

Calendar No. 721

92<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

S. 3507

[Report No. 92-753]

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IN THE SENATE OF THE UNITED STATES

APRIL 19, 1972

Mr. HOLLINGS, from the Committee on Commerce, reported the following bill;  
which was read twice and ordered to be placed on the calendar

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**A BILL**

To establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Act entitled "An Act to provide for a comprehen-  
4       sive, long range, and coordinated national program in ma-  
5       rine science, to establish a National Council on Marine Re-  
6       sources and Engineering Development, and a Commission  
7       on Marine Science, Engineering, and Resources, and for  
8       other purposes", approved June 17, 1966 (80 Stat. 203),

1 as amended (33 U.S.C. 1101-1124), is further amended by  
2 adding at the end thereof the following new title:

3 "TITLE III—MANAGEMENT OF THE COASTAL  
4 ZONE

5 "SHORT TITLE

6 "SEC. 301. This title may be cited as the 'National  
7 Coastal Zone Management Act of 1972'.

8 "CONGRESSIONAL FINDINGS

9 "SEC. 302. The Congress finds that—

10 "(a) There is a national interest in the effective man-  
11 agement, beneficial use, protection, and development of the  
12 coastal zone;

13 "(b) The coastal zone is rich in a variety of natural,  
14 commercial, recreational, industrial, and esthetic resources  
15 of immediate and potential value to the present and future  
16 well-being of the Nation;

17 "(c) The increasing and competing demands upon the  
18 lands and waters of our coastal zone occasioned by pop-  
19 ulation growth and economic development, including re-  
20 quirements for industry, commerce, residential develop-  
21 ment, recreation, extraction of mineral resources and fossil  
22 fuels, transportation and navigation, waste disposal, and  
23 harvesting of fish, shellfish, and other living marine resources,  
24 have resulted in the loss of living marine resources, wildlife,  
25 nutrient-rich areas, permanent and adverse changes to eco-

1 logical systems, decreasing open space for public use, and  
2 shoreline erosion;

3 “(d) The coastal zone, and the fish, shellfish, other  
4 living marine resources, and wildlife therein, are ecologically  
5 fragile and consequently extremely vulnerable to destruction  
6 by man’s alterations;

7 “(e) Important ecological, cultural, historic, and esthetic  
8 values in the coastal zone which are essential to the well-  
9 being of all citizens are being irretrievably damaged or lost;

10 “(f) Special natural and scenic characteristics are being  
11 damaged by ill-planned development that threatens these  
12 values;

13 “(g) In light of competing demands and the urgent  
14 need to protect and to give high priority to natural systems  
15 in our coastal zone, present coastal State and local institu-  
16 tional arrangements for planning and regulating land and  
17 water uses in such areas are inadequate; and

18 “(h) The key to more effective use of the land and  
19 water resources of the coastal zone is to encourage the  
20 coastal states to exercise their full authority over the lands  
21 and waters in the coastal zone by assisting the coastal States,  
22 in cooperation with Federal and local governments and other  
23 vitally affected interests, in developing land and water use  
24 programs for the coastal zone, including unified policies, cri-

1 teria, standards, methods, and processes for dealing with  
2 land and water use decisions of more than local significance.

3 "DECLARATION OF POLICY

4 "SEC. 303. The Congress finds and declares that it is the  
5 national policy:

6 "(a) To preserve, protect, develop, and where possible  
7 to restore, the resources of the Nation's coastal zone for this  
8 and succeeding generations; (b) To encourage and assist  
9 the States to exercise effectively their responsibilities in the  
10 coastal zone through the preparation and implementation of  
11 management programs to achieve wise use of the land and  
12 water resources of the coastal zone giving full consideration to  
13 ecological, cultural, historic, and esthetic values as well as to  
14 needs for economic development. (c) For all Federal agen-  
15 cies engaged in programs affecting the coastal zone to coop-  
16 erate and participate with State and local governments and  
17 regional agencies in effectuating the purposes of this Act.  
18 And, (d) To encourage the participation of the public, of  
19 Federal, coastal State, and local governments and of regional  
20 agencies in the development of coastal zone management pro-  
21 grams. With respect to implementation of such management  
22 programs, it is the national policy to encourage cooperation  
23 among the various coastal State and regional agencies includ-  
24 ing establishment of interstate and regional agreements, co-

1 operative procedures, and joint action, particularly regarding  
2 environmental problems.

3 "DEFINITIONS

4 "SEC. 304. For the purposes of this title—

5 " (a) 'Coastal zone' means the coastal waters (includ-  
6 ing the lands therein and thereunder) and the adjacent  
7 shorelands (including the waters therein and thereunder),  
8 strongly influenced by each other and in proximity to the  
9 shorelines of the several coastal States, and includes transi-  
10 tional and intertidal areas, salt marshes, wetlands, and  
11 beaches. The zone terminates, in Great Lakes waters, at the  
12 international boundary between the United States and  
13 Canada and, in other areas, extends seaward to the outer  
14 limit of the United States territorial sea. The zone extends  
15 inland from the shorelines only to the extent necessary to  
16 control shorelands, the uses of which have a direct and  
17 significant impact on the coastal waters. Excluded from the  
18 coastal zone are lands the use of which is by law subject solely  
19 to the discretion of or which is held in trust by the Federal  
20 Government, its officers or agents.

21 " (b) 'Coastal waters' means (1) in the Great Lakes  
22 area, the waters within the territorial jurisdiction of the  
23 United States consisting of the Great Lakes, their connecting  
24 waters, harbors, roadsteads, and estuary-type areas such as

1 bays, shallows, and marshes and (2) in other areas, those  
2 waters, adjacent to the shorelines, which contain a measur-  
3 able tidal influence, including, but not limited to, sounds,  
4 bays, lagoons, bayous, pounds, and estuaries.

5 “(c) ‘Coastal State’ means a State of the United States  
6 in, or bordering on, the Atlantic, Pacific, or Arctic Ocean,  
7 the Gulf of Mexico, Long Island Sound, or one or more of  
8 the Great Lakes. For the purposes of this title, the term  
9 includes Puerto Rico, the Virgin Islands, Guam, and Amer-  
10 ican Samoa.

11 “(d) ‘Estuary’ means that part of a river or stream or  
12 other body of water having unimpaired connection with the  
13 open sea, where the sea water is measurably diluted with  
14 fresh water derived from land drainage. The term includes  
15 estuary-type areas of the Great Lakes.

16 “(e) ‘Estuarine sanctuary’ means a research area which  
17 may include any part or all of an estuary, adjoining transi-  
18 tional areas, and adjacent uplands, constituting to the extent  
19 feasible a natural unit, set aside to provide scientists and  
20 students the opportunity to examine over a period of time the  
21 ecological relationships within the area.

22 “(f) ‘Secretary’ means the Secretary of Commerce.

23 “(g) ‘Management program’ means a comprehensive  
24 statement in words, maps, illustrations, or other media of  
25 communication, prepared and adopted by the coastal State in

1 accordance with the provisions of this title, setting forth objec-  
2 tives, policies, and standards to guide public and private uses  
3 of lands and waters in the coastal zone so as to minimize  
4 direct, significant, and adverse impact on the coastal waters,  
5 and governmental structure capable of implementing such a  
6 program.

7 "MANAGEMENT PROGRAM DEVELOPMENT GRANTS

8 "SEC. 305. (a) The Secretary is authorized to make  
9 annual grants to any coastal State for the purpose of assisting  
10 in the development of a management program for the land  
11 and water resources of its coastal zone.

12 "(b) Such management program shall include:

13 "(1) an identification of the boundaries of the  
14 coastal zone of the portions of the coastal State subject  
15 to the management program;

16 "(2) a definition of what shall constitute per-  
17 missible land and water uses within the coastal zone  
18 so as to prevent such uses which have a direct, sig-  
19 nificant, and adverse impact on the coastal waters;

20 "(3) an inventory and designation of areas of  
21 particular concern within the coastal zone;

22 "(4) an identification of the means by which the  
23 coastal State proposes to exert control over land and  
24 water uses, within the coastal zone so as to prevent such  
25 uses which have a direct, significant, and adverse im-

1 pact on the coastal waters: including a listing of rele-  
2 vant constitutional provisions, legislative enactments,  
3 regulations, and judicial decisions;

4 “(5) broad guidelines on priority of uses in partic-  
5 ular areas, including specifically those uses of lowest  
6 priority;

7 “(6) a description of the organizational structure  
8 proposed to implement the management program, in-  
9 cluding the responsibilities and interrelationships of area-  
10 wide, coastal State, and regional agencies in the manage-  
11 ment process.

12 “(c) The grants shall not exceed  $66\frac{2}{3}$  per centum of the  
13 costs of the program in any one year and no State shall be  
14 eligible to receive more than three annual grants pursuant to  
15 this section. Federal funds received from other sources shall  
16 not be used to match such grants. In order to qualify for  
17 grants under this section, the coastal State must reasonably  
18 demonstrate to the satisfaction of the Secretary that such  
19 grants will be used to develop a management program con-  
20 sistent with the requirements set forth in section 306 of this  
21 title. After making the initial annual grant to a coastal State,  
22 no subsequent grant shall be made under this section unless  
23 the Secretary finds that the coastal State is satisfactorily  
24 developing such management program.

25 “(d) Upon completion of the development of the State’s

1 management program, the coastal State shall submit such  
2 program to the Secretary for review, approval pursuant to  
3 the provisions of section 306 of this title, or such other action  
4 as he deems necessary. On final approval of such planned  
5 program by the Secretary, the coastal State's eligibility for  
6 further grants under this section shall terminate, and the  
7 coastal State shall be eligible for grants under section 306 of  
8 this title.

9       “(c) Grants under this section shall be allotted to the  
10 coastal States based on rules and regulations promulgated by  
11 the Secretary: *Provided, however,* That no management  
12 program development grant under this section shall be made  
13 in excess of 10 per centum nor less than 1 per centum of  
14 the total amount appropriated to carry out the purposes of  
15 this section.

16       “(f) Grants or portions thereof not obligated by a  
17 coastal State during the fiscal year for which they were first  
18 authorized to be obligated by the coastal State, or during  
19 the fiscal year immediately following, shall revert to the  
20 Secretary, and shall be added by him to the funds available  
21 for grants under this section.

22       “(g) With the approval of the Secretary the coastal  
23 State may allocate to a local government, to an areawide  
24 agency designated under section 204 of the Demonstration

1 Cities and Metropolitan Development Act of 1966 or to an  
2 interstate agency a portion of the grant under this section  
3 for the purpose of carrying out the provisions of this section.

4 “(h) The authority to make grants under this section  
5 shall expire five years from the date of enactment of this  
6 title.

7 “ADMINISTRATIVE GRANTS

8 “SEC. 306. (a) The Secretary is authorized to make an-  
9 nual grants to any coastal State for not more than  $66\frac{2}{3}$  per  
10 centum of the costs of administering the coastal State’s man-  
11 agement program, if he approves such program in accord-  
12 ance with subsection (c) hereof. Federal funds received  
13 from other sources shall not be used to pay the coastal  
14 State’s share of costs.

15 “(b) Such grants shall be allotted to the coastal States  
16 with approved programs based on rules and regulations  
17 promulgated by the Secretary which shall take into account  
18 the extent and nature of the shoreline and area covered by  
19 the plan, population of the area, and other relevant factors:  
20 *Provided, however,* That no annual administrative grant  
21 under this section shall be made in excess of 10 per centum,  
22 nor less than 1 per centum of the total amount appropriated  
23 to carry out the purposes of this section.

24 “(c) Prior to granting approval of a management pro-  
25 gram submitted by a coastal State, the Secretary shall find:

1           “(1) The coastal State has developed and adopted  
2 a management program for its coastal zone in accord-  
3 ance with rules and regulations promulgated by the  
4 Secretary, which shall be in accordance with the objec-  
5 tives of this Act, after notice, and with the opportunity  
6 of full participation by relevant Federal agencies,  
7 coastal State agencies, local governments, regional orga-  
8 nizations, port authorities, and other interested parties,  
9 public and private, which is adequate to carry out the  
10 purposes of this title.

11           “(2) The coastal State has:

12           “(A) coordinated with local, areawide, and  
13 interstate plans applicable to areas within the coastal  
14 zone existing on January 1 of the year in which the  
15 coastal State’s management program is submitted to  
16 the Secretary, which plans have been developed by  
17 a local government, an interstate agency, or an area-  
18 wide agency designated pursuant to regulations  
19 established under section 204 of the Demonstration  
20 Cities and Metropolitan Development Act of 1966;  
21 and

22           “(B) established an effective mechanism for  
23 continuing consultation and coordination between  
24 the management agency designated pursuant to  
25 paragraph (5) of this subsection and with local

1 governments, interstate agencies, and areawide  
2 agencies within the coastal zone to assure the full  
3 participation of such local governments and agen-  
4 cies in carrying out the purposes of this title.”

5 “(3) The coastal State has held public hearings in  
6 the development of the management program.

7 “(4) The management program and any changes  
8 thereto have been reviewed and approved by the Gov-  
9 ernor.

10 “(5) The Governor of the coastal State has desig-  
11 nated a single agency to receive and administer the  
12 grants for implementing the management program re-  
13 quired under paragraph (1) of this subsection.

14 “(6) The coastal State is organized to implement  
15 the management program required under paragraph  
16 (1) of this subsection.

17 “(7) The coastal State has the authorities neces-  
18 sary to implement the program, including the authority  
19 required under subsection (d) of this section.

20 “(d) Prior to granting approval of the management  
21 program, the Secretary shall find that the coastal State, act-  
22 ing through its chosen agency or agencies (including local  
23 governments, interstate agencies, or areawide agencies desig-  
24 nated under section 204 of the Demonstration Cities and  
25 Metropolitan Development Act of 1966), has authority for

1 the management of the coastal zone in accordance with  
2 the management program. Such authority shall include  
3 power—

4 “(1) to administer land and water use regulations,  
5 control development in order to ensure compliance with  
6 the management program, and to resolve conflicts  
7 among competing uses; and

8 “(2) to acquire fee simple and less than fee simple  
9 interests in lands, waters, and other property  
10 through condemnation or other means when necessary  
11 to achieve conformance with the management program.

12 “(c) Prior to granting approval, the Secretary shall  
13 also find that the program provides:

14 “(1) for any one or a combination of the following  
15 general techniques for control of land and water uses  
16 within the coastal zone:

17 “(A) Coastal State establishment of criteria  
18 and standards for local implementation, subject  
19 to administrative review and enforcement of  
20 compliance;

21 “(B) Direct coastal State land and water use  
22 planning and regulations; or

23 “(C) Coastal State administrative review for  
24 consistency with the management program of all  
25 development plans, projects, or land and water use

1 regulations, including exceptions and variances  
2 thereto, proposed by any coastal State or local  
3 authority or private developer, with power to  
4 approve or disapprove after public notice and an  
5 opportunity for hearings.

6 “(2) for a method of assuring that local land and  
7 water use regulations within the coastal zone do not  
8 unreasonably restrict or exclude land and water uses of  
9 regional benefit.

10 “(f) With the approval of the Secretary, a coastal State  
11 may allocate to a local government, to an interstate agency,  
12 or an areawide agency designated under section 204 of the  
13 Demonstration Cities and Metropolitan Development Act of  
14 1966 a portion of the grant under this section for the purpose  
15 of carrying out the provisions of this section: *Provided*, That  
16 such allocation shall not relieve the coastal State of the re-  
17 sponsibility for ensuring that any funds so allocated are ap-  
18 plied in furtherance of such coastal State’s approved manage-  
19 ment program.

20 “(g) The coastal State shall be authorized to amend the  
21 management program. The modification shall be in accord-  
22 ance with the procedures required under subsection (c)  
23 of this section. Any amendment or modification of the pro-  
24 gram must be approved by the Secretary before additional



1 regional organizations, port authorities, and other interested  
2 parties, both public and private, such rules and regulations as  
3 may be necessary to carry out the provisions of this title.

4 "REVIEW PERFORMANCE

5 "SEC. 309. (a) The Secretary shall conduct a continu-  
6 ing review of the management programs of the coastal States  
7 and of the performance of each coastal State.

8 " (b) The Secretary shall have the authority to termi-  
9 nate any financial assistance extended under section 306  
10 and to withdraw any unexpended portion of such assistance  
11 if (1) he determines that the coastal State is failing to  
12 adhere to and is not justified in deviating from the program  
13 approved by the Secretary, and (2) the coastal State has  
14 been given notice of proposed termination and withdrawal  
15 and given an opportunity to present evidence of adherence  
16 or justification for altering its program.

17 "RECORDS

18 "SEC. 310. (a) Each recipient of a grant under this  
19 title shall keep such records as the Secretary shall prescribe,  
20 including records which fully disclose the amount and dis-  
21 position of the funds received under the grant, the total  
22 cost of the project or undertaking supplied by other sources,  
23 and such other records as will facilitate an effective audit.

24 " (b) The Secretary and the Comptroller General of the  
25 United States, or any of their duly authorized representatives,

1 shall have access for the purpose of audit and examination to  
2 any books, documents, papers, and records of the recipient of  
3 the grant that are pertinent to the determination that funds  
4 granted are used in accordance with this title.

5 "NATIONAL COASTAL RESOURCES BOARD

6 "SEC. 311. (a) There is hereby established, in the Exec-  
7 utive Office of the President, the National Coastal Resources  
8 Board (hereinafter called the 'Board') which shall be com-  
9 posed of—

10 " (1) The Vice President, who shall be Chairman  
11 of the Board.

12 " (2) The Secretary of State.

13 " (3) The Secretary of the Navy.

14 " (4) The Secretary of the Interior.

15 " (5) The Secretary of Commerce.

16 " (6) The Chairman of the Atomic Energy Com-  
17 mission.

18 " (7) The Director of the National Science Foun-  
19 dation.

20 " (8) The Secretary of Health, Education, and  
21 Welfare.

22 " (9) The Secretary of Transportation.

23 "Executive Appointments

24 " (b) The President may name to the Board such other  
25 officers and officials as he deems advisable.

1 "Alternate Presiding Officer Over Board Meetings

2 "(c) The President shall from time to time designate  
3 one of the members of the Board to preside over meetings  
4 of the Board during the absence, disability, or unavail-  
5 ability of the Chairman.

6 "Alternates for Service on the Board

7 "(d) Each member of the Board, except those desig-  
8 nated pursuant to subsection (b) of this section, may des-  
9 ignate any officer of his department or agency appointed  
10 with the advice and consent of the Senate to serve on the  
11 Board as his alternate in his unavoidable absence.

12 "Personnel; Civilian Executive Secretary

13 "(e) The Board may employ a staff to be headed by a  
14 civilian executive secretary who shall be appointed by the  
15 President and shall receive compensation at a rate estab-  
16 lished by the President at not to exceed that of level II of  
17 the Federal Executive Salary Schedule. The executive secre-  
18 tary, subject to the direction of the Board, is authorized to  
19 appoint and fix the compensation of such personnel, includ-  
20 ing not more than seven persons who may be appointed with-  
21 out regard to civil service laws or chapter 51 and subchapter  
22 III of chapter 53 of title 5 and compensated at not to  
23 exceed the highest rate of grade 18 of the General Schedule  
24 as may be necessary to perform such duties as may be pre-  
25 scribed by the President.

1       “(f) The Board shall meet regularly at such times as  
2 the Chairman may direct and shall have the following  
3 duties:

4               “(1) to provide for the effective coordination be-  
5 tween programs of the Federal agencies within the  
6 coastal zone;

7               “(2) in the case of serious disagreement between  
8 any Federal agency and a coastal State in the develop-  
9 ment of the program, the Board shall seek to mediate the  
10 differences; and

11               “(3) to provide a forum for appeals by an ag-  
12 grieved areawide planning entity or unit of local gov-  
13 ernment from any decision or action of the Secretary  
14 or areawide planning entity.

15                               “ADVISORY COMMITTEE

16       “SEC. 312. (a) The Secretary is authorized to establish  
17 a Coastal Zone Management Advisory Committee (here-  
18 after referred to ‘the Committee’) to advise, consult with,  
19 and make recommendations to the Secretary on matters of  
20 policy concerning the coastal zone. Such committee shall be  
21 composed of not more than fifteen persons designated by the  
22 Secretary and shall perform such functions and operate in  
23 such a manner as the Secretary may direct.

24               “(b) Members of the committee who are not regular  
25 full-time employees of the United States, while serving on

1 the business of the committee, including traveltime, may  
2 receive compensation at rates not exceeding \$100 per diem;  
3 and while so serving away from their homes or regular places  
4 of business may be allowed travel expenses, including per  
5 diem in lieu of subsistence, as authorized by section 5703 of  
6 title 5, United States Code, for individuals in the Govern-  
7 ment service employed intermittently.

8 "ESTUARINE SANCTUARIES

9 "SEC. 313. (a) The Secretary, in accordance with  
10 rules and regulations promulgated by him, is authorized to  
11 make available to a coastal State grants up to 50 per centum  
12 of the costs of acquisition, development, and operation of  
13 estuarine sanctuaries for the purpose of creating natural  
14 field laboratories to gather data and make studies of the  
15 natural and human processes occurring within and directly  
16 affecting the estuarines of the coastal zone. The Federal  
17 share of the cost for each such sanctuary shall not exceed  
18 \$2,000,000. No Federal funds received pursuant to section  
19 306 shall be used for the purpose of this section.

20 "INTERAGENCY COORDINATION AND COOPERATION

21 "SEC. 314. (a) The Secretary shall not approve the  
22 management program submitted by a coastal State pursuant  
23 to section 306 unless the views of Federal agencies princi-  
24 pally affected by such program have been adequately con-  
25 sidered. In case of serious disagreement between any Fed-

1 eral agency and a coastal State in the development of the  
2 program the Secretary, in cooperation with the National  
3 Coastal Resources Board, shall seek to mediate the differ-  
4 ences.

5 “(b) (1) All Federal agencies conducting or support-  
6 ing activities in the coastal zone shall administer their pro-  
7 grams consistent with approved coastal State management  
8 programs except in cases of overriding national interest as  
9 determined by the President. Procedures provided for in  
10 regulations issued pursuant to section 204 of the Demonstra-  
11 tion Cities and Metropolitan Development Act of 1966 and  
12 title IV of the Intergovernmental Cooperation Act of 1968  
13 shall be applied in determining whether Federal projects  
14 and activities are consistent with approved management  
15 programs.

16 “(2) Federal agencies shall not undertake any develop-  
17 ment project in the coastal zone of a coastal State which,  
18 in the opinion of the coastal State, is inconsistent with the  
19 management program of the coastal State unless the Secre-  
20 tary, after receiving detailed comments from both the Fed-  
21 eral agency and the coastal State and affected local govern-  
22 ments, finds that such project is consistent with the objec-  
23 tives of this title, or is informed by the Secretary of Defense  
24 and finds that the project is necessary in the interest of  
25 national security.

1       “(3) After the final approval by the Secretary of a  
2 coastal State’s management program, any applicant for a  
3 Federal license or permit to conduct any activity in the  
4 coastal and estuarine zone subject to such license or permit,  
5 shall provide in the application to the licensing or permitting  
6 agency a certification from the appropriate State agency that  
7 the proposed activity complies with the State’s approved  
8 management program, and that there is reasonable assurance,  
9 as determined by the State, that such activity will be con-  
10 ducted in a manner consistent with the State’s approved man-  
11 agement program. The State shall establish procedures for  
12 public notice in the case of all applications for certification by  
13 it, and to the extent it deems appropriate, procedures for  
14 public hearings in connection with specific applications. If the  
15 State agency fails or refuses to act on a request for certifica-  
16 tion within six months after receipt of such request, the cer-  
17 tification requirements of this subsection shall be waived with  
18 respect to such Federal application. No license or permit shall  
19 be granted until the certification required by this section has  
20 been obtained or has been waived as provided in the pre-  
21 ceding sentence, unless, after receipt of detailed comments  
22 from the relevant Federal and State agencies, and the pro-  
23 vision of an opportunity for a public hearing, the activity  
24 is found by the Secretary to be consistent with the objec-  
25 tives of this title or necessary in the interest of national

1 security. Upon receipt of such application and certification,  
2 the licensing or permitting agency shall immediately notify  
3 the Secretary of such application and certification.

4 “(c) Coastal State and local governments submitting  
5 applications for Federal assistance under other Federal pro-  
6 grams affecting the coastal zone shall indicate the views of  
7 the appropriate coastal State or local agency as to the rela-  
8 tionship of such activities to the approved management pro-  
9 gram for the coastal zone. Such applications shall be sub-  
10 mitted and coordinated in accordance with the provisions of  
11 title IV of the Intergovernmental Coordination Act of 1968  
12 (82 Stat. 1098). Federal agencies shall not approve pro-  
13 posed projects that are inconsistent with a coastal State’s  
14 management program, except upon a finding by the Secre-  
15 tary that such project is consistent with the purposes of this  
16 title or necessary in the interest of national security.

17 “(d) Nothing in this section shall be construed—

18 “(1) to diminish either Federal or State jurisdiction,  
19 responsibility, or rights in the field of planning, develop-  
20 ment, or control of water resources and navigable waters;  
21 nor to displace, supersede, limit, or modify any interstate  
22 compact or the jurisdiction or responsibility of any legally  
23 established joint or common agency of two or more  
24 States, or of two or more States and the Federal Govern-

1       ment; not to limit the authority of Congress to authorize  
2       and fund projects;

3           “(2) to change or otherwise affect the authority or  
4       responsibility of any Federal official in the discharge of  
5       the duties of his office except as required to carry out the  
6       provisions of this title;

7           “(3) as superseding, modifying, or repealing exist-  
8       ing laws applicable to the various Federal agencies,  
9       except as required to carry out the provisions of this  
10      title; nor to affect the jurisdiction, powers, or preroga-  
11      tives of the International Joint Commission, United  
12      States and Canada, the Permanent Engineering Board,  
13      and the United States Operating Entity or Entities estab-  
14      lished pursuant to the Columbia River Basin Treaty,  
15      signed at Washington, January 17, 1961, or the Inter-  
16      national Boundary and Water Commission, United  
17      States and Mexico.

18                                   “ANNUAL REPORT

19           “SEC. 315. (a) The Secretary shall prepare and sub-  
20      mit to the President for transmittal to the Congress not later  
21      than November 1 of each year a report on the administra-  
22      tion of this title for the preceding fiscal year. The report  
23      shall include but not be restricted to (1) an identification  
24      of the coastal State programs approved pursuant to this

1 title during the preceding Federal fiscal year and a de-  
2 scription of those programs; (2) a listing of the coastal  
3 States participating in the provisions of this title and a de-  
4 scription of the status of each coastal State's programs and  
5 its accomplishments during the preceding Federal fiscal  
6 year; (3) an itemization of the allotment of funds to the  
7 various coastal States and a breakdown of the major proj-  
8 ects and areas on which these funds were expended; (4)  
9 an identification of any coastal State programs which  
10 have been reviewed and disapproved or with respect  
11 to which grants have been terminated under this title, and  
12 a statement of the reasons for such action; (5) a listing of  
13 the Federal development projects which the Secretary has  
14 reviewed under section 314 of this title and a summary of  
15 the final action taken by the Secretary with respect to each  
16 such project; (6) a summary of the regulations issued by  
17 the Secretary or in effect during the preceding Federal fiscal  
18 year; (7) a summary of outstanding problems arising in the  
19 administration of this title in order of priority; and (8) such  
20 other information as may be appropriate.

21       “(b) The report required by subsection (a) shall con-  
22 tain such recommendations for additional legislation as the  
23 Secretary deems necessary to achieve the objectives of this  
24 title and enhance its effective operation.

## 1 "AUTHORIZATION OF APPROPRIATION

2 "SEC. 316. (a) There are authorized to be ap-  
3 propriated—

4 " (1) the sum of \$12,000,000 for the fiscal year  
5 ending June 30, 1973, and such sums as may be neces-  
6 sary for the fiscal years 1974 through 1977 for grants  
7 under section 305, to remain available until expended;

8 " (2) such sums, not to exceed \$50,000,000, as may  
9 be necessary for the fiscal year ending June 30, 1973,  
10 and such sums as may be necessary for each succeeding  
11 fiscal year thereafter for grants under section 306 to  
12 remain available until expended; and

13 " (3) such sums, not to exceed \$6,000,000 for the  
14 fiscal year ending June 30, 1973, as may be necessary  
15 for grants under section 313.

16 " (b) There are also authorized to be appropriated to  
17 the Secretary such sums, not to exceed \$1,500,000 annually,  
18 as may be necessary for administrative expenses incident to  
19 the administration of this title."

Calendar No. 721

92<sup>nd</sup> CONGRESS  
2<sup>d</sup> SESSION

**S. 3507**

[Report No. 92-753]

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# **A BILL**

To establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes.

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By Mr. Hollings

APRIL 19, 1972

Read twice and ordered to be placed on the calendar