**CSO 2020 Administration Transition Paper**

**Purpose:** The purpose of the 2020 Administration Transition Paper is to provide the next administration with information on who Coastal States Organization is, what the Coastal Zone Management Programs are, the state of play on key issues for the CZM Programs and CSO, and to provide recommendations for what the administration could do to meaningfully help address these issues.

**Background:** Transition materials are traditionally prepared every four years to support a potential incoming President and their administration whether or not there is an incumbent running for a second term. Materials are required to be prepared by federal agencies while external organizations often voluntarily prepare materials. CSO staff is aware of several partner organizations who are preparing both organizational and coalition transition materials.

While theoretically these materials could be provided to both the incumbent administration and the potential incoming administration’s transition team, the incumbent administration has demonstrated a lack of support for coastal zone management, we project that it could be not only of no use, but potentially harmful to provide this information to the incumbent administration at a political level. As such, the developed materials will only be shared with the presumed friendly, potential incoming administration.

**Process and Next Steps:** The development process proposed for 2020 administration transition materials is a staff development, member revision and approval process. The staff in developing the attached draft consulted materials that CSO developed CSO for the 2016 transition, member consensus votes on recent legislation and policies, and other relevant materials to identify organizational issues and priority recommendations to address in this document.

**CSO Member 30-day review prior to vote at the Member Meeting on September 15th.**

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**2020 Administration Transition Paper**

**Background**

The Coastal States Organization (CSO) was established in 1970 by the Governors of the nation’s coastal States and Territories. Today CSO represents these coastal States and Territories before the Administration and Congress on pending and future coastal resource issues that affect America’s coasts. Each Governor of a coastal State and Territory appoints delegates to CSO who collaborate and determine consensus positions on topics of national importance. While each jurisdiction’s coastal authorities and activities, and the ecologies and economies they support, are unique, in total they are vital to the nation’s environmental and economic strength.

*CZMA History, Process, and Funding Structure*

CSO’s membership mirrors the jurisdiction of the Coastal Zone Management Act (CZMA) (16 U.S.C. §§ 1451 et seq.) implemented in partnership with the National Oceanic and Atmospheric Administration (NOAA). The CZMA became law in 1972 with the objectives of “effective management, beneficial use, protection, and development of the coastal zone.” The CZMA establishes a system of cooperative federalism for managing the nations coasts with both a National CZM Program managed by NOAA and individual State and Territory CZM Programs. Under this framework, States and Territories may develop CZM programs and enforceable policies consistent with Section 306 of the CZMA (16 U.S.C. §1455) which reflect their State or Territory’s unique interests in managing their coast. These Programs, and any subsequent program changes, must be reviewed and approved by the Secretary of Commerce, delegated to the Administrator of NOAA. The CZMA was last amended and reauthorized in 1996 with authorization through 1999.

Upon approval, State and Territory CZM Programs are eligible to receive grant funding which they match nearly dollar for dollar. Approved CZM Programs receive Section 306 Administrative Grants (16 U.S.C. § 1455), Section 306A Coastal Resource Improvement Program Grants (16 U.S.C. § 1455a), and Section 309 Coastal Zone Enhancement Grants (16 U.S.C. $ 1456b) which collectively make up the Coastal Management Grants budget line under the NOAA National Ocean Service (NOS) budget. The State and Territory CZM Programs provide at least 1-to-1 match for both the Section 306 and 306A grants. For Section 309 grants the States and Territory CZM Programs are not required to provide match however these grants are statutorily capped at $10M of the total Coastal Management Grants appropriation. NOAA may also provide funding through Section 310 Technical Assistance and previously provided funding for Regional Coastal Resilience Grants (RCRG) under this section; however, in 2018 Congress directed the funds for this program to the National Ocean and Coastal Security Act for the purpose of meeting the goals of the RCRG and these funds are now administered by the National Fish and Wildlife Foundation for the competitive National Coastal Resilience Fund Grant Program. Additional funding lines under the CZMA include Section 307A Coastal and Estuarine Land Conservation Program, which Congress has not appropriated funding to this budget line since 2012; and Section 315 National Estuarine Research Reserve System which provides funding to States for land acquisition with a 1-to-1 match and management and education activities with the States providing a 30% match.

The Coastal Zone Management and Services budget line under the NOAA NOS budget supports the National CZM Program in providing technical support, tools, and data to ensure coastal management is based on best practices and sound science. Recent funding trends for both the Coastal Management Grants (and State match) and Coastal Zone Management and Services budget lines are under Table 1.

**Table 1.**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Line | FY14 | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 |
| Coastal Management Grants | $66.146M | $66.146M | $70M | $70M | $75M | $75.5M | $77M |
| State Match (minimum) | $56.146M | $56.146M | $60M | $65M | $65M | $65.5M | $67M |
| Coastal Zone Management and Services | $41M | $41.7M | $40M | $42.5M | $42.5M | $43.5M | $45M |

The State and Territory CZM Programs ensure sound coastal zone management through various activities including:

* developing and implementing coastal adaptation and resilience strategies;
* designing and implementing coastal habitat protection and restoration projects;
* informing infrastructure planning in the coastal zone;
* providing grants and technical assistance to local communities on coastal projects;
* permitting coastal development; ensuring that federal activities and align with State or Territory CZM Programs;
* conducting coastal research to inform management;
* creating, enhancing, and maintaining public access to coastal areas;
* supporting the continuation of working and urban waterfronts;
* educating the public on coastal issues; and
* managing nonpoint source pollution.

**Key Issues**

*Coastal Hazards and Climate Change*

The nation’s coasts are home to over 127 million people, approximately 40% of the nation’s total population. They are key economic drivers contributing more than $8.6 trillion in goods and services annually, employing 56.8 million people, and paying $3.5 trillion in wages annually. The marine economy (businesses dependent on the nation’s oceans, coasts and Great Lakes) alone contributes $373 billion annually to the nation’s GDP. At the same time, coastal communities are facing steadily increasing coastal hazards, many due to climate change, including extreme coastal storms and storm surge, flooding, sea level rise, lake water level changes, tsunamis, and shoreline erosion. State and Territory CZM Programs are working to plan for, respond to, and build long-term resilience to these coastal hazards.

*Mission and Need Exceeds Resources*

For well over a decade the State and Territory CZM Programs have had to do more with less. Between FY2002 and FY2017 the annual appropriations stayed stagnant with a nominal increase from $68.963M to $70M and between FY2017 and FY2020 there has been a slightly more substantial increase to $77M. However, if appropriations had kept pace with inflation the equivalent to $68.963M in FY2002 would be $98.824M in FY2020. At the same time, the States and Territories have had increased demand to address coastal hazards, community resilience, and coastal conservation and restoration. The State and Territory CZM Programs have identified that the appropriations amount necessary to meet these needs would be $116.3M in FY21.

To fill this gap between appropriated funding and the need driven by their extensive missions, roles, and responsibilities, most State and Territory CZM Programs supplement their Federal grant funding and State or Territory matching funds with resources from other Federal funding sources including from NOAA, the U.S. Army Corps of Engineer (USACE), Federal Emergency Management Agency (FEMA), Environmental Protection Agency (EPA), and U.S. Fish and Wildlife Service (USFWS). These resources help to support issues and activities including habitat protection and restoration, coral reef protection and restoration, coastal infrastructure, dredge and beach nourishment activities, hazard mitigation planning and projects, long-term hazard mitigation planning and projects following a Presidential major disaster declaration, and projects to reduce or eliminate risk of flood damage, pollution prevention, marine debris, etc. By lacking sufficient base funding and having to rely on soft funding through competitive grant making processes to make up the deficits, there is inherently a loss in efficiency and efficacy. Soft funds enable short term projects but do not increase capacity for long-term management covering the breadth of coastal issues.

*Need for Enhanced Collaboration, Data, and Tools*

Coastal Zone Management is inherently a collaborative effort. States and Territories collaborate with federal agencies and other partners through various mechanisms to gather and utilize data about their coast, protect and restore habitat, manage water quality, protect and improved coastal infrastructure, and prepare and respond to coastal hazards. States and Territories collaborate with local communities and governments to identify and address specific localized needs. States and Territories collaborate with other States and Territories to identify and address regional issues. States and Territories collaborate with academia to better understand the coasts and to identify novel methods for addressing coastal issues. States and Territories work with non-governmental organizations to leverage resources to accomplish specific projects.

With collaboration being an essential component of effective coastal zone management, it is imperative that mechanisms for collaboration run smoothly, and that key partners have the resources they need to accomplish their missions. Unfortunately, across the federal government there are numerous entities playing a role in coastal zone management and they are often not coordinating amongst themselves resulting in often duplicitous, or even counter-productive efforts. Additionally, many key efforts are currently unauthorized or underfunded impacting both the individual efforts and their contribution to effective coastal zone management.

Many coastal management partners play an integral role in providing key data and tools to inform coastal zone management. This combination of data and tools is essential to being able to inform State and Territory coastal zone management. However, often the data, and in particular the tools, are not at fine enough of a scale for State and Territory issues. As a result, the State and Territory coastal programs often need to supplement these data and tools with additional local data collection and tool development in order to meet their needs.

**Recommendations**

To advance the objectives of “effective management, beneficial use, protection, and development of the coastal zone,” and to address the key issues outlined above, CSO recommends that the Administration advance the following efforts:

*CSO recommends* that the administration support legislation that reauthorizes the CZMA. CSO has developed draft reauthorization legislation and hopes to work with Congress to pass it. The draft includes:

* + Authorization of new Coastal States Resilience Fund and new Coastal Hazard Emergency Response Fund (collectively replacing the defunct Coastal Zone Management Fund Section 308 of the CZMA).
  + Amendment to the Coastal and Estuarine Land and Conservation Program (Section 307A of the CZMA) to authorize the purchase of developed properties for conversion to natural habitat to facility community setbacks and managed retreat to respond to climate change and increasing intensity and frequency of coastal hazards.
  + Maintain Section 307 Coordination and Cooperation of the CZMA to ensure the integrity of the unique cooperative federalism nature of the CZMA.

*CSO recommends* support in the annual President’s Budget for:

* Increased appropriations for the Coastal Management Grants budget line under NOAA National Ocean Service to meet the current need of State and Territory CZM Programs.
* Increased appropriations for Coastal Zone Management and Services budget line under NOAA National Ocean Service to ensure that NOAA is able to provide high quality data, tools, and technical support to State and Territory CZM Programs and the Tribes through the new Tribal Coastal Resilience Program.
* Increased appropriations for National Estuarine Research Reserves System which is a key partner with State and Territory CZM Programs where they are present.
* Continued support for appropriations to:
  + National Sea Grant College Program
  + National Coral Conservation Program
  + NOAA Integrated Ocean Observing System
  + NOAA Climate Program
  + NOAA Coast Survey
  + NOAA Center for Operational Oceanographic Products and Services
  + National Geodetic Survey

*CSO recommends* that the administration support the passage of the following legislation which authorizes or reauthorizes key NOAA programs which provide services, research, data, and tools which help the States and Territories to advance the mission of the CZMA:

* Digital Coast Act
* Regional Ocean Partnerships Act
* National Marine Sanctuaries Act
* Integrated Coastal and Ocean Observation System Act
* National Sea Grant College Program Act
* Coral Reef Conservation Act
* Continued passage of Water Resources Development Act each congress

*CSO recommends* that the administration support the NOAA Office for Coastal Management in working with States, Territories, and Tribes to ensure that data and tools meet their coastal zone management and resilience needs.

*CSO recommends* that the administration support the creation of a Tribal Coastal Resilience Program separate from the CZMA to provide Tribes with the resources and technical support needed to address coastal hazards and resilience while maintaining the sovereign relationship between the Tribes and the Federal government. The CSO draft CZMA reauthorization legislation includes draft languages for a separate title which would authorize this new program.

*CSO recommends* that the administration implements a robust National Ocean Policy with interagency collaboration and integration to ensure our nation has healthy, productive, and resilient oceans, coasts, and Great Lakes.

*CSO recommends* that the administration ensures relevant federal agencies work with the States and Territories, Tribes, and other stakeholders to identify mechanisms to streamline federal funding, reduce duplicity of federal funding opportunities to ensure they are funding priority activities and to increase the net resource availability for coastal resilience, climate change adaptation, coastal hazard preparedness and response, coastal habitat conservation, coastal habitat restoration, and other coastal zone management priorities.

*CSO recommends* that the administration support USACE agency actions and/or relevant legislation (Water Resources Development Act) which support the prioritization of beneficial use, to include thin layer placement, by the USACE and the use of long-term, comprehensive, regional sediment management plans to inform such beneficial use.

*CSO recommends* that the administration support across federal agencies, and in particular in USACE, the planning and development of coastal adaptation projects to account for long-term (50-200 year) sea level rise and lake level projections.

*CSO recommends* that the administration support across federal agencies, and in particular in FEMA, programs and policies that promote responsible beachfront building setbacks, redevelopment standards, and construction practices, including relocation programs to enable inland migration of beach and inlet habitats.

*CSO recommends* that the administration ensure that relevant federal programs and grants are incorporating real considerations of environmental justice.