Coastal Zone Management Act

The Coastal Zone Management Act established the national policy to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation’s coastal zone for this and succeeding generations. The Act is intended to encourage and assist the coastal states to effectively exercise 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 the needs for compatible economic development.

The Act made provision for coastal states to develop a grant program for the development of coastal zone management plans. The Act also provides other grants to states that have approved coastal zone management plans to manage and encourage additional programs to preserve or restore certain areas, including deteriorating and underutilized urban waterfronts or ports.

Provisions of the act establish extensive coordination, cooperation and participation guidelines for federal and state agencies, local governments and the public. The Act establishes a Coastal Zone Management Fund and provides for coastal zone enhancement grants and technical assistance programs.

In order to be eligible for Federal approval, a State's plan was required to define coastal zone boundaries, identify uses of the area to be regulated by the State, the mechanism (criteria, standards or regulations) for controlling such uses, and broad guidelines for priorities of uses within the defined boundaries.

The 1972 law also established a system of criteria and standards for requiring that Federal actions be conducted in a manner consistent with the Federal approved plan for a state’s coastal zone.

NYS Waterfront Revitalization

In Article 42, section 910 of the NYS Executive Law - Waterfront Revitalization of Coastal Areas and Inland Waterways, the legislature found the New York state's coastal area and inland waterways are unique with a variety of natural, recreational, industrial, commercial, ecological, cultural, aesthetic and energy resources of statewide and national significance.

The legislature further found that it is in the interest of the people of the state that coordinated and comprehensive policy and planning for preservation, enhancement, protection, development and use of the state's coastal and inland waterway resources take place to insure the proper balance between natural resources and the need to accommodate the needs of population growth and economic development.
The Legislature therefore declared policies that would achieve a balance between economic
development and preservation that will permit the beneficial use of coastal and inland waterway
resources while preventing the loss of living marine resources and wildlife, diminution of open
space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or
permanent adverse changes to ecological systems. The policies would among other things, also
encourage the development and use of existing ports and small harbors including use and
maintenance of viable existing infrastructures, and to reinforce their role as valuable
components within the state's transportation and industrial network. One key policy declared in
the Law is to assure consistency of state actions and, where appropriate, federal actions, with
policies of the coastal area and inland waterways, and with accepted waterfront revitalization
programs of the area defined or addressed by such programs.

Section 913 of the Act enumerated the powers of the Secretary of the NYSDOS; section 915
established and provided support for the Optional local government waterfront revitalization
program for coastal areas and inland waterways; section 916 made provisions for benefits of
approved waterfront revitalization programs; section 917 offered technical assistance, and
section 918 Financial assistance to local governments with waterfront revitalization programs.
Coordination of state actions and programs and consistency with state coastal policies were
provided for in section 919.

State Coastal Erosion Hazard Law

NYS Department of Environmental Conservation (NYSDEC) restricts activities within mapped
coastal erosion hazard areas along Long Island Sound, Lake Erie, Lake Ontario, and the Atlantic
Ocean pursuant to 6 NYCRR Part 505 and ECL Article 34. (http://www.dec.ny.gov/regs/4470.html)
A coastal erosion management permit is required for regulated activities in coastal erosion hazard areas, as mapped by NYSDEC.

The Article 34 of the Environmental Conservation Law (ECL), Coastal Erosion Hazard Areas
declares that areas of the state’s coastline most prone to erosion hazards should be identified.
Activities, development or other actions in these areas should be undertaken to minimize damage
to property, and prevent the exacerbation of erosion hazards. The implementation of this law
provisions in 6 NYCRR Part 505, Coastal Erosion Management Regulations, sets forth a
program to prevent and reduce erosion by:

- Promoting and preserving the natural protective features such as dunes and bluffs,
  beaches and near shore areas of coastal regions;
- Restricting or prohibiting activities, development or actions in natural protective feature
  areas to prevent or reduce erosion and place new construction or structures a safe distance
  from areas of active erosion and impacts of coastal storms;
- Regulating the placement and construction of erosion protection structures, when
  justified, to minimize damage to property, natural protective features and other natural
  resources;
- Restricting development involving public investment in services, facilities, or activities
  which are likely to encourage new permanent development in erosion hazard areas;
- Requiring publicly financed erosion protection structures intended to minimize erosion
damage to be used only where necessary to protect human life or where the public benefits of such structures clearly outweigh the public expenditures;
- Establishing procedural standards for local program implementation and encourage administration of coastal erosion management programs by affected municipalities; and
- Establishing standards for the issuance of coastal erosion management permits.

Coastal Barrier Resources System

The U.S. Fish and Wildlife Service (USFWS) prohibits certain federally-funded activities within the mapped Coastal Barrier Resources System in Nassau, Suffolk, Queens, Jefferson, Oswego, Cayuga, Wayne, Monroe, and Erie Counties pursuant to 16 USC Parts 3501 - 3510.


The original act established a policy that coastal barriers, in certain geographic areas of the U.S., and their adjacent inlets, waterways and wetlands resources are to be protected by restricting Federal expenditures which have the effect of encouraging development of coastal barriers. The act provided for a Coastal Barrier Resources System (CBRS) which identified undeveloped coastal barriers along the Atlantic and Gulf Coasts, including islands, spits, tombolos, and bay barriers that are subject to wind, waves, and tides such as estuaries and nearshore waters (the extent of which is defined by a set of maps approved by Congress dated 30 September 1982).

Except for specific exempted projects (e.g. dredging, Federal navigation projects, some habitat management and enhancement efforts), no new Federal expenditures or financial assistance are allowed for areas within the system. The purpose was to minimize loss of human life, wasteful expenditure of Federal revenues, and damage to fish, wildlife and other natural resources associated with the development of coastal barriers.

The 1990 reauthorization, Coastal Barrier Improvement Act (16 U.S.C. 3501 et. Seq.) provides for the technical revision of maps, modification of boundaries, and additions to the CBRS. A similar resource inventory is to be created for coastal barrier resources of the U.S. Pacific Coast under the Pacific Coast Barrier Resources Study and Mapping.

The 2004 Coastal Barrier Resources Act, amended through P.L. 108-204, expands the coastal barriers to include shore areas of the Great Lakes.