

PUBLIC LAW 104-150—JUNE 3, 1996

COASTAL ZONE PROTECTION ACT OF 1996

Public Law 104-150
104th Congress

An Act

June 3, 1996
[H.R. 1965]

Coastal Zone
Protection Act of
1996.
16 USC 1451
note.

To reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Coastal Zone Protection Act of 1996”.

SEC. 2. FINANCIAL ASSISTANCE FOR DEVELOPMENT OF STATE COASTAL PROGRAMS.

(a) REAUTHORIZATION OF PROGRAM.—Section 305(a) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454(a)) is amended—

- (1) by striking “1991, 1992, and 1993” and inserting “1997, 1998, and 1999”; and
- (2) by striking “two” and inserting “four”.

(b) TERMINATION OF PROGRAM.—

(1) IN GENERAL.—Section 305 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454) is amended—

- (A) by striking subsection (a);
- (B) by striking “(b)”; and
- (C) by amending the heading to read as follows:

“SUBMITTAL OF STATE PROGRAM FOR APPROVAL”.

16 USC 1456a.

(2) CONFORMING AMENDMENTS.—Section 308(b)(2)(B) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1457(b)(2)(B)) is amended—

- (A) in clause (iv) by adding “and” after the semicolon;
- (B) by striking clause (v); and
- (C) by redesignating clause (vi) as clause (v).

16 USC 1454
note.

(3) EFFECTIVE DATE.—This subsection shall take effect on October 1, 1999.

SEC. 3. IMPLEMENTATION ASSISTANCE FOR COASTAL ZONE ENHANCEMENT.

Section 309(b) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456b(b)) is amended—

- (1) by inserting “(1)” before “Subject to”; and
- (2) by adding at the end the following new paragraph:

“(2)(A) In addition to any amounts provided under section 306, and subject to the availability of appropriations, the Secretary may make grants under this subsection to States for implementing program changes approved by the Secretary in accordance with section 306(e).

“(B) Grants under this paragraph to implement a program change may not be made in any fiscal year after the second fiscal year that begins after the approval of that change by the Secretary.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS.

Section 318 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1464) is amended—

(1) by striking “SEC. 318.” and all that follows through subsection (a) and inserting the following:

“SEC. 318. (a) There are authorized to be appropriated to the Secretary, to remain available until expended—

“(1) for grants under sections 306, 306A, and 309—

“(A) \$47,600,000 for fiscal year 1997;

“(B) \$49,000,000 for fiscal year 1998; and

“(C) \$50,500,000 for fiscal year 1999; and

“(2) for grants under section 315—

“(A) \$4,400,000 for fiscal year 1997;

“(B) \$4,500,000 for fiscal year 1998; and

“(C) \$4,600,000 for fiscal year 1999.”;

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) in order as subsections (b) and (c).

SEC. 5. COASTAL ZONE MANAGEMENT FUND.

(a) **AUTHORIZATION FOR ADMINISTRATIVE EXPENSES.**—Section 308(b)(2)(A) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a(b)(2)(A)) is amended to read as follows:

“(A) Expenses incident to the administration of this title, in an amount not to exceed for each of fiscal years 1997, 1998, and 1999 the higher of—

“(i) \$4,000,000; or

“(ii) 8 percent of the total amount appropriated under this title for the fiscal year.”.

(b) **AUTHORIZATION FOR PROGRAM DEVELOPMENT GRANTS.**—Section 308(b)(2)(B)(v) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a(b)(2)(B)(v)) is amended to read as follows:

“(v) program development grants as authorized by section 305, in an amount not to exceed \$200,000 for each of fiscal years 1997, 1998, and 1999; and”.

SEC. 6. MATCHING REQUIREMENT.

Section 315(e)(3) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461(e)(3)) is amended by adding at the end the following new subparagraph:

“(C) Notwithstanding subparagraphs (A) and (B), financial assistance under this subsection provided from amounts recovered as a result of damage to natural resources located in the coastal zone may be used to pay 100 percent of the costs of activities carried out with the assistance.”.

SEC. 7. AQUACULTURE IN THE COASTAL ZONE.

The Coastal Zone Management Act of 1972 is amended—

(1) in section 306A(b) (16 U.S.C. 1455a(b)) by adding at the end of the following:

“(4) The development of a coordinated process among State agencies to regulate and issue permits for aquaculture facilities in the coastal zone.”; and

(2) in section 309(a) (16 U.S.C. 1456b(a)) by adding at the end the following:

“(9) Adoption of procedures and policies to evaluate and facilitate the siting of public and private aquaculture facilities in the coastal zone, which will enable States to formulate, administer, and implement strategic plans for marine aquaculture.”.

SEC. 8. APPEALS TO THE SECRETARY.

The Coastal Zone Management Act of 1972 is amended by adding at the end the following new section:

“APPEALS TO THE SECRETARY

Federal Register,
publication.
16 USC 1465.

“SEC. 319. (a) NOTICE.—The Secretary shall publish in the Federal Register a notice indicating when the decision record has been closed on any appeal to the Secretary taken from a consistency determination under section 307(c) or (d). No later than 90 days after the date of publication of this notice, the Secretary shall—

“(1) issue a final decision in the appeal; or
“(2) publish a notice in the Federal Register detailing why a decision cannot be issued within the 90-day period.

“(b) DEADLINE.—In the case where the Secretary publishes a notice under subsection (a)(2), the Secretary shall issue a decision in any appeal filed under section 307 no later than 45 days after the date of the publication of the notice.

“(c) APPLICATION.—This section applies to appeals initiated by the Secretary and appeals filed by an applicant.”.

Approved June 3, 1996.

LEGISLATIVE HISTORY—H.R. 1965:

HOUSE REPORTS: No. 104-521 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 142 (1996):

Apr. 23, considered and passed House.

May 21, considered and passed Senate.

