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**APPROVED**  
**JAN 2-1975**

**ACTION**

**THE WHITE HOUSE**  
**WASHINGTON**

**Last Day: January 4**

**December 30, 1974**

MEMORANDUM FOR THE PRESIDENT  
 FROM: KEN COLE  
 SUBJECT: Enrolled Bill H.R. 16215  
Amendment to the Coastal  
Zone Management Act of 1972

*Postal  
1/3  
to Archive  
1/3*

Attached for your consideration is H.R. 16215, sponsored by Representative Downing and 14 others, which amends the Coastal Zone Management Act of 1972 to provide more flexibility in the allocation of administrative grants to coastal states and to increase the appropriation authorization for program development grants.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 16215 (Tab B).



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 27 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16215 - Amendment to the Coastal  
Zone Management Act of 1972  
Sponsors - Rep. Downing (D) Virginia and 14 others

Last Day for Action

Purpose

To amend the Coastal Zone Management Act of 1972 to provide more flexibility in the allocation of administrative grants to coastal States and to increase the appropriation authorization for program development grants.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Council on Environmental Quality	Approval
Department of the Interior	Approval
Environmental Protection Agency	No recommendation (Informally)

Discussion

The Coastal Zone Management Act was enacted in 1972 to implement established national policy to protect the resources of the Nation's Coastal Zone and to aid the coastal States in developing programs to better manage their coastal areas.

The Administration recently announced a significantly speeded up program of Federal leasing of ocean tracts for gas and oil exploration on the Outer Continental Shelf.

In recognition of the Nation's need to balance its requirement of finding new energy sources with protection of its coastal areas, you met with the Country's coastal State governors on November 13 at which time you announced that the Administration would request additional funds for impacted States through the Coastal Zone Management Act. The enrolled bill is consistent with that commitment.

Specifically, the enrolled bill would:

- increase the authorization level for management program development grants for fiscal years 1975, 1976, and 1977 from \$9 million to \$12 million to permit States which would be impacted by Federal oil or gas leasing activity to accelerate and focus their program development work
- provide that instead of a ten percent maximum on administrative grants, maximum dollar limits on such grants be imposed. This will enable the Secretary to use available funds even though fewer than ten States may apply in the first years and will increase his flexibility in administering the program to meet actual opportunities and needs
- allow the Secretary of Commerce to waive the present one percent minimum grant allocation requirements for both types of grants upon receipt of a request from a State. At present some States cannot use or match a grant as large as one percent of available funds and this would increase the flexibility to make smaller grants, thus enabling those States to participate in the program
- extend the present authorization for estuarine sanctuaries' grants at the present level of \$6 million for three years through fiscal year 1977.

  
Assistant Director for  
Legislative Reference

Enclosures

ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

**DEC 30 1974**

OFFICE OF THE  
ADMINISTRATOR

Dear Mr. Ash:

This is in response to your request for a report on enrolled bill H.R. 16215, a bill "To amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes."

The bill would authorize the Secretary of the Interior to waive the limitations of section 305 of the Coastal Zone Management Act of 1972 so as to permit a grant in excess of 10% or less than 1% of the total appropriation made to carry out such section.

The bill would also authorize the Secretary to waive similar limitations on grants to States to assist in the administration and management of coastal zone programs.

The bill would increase the authorization for appropriations from \$9,000,000 to \$12,000,000 for each of the three fiscal years from 1975 to 1977. Authorizations for appropriations for purposes of the estuarine sanctuary grants would also be extended for three years.

The Environmental Protection Agency has no objection to the enrolled bill. We defer to the Department of Commerce as to the merits of this bill in the overall context of the coastal zone management program.

The Environmental Protection Agency favors the purposes of the Act, i.e., continuing and more flexible funding of State programs directed toward the wise management of the coastal zone and of estuarine areas.

Sincerely yours,

*John Decker, Deputy*  
Russell E. Train  
*for* Administrator

Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C. 20503





# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

DEC 27 1974

Dear Mr. Ash:

This responds to your request for the views of this Department on the enrolled bill H.R. 16215, "To amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes."

We recommend that the President approve this enrolled bill.

H.R. 16215 would amend the Coastal Zone Management Act in the following ways:

(1) change Section 305(e) to require the Secretary of Commerce to waive the application of the 1 per centum minimum requirement as to management development grants, when the coastal State involved requests such a waiver.

(2) change the maximum amount of funds available to individual States under Section 306, which authorizes grants for administration of approved coastal zone management programs. At present a State is entitled to receive not more than 10% of the appropriated funds. If the full annual authorization of \$30 million were appropriated, no State could receive more than \$3 million. H.R. 16215 would authorize maximum dollar amounts of \$2 million, \$2.5 million and \$3 million to be substituted for the maximum percentage for fiscal years 1975, 1976 and 1977, respectively.

(3) amend Section 306(b) to require the Secretary of Commerce to waive the application of the 1 per centum minimum requirement as to any administrative grant, when the coastal State involved requests such a waiver.

(4) increase the total authorization for Section 305, program development grants, from \$9 million to \$12 million for fiscal years 1975 through 1977.

(5) extend the estuarine sanctuary grant program three additional years. The purpose of this program is to provide grants to States for up to 50% of the cost of acquisition, development, and operation of estuarine sanctuaries. The original authorization of \$6 million was for the fiscal year ending June 30, 1974.



*Save Energy and You Serve America!*

It is our understanding that the States have reported a total estimated need of \$11 million for FY 1975 for developing coastal zone management programs. We believe that an increase in the management program development grant authorization is desirable for the following reasons:

(1) Development of coastal zone management programs by each State has just begun. The programs are designed to establish institutions and procedures for guiding development in and preserving the important natural values of the Nation's coastal areas. The States did not receive the benefit of the first year grant authorized by Congress. Enactment of this legislation would insure that the development of State programs proceed in an orderly and expeditious manner and that sufficient resources to meet State needs would be provided.

(2) Implementation of the Coastal Zone Management Act is the first step towards the development of statewide land resource conservation and development management programs. Much of the experience gained under the coastal zone program will directly benefit State and local government efforts in planning and managing land development and the conservation of important natural and renewable resource areas. Fully funding State needs under the coastal zone legislation will go a long way towards building State capability for dealing with these issues.

We further understand that the States failed to take advantage of estuarine sanctuary funds because of the effort needed for developing overall coastal zone management programs. Future needs for funds for this purpose could be high, since States will have had an opportunity to establish some basis for making grant requests.

While we take no position with regard to this proposed extension of the estuarine sanctuaries grant program, we do recommend the approval of enrolled bill H.R. 16215 for the reasons stated above, and believe that the change in the maximum grant program proposed by the bill would provide greater flexibility for the administration of the grant program.

Sincerely yours,

  
Under Secretary of the Interior

Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C. 20503



**THE UNDER SECRETARY OF COMMERCE**  
Washington, D.C. 20230

**DEC 26 1974**

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning H.R. 16215, an enrolled enactment

"To amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes."

H.R. 16215 amends the Coastal Zone Management Act of 1972 in the following respects:

- (1) Requires the Secretary of Commerce to waive the application of the 1 per centum minimum requirement as to section 305 development grants, when the coastal State involved requests such a waiver.
- (2) Changes the maximum per grant limitation on section 306 administrative grants of not more than 10 per centum of funds appropriated for such grants, to a maximum of \$2 million for any grant in fiscal year 1975, \$2.5 million for any grant in fiscal year 1976, and \$3 million for any grant in fiscal year 1977.
- (3) Requires the Secretary to waive the application of the 1 per centum minimum requirement as to any section 306 administrative grant, when the coastal State involved requests such a waiver.
- (4) Amends subsection (a) of section 315, to increase the authorization for section 305 development grants from \$9 million to \$12 million per year for each of the fiscal

2.

years 1975, 1976, and 1977, and extends the authorization for estuarine sanctuaries grants, at the present maximum level of \$6 million, for the fiscal years 1975, 1976, and 1977.

This Department recommends approval by the President of H. R. 16215.

As noted above, this legislation will involve increased authorizations for this Department to carry out the Act.

Sincerely,

A handwritten signature in black ink, reading "John K. Tabor". The signature is written in a cursive style with a large, sweeping initial "J".

John K. Tabor

**EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY**

722 JACKSON PLACE, N. W.  
WASHINGTON, D. C. 20006

DEC 21 1974

MEMORANDUM FOR W. H. ROMMEL  
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Mrs. Mohr

SUBJECT: Enrolled Bill, H.R. 16215, "To amend the Coastal  
Zone Management Act of 1972 to provide more  
flexibility in the allocation of administrative  
grants to Coastal States, and for other purposes."

The Council on Environmental Quality has reviewed the  
subject enrolled bill.

We fully concur with the provisions of the bill and strongly  
recommend that it be signed.



Steven D. Jellinek  
Staff Director

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR: WARREN HENDRIKS  
FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF  
SUBJECT: Action Memorandum - Log No. 856  
Enrolled Bill H.R. 16215

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 856

Date: December 27, 1974

Time: 7:00 p.m.

FOR ACTION: Mike Duval *sh*  
Max Friedersdorf *sh*  
Phil Areeda *noobj*

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16215 - Amendment to the Coastal Zone Management Act of 1972

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Jddy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 856

Date: December 27, 1974

Time: 7:00 p.m.

FOR ACTION: Mike Duval ✓  
Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16215 - Amendment to the Coastal Zone Management Act of 1972

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 856

Date: December 27, 1974

Time: 7:00 p.m.

FOR ACTION: Mike Duval  
Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16215 - Amendment to the Coastal Zone Management Act of 1972

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No objection  
P Areeda*

*OK*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

To  
Mr. Hendricks  
12-27-74

DEC 27 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled **Bill H.R. 16215 - Amendment to the Coastal Zone Management Act of 1972**  
Sponsors - Rep. Downing (D) Virginia and 14 others

Last Day for Action

January 4, 1975

Purpose

To amend the Coastal Zone Management Act of 1972 to provide more flexibility in the allocation of administrative grants to coastal States and to increase the appropriation authorization for program development grants.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval
Council on Environmental Quality	Approval
Department of the Interior	Approval
Environmental Protection Agency	No recommendation (Informally)



Discussion

The Coastal Zone Management Act was enacted in 1972 to implement established national policy to protect the resources of the Nation's Coastal Zone and to aid the coastal States in developing programs to better manage their coastal areas.

The Administration recently announced a significantly speeded up program of Federal leasing of ocean tracts for gas and oil exploration on the Outer Continental Shelf.

## COASTAL ZONE MANAGEMENT ACT AMENDMENTS

DECEMBER 13, 1974.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and Fisheries, submitted the following

### REPORT

[To accompany H.R. 16215]

The committee on Merchant Marine and Fisheries, to which was referred the bill (H.R. 16215), to amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

That the Coastal Zone Management Act of 1972 (86 Stat. 1280) is amended as follows:

(1) Subsection (e) of section 305 is amended by changing the period at the end of the subsection to a colon and by adding immediately thereafter the following: "*And provided further*, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver."

(2) Subsection (b) of section 306 is amended by deleting all after "relevant factors", and by inserting in lieu thereof "*Provided*, That no annual grant made under this section shall be in excess of \$2,000,000 for fiscal year 1975, in excess of \$2,500,000 for fiscal year 1976, nor in excess of \$3,000,000 for fiscal year 1977: *Provided further*, That no annual grant made under this section shall be less than 1 per centum of the total amount appropriated to carry out the purposes of this section: *And provided further*, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver."

(3) Subsection (a) of section 315 is amended—

(A) by amending item (1) to read as follows:

"(1) the sum of \$9,000,000 for each of the fiscal years ending June 30, 1973, and June 30, 1974, and the sum of \$12,000,000 for each of the three succeeding fiscal years, for grants under section 305, to remain available until expended;" and

(B) by inserting, in item (3), after "fiscal year ending June 30, 1974," the following: "and for each of the three succeeding fiscal years."



### PURPOSE OF THE LEGISLATION

The purpose of H.R. 16215 is to amend the Coastal Zone Management Act of 1972, in order to provide more flexibility in the allocation of administrative grants to coastal States, to increase the authorization for State management program development grants, and to extend the authorization for estuarine sanctuaries grants.

### BACKGROUND OF THE LEGISLATION

The Coastal Zone Management Act of 1972 established national policy (a) to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations, (b) to encourage and assist the States to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historical, and esthetic values, as well as needs for economic development, (c) for all Federal agencies engaged in programs affecting the coastal zone to cooperate and participate with State and local governments and regional agencies in effectuating the purposes of this title, and (d) to encourage the participation of the public, of Federal, State and local governments, and of regional agencies in the development of coastal zone management programs.

In order to implement the declared policy, the Act provides for three types of grants. First, there are the management program development grants, authorized on an annual basis for the development of State management programs, the grants to be made on a matching basis, the Federal grant not to exceed two-thirds of the annual cost. The second type of grants authorized are administrative grants, to be made on the same matching basis, after the State program has been developed and approved by the Secretary of Commerce. The third type of grant authorized is for assistance to States of up to one-half of the costs of acquiring, developing, and operating estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of processes to assist the States in arriving at national management decisions.

As to the first two types of grants, the Act places a maximum limitation on any individual State grant of no more than 10 per centum, and a minimum limitation of no less than 1 per centum of the total amount appropriated for the respective grants. As to the third type of grant, a maximum Federal contribution of \$2 million for any single sanctuary is imposed. As to the funding authorization under the Act, the sum of \$9 million is authorized for each of the fiscal years 1973 through 1977 for management development grants, necessary sums not to exceed \$30 million are authorized for the fiscal years 1974 through 1977 for administrative grants, and necessary sums not to exceed \$6 million are authorized for fiscal year 1974 for estuarine sanctuaries grants.

Although the Coastal Zone Management Act of 1972 became effective in October 1972, funding under the Act was not appropriated until December 1973, and therefore, the implementation of the Act began

less than one year ago. Therefore, the Committee has not, as yet, undertaken a complete and thorough oversight review. However, during the course of general reviews of the various programs of the National Oceanic and Atmospheric Administration, including testimony relating to the activities of the Office of Coastal Zone Management, it developed that there were certain changes in the Act which should be considered in order that the intent of the basic Act could best be carried out. Without awaiting a thorough going detailed review of the Act, H.R. 16215 was introduced to make those minor changes which would meet needs already identifiable.

With implementation less than a year old, 31 of the 34 States and territories eligible for grants have already applied for and received such grants and are moving forward to develop management programs so urgently needed in their coastal zones. With an appropriation of \$7.2 million in fiscal year 1974, the entire appropriation was utilized, and grants for three States amounting to \$890,000 were postponed until fiscal year 1975, because sufficient funds were not available. In addition, State demonstrated needs of an additional \$2 million could not be met because of the limitation of funding. While the appropriation for fiscal year 1975 was increased to \$9 million, the authorization limit of the basic Act, it is clear that during the present fiscal year, there will be further unmet needs, particularly since almost \$1 million of the appropriation has been expended to provide for the three grants postponed from fiscal year 1974. Since the States have accepted the program so enthusiastically and have demonstrated their own intentions, in many cases, by providing funding in excess of their matching grant requirements, some additional authorization is badly needed. Because of the delay in final enactment of the Act, and the subsequent delay in funding for implementation, problems relating to coastal zone have become even more pressing and completion of management plans even more important. Coastal zone management needs have become even more critical recently by plans to construct offshore deep water ports, to develop additional energy resources on the Outer Continental Shelf, and to site power plants and other facilities along the shorelines, all of which will have major impacts on the coastal zones of the States involved.

As to the maximum and minimum allocation provisions under both development and administrative grants, it became apparent to the Committee that the Act, in its present form, is somewhat more restrictive than necessary and should be made more flexible. While no funding has been authorized under the Act for administrative agents, since the development process has not been completed in any State, it is anticipated that such funding will be needed early in fiscal year 1976, and immediate problems will be created if fewer than 10 States are ready to make application for such grants, since the present maximum allocation limits any State to 10 per centum of appropriated funds. That problem can be solved, however, by changing the limitation from an expression in percentage terms to an expression in monetary terms. Secondly, as to the minimum limitation, which requires at least 1 per centum of appropriated funds for each grant, it will serve, in some cases, to require smaller States and territories to apply for grants which they neither need nor can

justify, or not participate in the program at all. That problem can be resolved by requiring a waiver of the minimum limitation whenever any affected State requests such a waiver. This will leave each State with all the protection it needs but will remove any protection that it does not need nor desire. The third problem area identified was that related to estuarine sanctuaries grants, under Section 312 of the Act. The authorization under the Act was for a single fiscal year. During the past fiscal year, one grant of \$825,000 was made to the State of Oregon, out of an appropriation of \$4 million. While a few more applications may be made during the present fiscal year, it is not anticipated that many of the States will be prepared to make such applications until their program development has moved further. However, it is apparent that many estuarine areas have been identified and that as many as 20 States will be interested in participating in this aspect of the program during the next few fiscal years. Therefore, it is considered desirable to extend the authorization through the same period, fiscal year 1977, as for other authorizations under the Act, the exact amount of actual funding to depend upon the speed with which the States can move in developing their programs and making decisions related to the estuarine sanctuaries.

#### COMMITTEE CONSIDERATION

Hearings were held by the Subcommittee on Oceanography on H.R. 16215 on September 18, 1974, and testimony was heard from the Director, Office of Coastal Zone Management, NOAA, representing the Department of Commerce. Testimony was also received from an official of the State of Michigan Department of Natural Resources, representing the State of Michigan and the Coastal States Organization, of which the witness is a member of the Executive Committee. The Administration witness supported that part of the bill related to changes in allocation limitations, opposed the increase of authorization for program development grants as undesirable in view of the present fiscal constraints, and opposed the extension of authorization for estuarine sanctuaries grants as premature. Subsequently, the Administration changed its position on the development grant authorization increase and addressed a letter to the Committee supporting such a concept, particularly in view of the critical energy needs and impacts from the development of Continental Shelf oil resources. The witness for the Coastal States Organization, also representing the State of Michigan, testified in full support of the bill. Subsequently, the Committee received a letter from the Chairman of the Coastal States Organization, Senator A. R. Schwartz of the State of Texas, who reiterated that Organization's support of the bill. An additional endorsement was received from the States of Georgia and Louisiana and from the National Advisory Committee on Oceans and Atmosphere, by letter from its Vice Chairman. That Committee particularly endorsed the extension of the authorization for estuarine sanctuaries grants.

The Subcommittee on Oceanography met for mark-up on November 26, 1974, and approved the bill, with the additional provision permitting States to request waivers, as appropriate, of the minimum grant requirement.

The Committee on Merchant Marine and Fisheries met on December 10, 1974, and, by unanimous voice vote, ordered the bill reported, with an amendment reflecting the action taken in the Subcommittee.

#### SECTION-BY-SECTION ANALYSIS

The following amendments to the basic Act are accomplished by H.R. 16215, as reported:

(1) An amendment of subsection (e) of section 305, to require the Secretary of Commerce to waive the application of the 1 per centum minimum requirement as to management development grants, when the coastal State involved requests such a waiver.

(2) An amendment to subsection (b) of section 306, to change the allocation of administrative grants from a maximum limitation of 10 per centum of funds appropriated for such grants, to a maximum of \$2 million for any grant in fiscal year 1975, \$2.5 million for any grant in fiscal year 1976, and \$3 million for any grant in fiscal year 1977.

(3) A further amendment to subsection (b) of section 306, to require the Secretary to waive the application of the 1 per centum minimum requirement as to any administrative grant, when the coastal State involved requests such a waiver.

(4) An amendment to subsection (a) of section 315, to increase the authorization for program development grants from \$9 million to \$12 million per year for each of the fiscal years 1975, 1976, and 1977.

(5) A further amendment to subsection (a) of section 315, to extend the authorization for estuarine sanctuaries grants, at a maximum level of \$6 million for the fiscal years 1975, 1976, and 1977.

#### COST OF THE LEGISLATION

Pursuant to Clause 7, of Rule XIII of the Rules of the House of Representatives, the Committee estimates the cost of this legislation to the government would be not more than \$9 million for each of the fiscal years 1975, 1976, and 1977.

#### DEPARTMENTAL REPORTS

The departmental reports on H.R. 16215, on which the hearings were held, are as follows:

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., September 23, 1974.*

HON. LEONOR K. SULLIVAN,  
*Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.*

DEAR MADAM CHAIRMAN: This is in response to your request for the views of this Department with respect to H.R. 16215, a bill to amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants, to coastal states, and for other purposes.

This bill proposes revisions to three separate provisions of the Coastal Zone Management Act. The first proposed change would remove the 10 percent limitation on the amount of money that can be

granted to applicant states under the Administration Grant program (Section 306) of the Act. This limitation, built into the present Coastal Zone Management Act of 1972, prevents adequate funding under Section 306 which will occur in the first and last years of that program when less than 10 states will apply for management program administrative grants. Thus, in fiscal year 1975, it is conceivable that three or four times as much money as would be required would have to be appropriated in order that the size of individual grants to the several states be large enough to cover administration of the management programs envisaged under Section 306. Moreover, the 10 percent limitation prevents expenditure of the entire appropriation for that fiscal year when less than 10 states apply.

In place of the 10 percent limitation, it is recommended that monetary amounts be proposed: \$2 million for fiscal year 1975; \$2.5 million for fiscal year 1976; and \$3 million for fiscal year 1977. This obviously will eliminate the need to request a greater appropriation than is actually needed in order to meet the demands under Section 306 of the Act.

The second provision in the bill would raise the authorization level available to the states under the management program development grant portion of the Act (Section 305). The amount requested for this program in the 1975 budget is within the current authorization level. Given the overriding need to control Federal spending the Administration believes that an increase in the 1975 level is not desirable and therefore these high authorization levels are not necessary or appropriate at this time. In developing the fiscal 1976 budget request, consideration will be given to the possible need for an increase in the funding level. If it is determined that an increase is appropriate, the Administration will then propose an increase in the authorization level.

Finally, the third provision of this bill seeks to extend funding beyond fiscal year 1974 for the Estuarine Grant provision (Section 312) of the Act. The estuarine sanctuary program has evoked considerable positive response from at least 20 coastal states. The Office of Coastal Zone Management and the Department are now studying alternative overall national plans for the Nation's estuarine sanctuary needs to provide the basis for decisions on the scope of the Federal program. When those studies are completed and evaluated we will then be in a position to propose specific legislative changes. Meanwhile, the Administration believes that it would be premature to extend the current authorization level for three years.

In summary the Department recommends against enactment of the provisions of H.R. 16215, except for the proposed amendment to Section 306 with respect to the 10 percent limitation on the amount which can be granted to any one state.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

KARL E. BAKKE,  
*General Counsel.*

COMPTROLLER GENERAL OF THE UNITED STATES,  
*Washington, D.C., October 16, 1974.*

HON. LEONOR K. SULLIVAN,  
*Chairman, Committee on Merchant Marine and Fisheries, House of Representatives*

DEAR MADAM CHAIRMAN: Concerning your letter of August 12, 1974, requesting a report on H.R. 16215, a bill to amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, this is to advise that we have no comment to make.

Sincerely yours,

R. F. KELLER,  
*Deputy Comptroller General of the United States.*

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., November 25, 1974.*

HON. LEONOR K. SULLIVAN,  
*Chairman, Merchant Marine and Fisheries Committee, House of Representatives, Washington, D.C.*

DEAR MADAM CHAIRMAN: This is to inform you of a modification of the Department's position with respect to the authorization levels now contained in the Coastal Zone Management Act of 1972. Our earlier position was stated in testimony before your Committee on September 18, 1974, in connection with hearings on H.R. 16215.

In view of the fact that the President has recently announced his decision to request increased funding under the terms of the Coastal Zone Management Act for coastal states impacted by accelerated Federal oil and gas leasing activities, the Administration is preparing legislation increasing the Act's authorization level to \$12 million per year for Section 305. The legislation will also deal with several minor technical matters.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

KARL E. BAKKE,  
*General Counsel.*

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT To provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes

“TITLE I—MARINE RESOURCES AND ENGINEERING  
DEVELOPMENT

\* \* \* \* \*

“TITLE II—SEA GRANT COLLEGES AND PROGRAMS

\* \* \* \* \*

TITLE III—MANAGEMENT OF THE COASTAL ZONE

SHORT TITLE

SEC. 301. This title may be cited as the “Coastal Zone Management Act of 1972”.

CONGRESSIONAL FINDINGS

SEC. 302. The Congress finds that—

- (a) There is a national interest in the effective management, beneficial use, protection, and development of the coastal zone;
- (b) The coastal zone is rich in a variety of natural, commercial, recreational, industrial, and esthetic resources of immediate and potential value to the present and future well-being of the Nation;
- (c) The increasing and competing demands upon the lands and waters of our coastal zone occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuels, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources, have resulted in the loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use, and shoreline erosion;
- (d) The coastal zone, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations;
- (e) Important ecological, cultural, historic, and esthetic values in the coastal zone which are essential to the well-being of all citizens are being irretrievably damaged or lost;
- (f) Special natural and scenic characteristics are being damaged by ill-planned development that threatens these values;
- (g) In light of competing demands and the urgent need to protect and to give high priority to natural systems in the coastal zone, present state and local institutional arrangements for planning and regulating land and water uses in such areas are inadequate; and
- (h) The key to more effective protection and use of the land and water resources of the coastal zone is to encourage the states to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with Federal and local governments and other vitally affected interests, in developing land and water use programs for the coastal zone, including unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

DECLARATION OF POLICY

SEC. 303. The Congress finds and declares that it is the national policy (a) to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations, (b) to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and esthetic values as well as to needs for economic development, (c) for all Federal agencies engaged in programs affecting the coastal zone to cooperate and participate with state and local governments and regional agencies in effectuating the purposes of this title, and (d) to encourage the participation of the public, of Federal, state, and local governments and of regional agencies in the development of coastal zone management programs. With respect to implementation of such management programs, it is the national policy to encourage cooperation among the various state and regional agencies including establishment of interstate and regional agreements, cooperative procedures, and joint action particularly regarding environmental problems.

DEFINITIONS

SEC. 304. For the purposes of this title—

- (a) “Coastal zone” means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes transitional and intertidal areas, salt marshes, wetlands, and beaches. The zone extends, in Great Lakes waters, to the international boundary between the United States and Canada and, in other areas, seaward to the outer limits of the United States territorial sea. The zone extends inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters. Excluded from the coastal zone are lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents.
- (b) “Coastal waters” means (1) in the Great Lakes area, the waters within the territorial jurisdiction of the United States consisting of the Great Lakes, their connecting waters, harbors, roadsteads, and estuary-type areas such as bays, shallows, and marshes and (2) in other areas, those waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including, but not limited to, sounds, bays, lagoons, bayous, ponds, and estuaries.
- (c) “Coastal state” means a state of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. For the purposes of this title, the term also includes Puerto Rico, the Virgin Islands, Guam, and American Samoa.

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

(e) "Estuarine sanctuary" means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands, constituting to the extent feasible a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationship within the area.

(f) "Secretary" means the Secretary of Commerce.  
over a period of time the ecological relationships within the area.  
prehensive statement in words, maps, illustrations, or other media of

(g) "Management program" includes, but is not limited to, a comprehensive statement in words, maps, illustrations, or other media of communication, prepared and adopted by the state in accordance with the provisions of this title, setting forth objectives, policies, and standards to guide public and private uses of lands and waters in the coastal zone.

(h) "Water use" means activities which are conducted in or on the water; but does not mean or include the establishment of any water quality standard or criteria or the regulation of the discharge or runoff of water pollutants except the standards, criteria, or regulations which are incorporated in any program as required by the provisions of section 307(f).

(i) "Land use" means activities which are conducted in or on the shorelands within the coastal zone, subject to the requirements outlined in section 307(g).

#### MANAGEMENT PROGRAM DEVELOPMENT GRANTS

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

(b) Such management program shall include:

(1) an identification of the boundaries of the coastal zone subject to the management program;

(2) a definition of what shall constitute permissible land and water uses within the coastal zone which have a direct and significant impact on the coastal waters;

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

(4) an identification of the means by which the state proposes to exert control over the land and water uses referred to in paragraph (2) of this subsection, including a listing of relevant constitutional provisions, legislative enactments, regulations, and judicial decisions;

(5) broad guidelines on priority of uses in particular areas, including specifically those uses of lowest priority;

(6) a description of the organizational structure proposed to implement the management program, including the responsibilities and interrelationships of local, areawide, state, regional, and interstate agencies in the management process.

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

(d) Upon completion of the development of the state's management program, the state shall submit such program to the Secretary for review and approval pursuant to the provisions of section 306 of this title, or such other action as he deems necessary. On final approval of such program by the Secretary, the state's eligibility for further grants under this section shall terminate, and the state shall be eligible for grants under section 306 of this title.

(e) Grants under this section shall be allocated to the states based on rules and regulations promulgated by the Secretary: *Provided, however,* That no management program development grant under this section shall be made in excess of 10 per centum nor less than 1 per centum of the total amount appropriated to carry out the purposes of this [section.] *section: And Provided further, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver.*

(f) Grants or portions thereof not obligated by a state during the fiscal year for which they were first authorized to be obligated by the state, or during the fiscal year immediately following, shall revert to the Secretary, and shall be added by him to the funds available for grants under this section.

(g) With the approval of the Secretary, the state may allocate to a local government, to an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, to a regional agency, or to an interstate agency, a portion of the grant under this section, for the purpose of carrying out the provisions of this section.

(h) The authority to make grants under this section shall expire on June 30, 1977.

#### ADMINISTRATIVE GRANTS

SEC. 306. (a) The Secretary is authorized to make annual grants to any coastal state for not more than 66 $\frac{2}{3}$  per centum of the costs of administering the state's management program, if he approves such program in accordance with subsection (c) hereof. Federal funds received from other sources shall not be used to pay the state's share of costs.

(b) Such grants shall be allocated to the state with approved programs based on rules and regulations promulgated by the Secretary which shall take into account the extent and nature of the shoreline and area covered by the plan, population of the area, and other relevant factors: *Provided, however,* That no annual administrative

grant under this section shall be made in excess of 10 per centum nor less than 1 per centum of the total amount appropriated to carry out the purposes of this section. *Provided, That no annual grant made under this section shall be in excess of \$2,000,000 for fiscal year 1975, in excess of \$2,500,000 for fiscal year 1976, nor in excess of \$3,000,000 for fiscal year 1977: Provided further, That no annual grant made under this section shall be less than 1 per centum of the total amount appropriated to carry out the purposes of this section: And provided further, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver.*

(c) Prior to granting approval of a management program submitted by a coastal state, the Secretary shall find that:

(1) The state has developed and adopted a management program for its coastal zone in accordance with rules and regulations promulgated by the Secretary, after notice, and with the opportunity of full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, public and private, which is adequate to carry out the purposes of this title and is consistent with the policy declared in section 303 of this title.

(2) The state has:

(A) coordinated its program with local, areawide, and interstate plans applicable to areas within the coastal zone existing on January 1 of the year in which the state's management program is submitted to the Secretary, which plans have been developed by a local government, an areawide agency designated pursuant to regulations established under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency; and

(B) established an effective mechanism for continuing consultation and coordination between the management agency designated pursuant to paragraph (5) of this subsection and with local governments, interstate agencies, regional agencies, and areawide agencies within the coastal zone to assure the full participation of such local governments and agencies in carrying out the purposes of this title.

(3) The state has held public hearings in the development of the management program.

(4) The management program and any changes thereto have been reviewed and approved by the Governor.

(5) The Governor of the state has designated a single agency to receive and administer the grants for implementing the management program required under paragraph (1) of this subsection.

(6) The state is organized to implement the management program required under paragraph (1) of this subsection.

(7) The state has the authorities necessary to implement the program, including the authority required under subsection (d) of this section.

(8) The management program provides for adequate consideration of the national interest involved in the siting of facilities necessary to meet requirements which are other than local in nature.

(9) The management program makes provision for procedures whereby specific areas may be designated for the purpose of preserving or restoring them for their conservation, recreational, ecological, or esthetic values.

(d) Prior to granting approval of the management program, the Secretary shall find that the state, acting through its chosen agency or agencies, including local governments, areawide agencies designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, regional agencies, or interstate agencies, has authority for the management of the coastal zone in accordance with the management program. Such authority shall include power—

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

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

(e) Prior to granting approval, the Secretary shall also find that the program provides:

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

(A) State establishment of criteria and standards for local implementation, subject to administrative review and enforcement of compliance;

(B) Direct state land and water use planning and regulation; or

(C) State administrative review for consistency with the management program of all development plans, projects, or land and water use regulations, including exceptions and variances thereto, proposed by any state or local authority or private developer, with power to approve or disapprove after public notice and an opportunity for hearings.

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

(f) With the approval of the Secretary, a state may allocate to a local government, an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency, a portion of the grant under this section for the purpose of carrying out the provisions of this section: *Provided, That such allocation shall not relieve the state of the responsibility for ensuring that any funds so allocated are applied in furtherance of such state's approved management program.*

(g) The state shall be authorized to amend the management program. The modification shall be in accordance with the procedures required under subsection (c) of this section. Any amendment or modification of the program must be approved by the Secretary before additional administrative grants are made to the state under the program as amended.

(h) At the discretion of the state and with the approval of the Secretary, a management program may be developed and adopted in

segments so that immediate attention may be devoted to those areas within the coastal zone which most urgently need management programs: *Provided*, That the state adequately provides for the ultimate coordination of the various segments of the management program into a single unified program and that the unified program will be completed as soon as is reasonably practicable.

#### INTERAGENCY COORDINATION AND COOPERATION

SEC. 307. (a) In carrying out his functions and responsibilities under this title, the Secretary shall consult with, cooperate with, and, to the maximum extent practicable, coordinate his activities with other interested Federal agencies.

(b) The Secretary shall not approve the management program submitted by a state pursuant to section 306 unless the views of Federal agencies principally affected by such program have been adequately considered. In case of serious disagreement between any Federal agency and the state in the development of the program the Secretary, in cooperation with the Executive Office of the President, shall seek to mediate the differences.

(c) (1) Each Federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs.

(2) Any Federal agency which shall undertake any development project in the coastal zone of a state shall insure that the project is, to the maximum extent practicable, consistent with approved state management programs.

(3) After final approval by the Secretary of a state's management program, any applicant for a required Federal license or permit to conduct an activity affecting land or water uses in the coastal zone of that state shall provide in the application to the licensing or permitting agency a certification that the proposed activity complies with the state's approved program and that such activity will be conducted in a manner consistent with the program. At the same time, the applicant shall furnish to the state or its designated agency a copy of the certification, with all necessary information and data. Each coastal state shall establish procedures for public notice in the case of all such certifications and, to the extent it deems appropriate, procedures for public hearings in connection therewith. At the earliest practicable time, the state or its designated agency shall notify the Federal agency concerned that the state concurs with or objects to the applicant's certification. If the state or its designated agency fails to furnish the required notification within six months after receipt of its copy of the applicant's certification, the state's concurrence with the certification shall be conclusively presumed. No license or permit shall be granted by the Federal agency until the state or its designated agency has concurred with the applicant's certification or until, by the state's failure to act, the concurrence is conclusively presumed, unless the Secretary, on his own initiative or upon appeal by the applicant, finds, after providing a reasonable opportunity for detailed comments from the Federal agency involved and from the state, that the activity is consistent with the objectives of this title or is otherwise necessary in the interest of national security.

(d) State and local governments submitting applications for Federal assistance under other Federal programs affecting the coastal zone shall indicate the views of the appropriate state or local agency as to the relationship of such activities to the approved management program for the coastal zone. Such applications shall be submitted and coordinated in accordance with the provisions of title IV of the Intergovernmental Coordination Act of 1968 (82 Stat. 1098). Federal agencies shall not approve proposed projects that are inconsistent with a coastal state's management program, except upon a finding by the Secretary that such project is consistent with the purposes of this title or necessary in the interest of national security.

(e) Nothing in this title shall be construed—

(1) to diminish either Federal or state jurisdiction, responsibility, or rights in the field of planning, development, or control of water resources, submerged lands, or navigable waters; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established, joint or common agency of two or more states or of two or more states and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(2) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies; nor to affect the jurisdiction powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board, and the United States operating entity or entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico.

(f) Notwithstanding any other provision of this title, nothing in this title shall in any way affect any requirement (1) established by the Federal Water Pollution Control Act, as amended, or the Clean Air Act, as amended, or (2) established by the Federal Government or by any state or local government pursuant to such Acts. Such requirements shall be incorporated in any program developed pursuant to this title and shall be the water pollution control and air pollution control requirements applicable to such program.

(g) When any state's coastal zone management program, submitted for approval or proposed for modification pursuant to section 306 of this title, includes requirements as to shorelands which also would be subject to any Federally supported national land use program which may be hereafter enacted, the Secretary, prior to approving such program, shall obtain the concurrence of the Secretary of the Interior, or such other Federal official as may be designated to administer the national land use program, with respect to that portion of the coastal zone management program affecting such inland areas.

#### PUBLIC HEARINGS

SEC. 308. All public hearings required under this title must be announced at least thirty days prior to the hearing date. At the time of the announcement, all agency materials pertinent to the hearings, including documents, studies, and other data, must be made available to the public for review and study. As similar materials are subse-

quently developed, they shall be made available to the public as they become available to the agency.

#### REVIEW OF PERFORMANCE

SEC. 309. (a) The Secretary shall conduct a continuing review of the management programs of the coastal states and of the performance of each state.

(b) The Secretary shall have the authority to terminate any financial assistance extended under section 306 and to withdraw any unexpended portion of such assistance if (1) he determines that the state is failing to adhere to and is not justified in deviating from the program approved by the Secretary; and (2) the state has been given notice of the proposed termination and withdrawal and given an opportunity to present evidence of adherence or justification for altering its program.

#### RECORDS

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

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this title.

#### ADVISORY COMMITTEE

SEC. 311. (a) The Secretary is authorized and directed to establish a Coastal Zone Management Advisory Committee to advise, consult with, and make recommendations to the Secretary on matters of policy concerning the coastal zone. Such committee shall be composed of not more than fifteen persons designated by the Secretary and shall perform such functions and operate in such a manner as the Secretary may direct. The Secretary shall insure that the committee membership as a group possesses a broad range of experience and knowledge relating to problems involving management, use, conservation, protection, and development of coastal zone resources.

(b) Members of the committee who are not regular full-time employees of the United States, while serving on the business of the committee, including traveltime, may receive compensation at rates not exceeding \$100 per diem; and while so serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

#### ESTUARINE SANCTUARIES

SEC. 312. The Secretary, in accordance with rules and regulations promulgated by him, is authorized to make available to a coastal state grants of up to 50 per centum of the costs of acquisition, development, and operation of estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone. The Federal share of the cost for each such sanctuary shall not exceed \$2,000,000. No Federal funds received pursuant to section 305 or section 306 shall be used for the purpose of this section.

#### ANNUAL REPORT

SEC. 313. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress not later than November 1 of each year a report on the administration of this title for the preceding fiscal year. The report shall include but not be restricted to (1) an identification of the state programs approved pursuant to this title during the preceding Federal fiscal year and a description of those programs; (2) a listing of the states participating in the provisions of this title and a description of the status of each state's programs and its accomplishments during the preceding Federal fiscal year; (3) an itemization of the allocation of funds to the various coastal states and a breakdown of the major projects and areas on which these funds were expended; (4) an identification of any state programs which have been reviewed and disapproved or with respect to which grants have been terminated under this title, and a statement of the reasons for such action; (5) a listing of all activities and projects which, pursuant to the provisions of subsection (c) or subsection (d) of section 307, are not consistent with an applicable approved state management program; (6) a summary of the regulations issued by the Secretary or in effect during the preceding Federal fiscal year; (7) a summary of a coordinated national strategy and program for the Nation's coastal zone including identification and discussion of Federal, regional, state, and local responsibilities and functions therein; (8) a summary of outstanding problems arising in the administration of this title in order of priority; and (9) such other information as may be appropriate.

(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to achieve the objectives of this title and enhance its effective operation.

#### RULES AND REGULATIONS

SEC. 314. The Secretary shall develop and promulgate, pursuant to section 553 of title 5, United States Code, after notice and opportunity for full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, both public and private, such rules and regulations as may be necessary to carry out the provisions of this title.

## AUTHORIZATION OF APPROPRIATIONS

SEC. 315. (a) There are authorized to be appropriated—

【(1) the sum of \$9,000,000 for the fiscal year ending June 30, 1973, and for each of the fiscal years 1974 through 1977 for grants under section 305, to remain available until expended;】

*(1) the sum of \$9,000,000 for each of the fiscal years ending June 30, 1973, and June 30, 1974, and the sum of \$12,000,000 for each of the three succeeding fiscal years, for grants under section 305, to remain available until expended;*

(2) such sums, not to exceed \$30,000,000, for the fiscal year ending June 30, 1974, and for each of the fiscal years 1975 through 1977, as may be necessary, for grants under section 306 to remain available until expended; and

(3) such sums, not to exceed \$6,000,000 for the fiscal year ending June 30, 1974, and for each of the three succeeding fiscal years, as may be necessary, for grants under section 312, to remain available until expended.

(b) There are also authorized to be appropriated such sums, not to exceed \$3,000,000, for fiscal year 1973 and for each of the four succeeding fiscal years, as may be necessary for administrative expenses incident to the administration of this title.





# Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

## An Act

To amend the Coastal Zone Management Act of 1972, to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coastal Zone Management Act of 1972 (86 Stat. 1280) is amended as follows:*

(1) Subsection (e) of section 305 is amended by changing the period at the end of the subsection to a colon and by adding immediately thereafter the following: "*And provided further, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver.*"

(2) Subsection (b) of section 306 is amended by deleting all after "relevant factors:", and by inserting in lieu thereof "*Provided, That no annual grant made under this section shall be in excess of \$2,000,000 for fiscal year 1975, in excess of \$2,500,000 for fiscal year 1976, nor in excess of \$3,000,000 for fiscal year 1977: Provided further, That no annual grant made under this section shall be less than 1 per centum of the total amount appropriated to carry out the purposes of this section: And provided further, That the Secretary shall waive the application of the 1 per centum minimum requirement as to any grant under this section, when the coastal State involved requests such a waiver.*"

(3) Subsection (a) of section 315 is amended—

(A) by amending item (1) to read as follows:

~~"(1) the sum of \$9,000,000 for each of the fiscal years ending June 30, 1973, and June 30, 1974, and the sum of \$12,000,000 for each of the three succeeding fiscal years, for grants under section 305, to remain available until expended;"~~  
and

(B) by inserting, in item (3), after "fiscal year ending June 30, 1974," the following: "and for each of the three succeeding fiscal years."

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*



December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

S.J. Res. 40 ✓	✓ S. 3481 ✓	H.R. 8958 ✓	✓ H.R. 14600 ✓
S.J. Res. 133 ✓	✓ S. 3548 ✓	H.R. 8981 ✓	H.R. 14689 ✓
S.J. Res. 262 ✓	✓ S. 3934 ✓	H.R. 9182 ✓	✓ H.R. 14718 ✓
✓ S. 251 ✓	✓ S. 3943 ✓	H.R. 9199 ✓	✓ H.R. 15173 ✓
S. 356 ✓	S. 3976 ✓	H.R. 9588 ✓	✓ H.R. 15223 ✓
S. 521 ✓	S. 4073 ✓	H.R. 9654 ✓	✓ H.R. 15229 ✓
S. 544 ✓	✓ S. 4206 ✓	H.R. 10212 ✓	✓ H.R. 15322 ✓
S. 663 ✓	H.J. Res. 1178 ✓	✓ H.R. 10701 ✓	H.R. 15977 ✓
✓ S. 754 ✓	✓ H.J. Res. 1180 ✓	✓ H.R. 10710 ✓	✓ H.R. 16045 ✓
S. 1017 ✓	✓ H.R. 421 ✓	H.R. 10827 ✓	✓ H.R. 16215 ✓
S. 1083 ✓	H.R. 1715 ✓	✓ H.R. 11144 ✓	H.R. 16596 ✓
✓ S. 1296 ✓	H.R. 1820 ✓	✓ H.R. 11273 ✓	✓ H.R. 16925 ✓
S. 1418 ✓	H.R. 2208 ✓	✓ H.R. 11796 ✓	✓ H.R. 17010 ✓
S. 2149 ✓	✓ H.R. 2933 ✓	✓ H.R. 11802 ✓	H.R. 17045 ✓
S. 2446 ✓	H.R. 3203 ✓	✓ H.R. 11847 ✓	✓ H.R. 17085 ✓
S. 2807 ✓	H.R. 3339 ✓	✓ H.R. 11897 ✓	✓ H.R. 17468 ✓
S. 2854 ✓	H.R. 5264 ✓	✓ H.R. 12044 ✓	✓ H.R. 17558 ✓
S. 2888 ✓	H.R. 5463 ✓	✓ H.R. 12113 ✓	H.R. 17597 ✓
S. 2994 ✓	✓ H.R. 5773 ✓	✓ H.R. 12427 ✓	✓ H.R. 17628 ✓
✓ S. 3022 ✓	H.R. 7599 ✓	✓ H.R. 12884 ✓	✓ H.R. 17655 ✓
S. 3289 ✓	H.R. 7684 ✓	✓ H.R. 13022 ✓	
S. 3358 ✓	H.R. 7767 ✓	✓ H.R. 13296 ✓	
S. 3359 ✓	H.R. 8214 ✓	✓ H.R. 13869 ✓	
S. 3394 ✓	H.R. 8322 ✓	H.R. 14449 ✓	
✓ S. 3433 ✓	H.R. 8591 ✓	✓ H.R. 14461 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.