

Section-By-Section Descriptions

Of the Coastal Zone Management Act

[\(16 U.S.C. §§ 1451 to 1466\)](#)

Introduction

The Coastal Zone Management Act, or CZMA, was passed in 1972 to comprehensively manage uses and resources of the nation’s coastal zone. The act creates a state–federal partnership, where coastal states (seaboard states, including Great Lakes states, and U.S. territories and commonwealths) may elect to develop comprehensive coastal management programs that meet federal standards.

The CZMA includes a number of sections relevant to the development, implementation, and funding of these federally approved coastal management programs. You may hear colleagues refer to the Coastal Zone Management Act and specific sections. The following descriptions provide a basic understanding of what each CZMA section addresses. For a short list of commonly referred-to sections, see [Eight "Good to Know" Sections of the Coastal Zone Management Act](#).

Section 302 – Congressional Findings

This section describes the national interest in coastal management, the need for coastal management, the competing uses of the coastal zone, and the natural resources and human development at risk from natural and human-made hazards.

Section 303 – Congressional Declaration of Policy

This section describes the national policy to protect, preserve, develop, and where possible restore or enhance the resources of the coastal zone for this and succeeding generations.

Section 304 – Definitions

This section defines important terms used in the CZMA: “coastal zone,” “coastal resource of national significance,” “coastal waters,” “coastal state,” “coastal energy activity,” “energy facilities,” “enforceable policy,” etc.

Section 305 – Management Program Development Grants

This section provides funding authorization for states that are developing coastal management programs and requires developed programs to be submitted for federal approval.

Section 306 – Administrative Grants

Section 306 contains the requirements for coastal management program approval. A state coastal management program must describe the coastal zone boundary, permissible land and water uses, areas of particular concern, the means that the state will use to exert control over the land and water uses, the program’s organizational structure, a planning process for public access, a planning process for energy facilities, and a planning process for assessing the effects of shoreline erosion. Section 306 also contains public participation requirements and requirements for considering the views of federal agencies, as well as allows a state to amend its coastal management program.

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The section provides for annual implementation grants to states. Funds are allocated by a formula that is based on shoreline mileage and the population of the coastal area.

Section 306A – Coastal Resource Improvement Program

This section allows states to purchase ecologically sensitive areas and areas needed for recreation, construct low-cost public access facilities, revitalize deteriorating urban waterfronts, restore shellfish beds, and complete other related projects. All acquisition and construction projects are subject to section 306A requirements.

Section 307 – Coordination and Cooperation (or “Federal Consistency”)

This section requires federal agencies; non-federal entities applying for required federal permits, licenses, and other approvals; and state and local government applicants for federal financial assistance to conduct their activities in a manner consistent with the enforceable policies of state coastal management programs. The federal activities and the state coastal uses or resources affected can be within and outside the state’s coastal zone.

Section 307a – Coastal and Estuarine Land Conservation Program

This section establishes the Coastal and Estuarine Lands Conservation Program (CELCP). CELCP provides matching funds to state and local governments to purchase threatened coastal and estuarine lands or obtain conservation easements.

Section 308 – Coastal Zone Management Fund

This section creates a fund, based in part on loan repayments from previous Coastal Energy Impact Loans, to be used for a variety of purposes: demonstration projects, emergency grants to coastal states, workshops, development grants under section 305, etc.

Section 309 – Coastal Zone Enhancement Grants

This section provides funds to coastal states to make improvements in their coastal management programs in the areas of wetlands, coastal hazards, public access, marine debris, cumulative and secondary impacts, special area management plans, ocean management, energy facility siting, and aquaculture.

Section 310 – Technical Assistance

This section enables the secretary of commerce to provide technical assistance and management-oriented research in support of the national and state programs.

Section 311 – Public Hearings

This section contains requirements for the conduct of any public hearing.

Section 312 – Review of Performance

This section requires the secretary of commerce to conduct a continuing review of state coastal management programs to ensure that states are adhering to their federally approved coastal management programs. The secretary may withdraw funds and federal approval if a state is in noncompliance.

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Section 313 – Records and Audit

This section contains financial record requirements for CZMA grant recipients.

Section 314 – Walter B. Jones Excellence in Coastal Zone Management Awards

This section provides for annual awards to citizens, local governments, graduate students, and others for excellence in coastal management.

Section 315 – National Estuarine Research Reserve System

This section provides for the designation of estuarine research reserves in states to enhance public awareness and understanding of estuarine areas, provide opportunities for public education, and encourage research to support the protection of these areas and a state's coastal management program.

Section 316 – Coastal Zone Management Reports

This section requires the secretary to report to Congress on the implementation of the CZMA on a biennial basis. (Note: This is no longer required under Section 3003 of the Federal Reports Elimination and Sunset Act of 1995).

Section 317 – Rules and Regulations

This section requires the secretary of commerce to promulgate CZMA rules.

Section 318 – Authorization of Appropriations

This section authorizes funds to implement the CZMA.

Section 319 – Appeals to the Secretary

This section describes time frames for the secretary's review of appeals under the federal consistency provision, section 307.

Appeals of Energy Projects describes additional appeal procedures for appeals of energy projects (added by the Energy Policy Act of 2005).

Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) (Pub. L. No. 101-508) – the Coastal Nonpoint Pollution Control Program

This section, codified separately from the CZMA, requires states to develop programs and identify best practices to manage the effects of nonpoint pollution on coastal waters. This work is done in collaboration with state water quality, public health, agricultural, forestry, and other agencies and offices that have responsibility for managing activities that can contribute to nonpoint sources of pollution.

