needs and laws. Thirty-four coastal states currently have such management programs approved by NOAA— most of which have been in place for almost 50 years.

The California Coastal Management Program (CCMP), which was approved by NOAA in 1978, is based on state laws, including the California Coastal Act, the McAteer-Petris Act, the Suisun Marsh Preservation Act, and the State Coastal Conservancy Act.

The California Coastal Commission and the San Francisco Bay Conservation and Development Commission (BCDC), which oversees activities in the San Francisco Bay, implement California's CCMP with NOAA oversight. The State Coastal Conservancy also plays a key role in achieving the state's coastal management goals by facilitating the conservation, restoration, protection and provision of public access to coastal resources.

In practice, the Coastal Commission and BCDC each review federal actions within their respective segments of the coastal zone. If those actions have reasonably foreseeable effects on coastal resources, the activities must be carried out in a manner that is consistent with the CCMP.

Federal actions include activities undertaken directly by the federal government as well as activities undertaken by third-party entities that require a license, permit or financial assistance from the federal government. The review process used for activities directly carried out by the federal government is called a "consistency determination." This includes, for example, federal leasing of offshore waters for oil and gas extraction. For activities that require a permit, license, or financial support from the federal government, the process is called a "consistency certification." This includes, for example, proposals by oil companies to install and operate wells offshore.

How does the CZMA benefit the public?

In addition to providing an opportunity for enforceable state policies to be applied to federal government activities, and for local knowledge to improve federal decision-making, the CZMA also allows states to receive federal funding and serves as an important conduit for public and tribal transparency and engagement for federal actions affecting the coastal zone.

In many cases, members of the public only learn about and are able to comment on the impacts of federal projects as well as federally permitted or licensed projects because of the state review process under the CZMA. Examples include military training and testing activities, closures of public beaches and coastal campgrounds, and leasing of offshore waters for energy development.

Federal projects are often modified through the CZMA process to mitigate negative project impacts to coastal resources. Examples include the adoption of oil spill prevention and response plans for offshore drilling, the protection of working waterfronts and commercial and recreational fishing opportunities, restoration of critical coastal habitats such as wetlands, and restrictions on the discharge of sewage into coastal waters.

The CZMA provides the federal government with discretion to proceed with its own projects despite an objection from a coastal state, but the federal agency must still demonstrate that its activity complies with the applicable CCMP. In such circumstances, review processes such as California's provide a transparent public process to voice concerns, disclose impacts, and pursue opportunities for resolution of disagreements.

If a third-party activity requires a consistency certification because it needs a federal permit, license, or financial support, the relevant federal agency cannot issue the applicable permit or fund that activity if a state finds that the activity is not consistent with the state's CCMP.

A state agency's decision, however, may be appealed to the Secretary of Commerce (NOAA is within the Department of Commerce), who may override the agency objection if the activity is deemed to be necessary for national security or has benefits to the national interest that outweigh its adverse impacts and no reasonable alternative is available. Such appeals are rare, and even if agency decisions are overturned, the state's concerns and potential alternatives to the federal activities in question are still considered in public hearings. These hearings provide an opportunity for members of the public to not only learn about such projects but also to provide input directly to state and federal decision makers.