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Updated February 19, 2026

Congressional Research Service
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R45460

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SUMMARY

R45460

February 19, 2026

Eva Lipiec
Specialist in Natural Resource Policy

Coastal Zone Management Act (CZMA): Overview and Issues for Congress

The Coastal Zone Management Act (CZMA; P.L. 92-583, 16 U.S.C. §§1451-1466), enacted in 1972 and since amended, set up a national framework for states and territories to consider and manage coastal resources and potential impacts on those resources, and for the federal government to provide financial assistance to support such efforts. Congress may continue to consider whether to alter—and if so, how—the focus and implementation of CZMA activities and CZMA's federal assistance authorizations and appropriations. Congress also may consider whether—and if so, how—to modify or codify in statute any executive actions taken by the Trump Administration.

Under CZMA, if a state or territory chooses to develop a coastal management program (CMP) and the Secretary of Commerce approves such a program, the state or territory becomes a participant and (1) is eligible for federal financial assistance and (2) can perform *consistency determination reviews* of federal agency actions in coastal areas. The Secretary of Commerce has delegated CZMA administration to the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management (OCM). States determine the details of their CMPs, including coastal zone boundaries, issues of most interest to them, and policies to address these issues, among other factors. Thirty-five states and territories (including the Great Lakes states, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) are eligible to participate. Although all 35 have chosen to participate at some point, 34 are currently part of the National Coastal Zone Management Program (NCZMP; Alaska has not participated since 2011).

Between FY1974 and FY2024, NOAA allocated over $2.8 billion (nominal dollars) to participants across six coastal zone management-related financial assistance programs. During this time, participants received amounts ranging from at least $25.5 million to over $127.0 million in financial assistance, depending on factors such as how long the participant had been a part of NCZMP, the participant's population and shoreline length, and the extent of the participant's success in competitive CZMA grant programs. Congress provided $81.5 million to NOAA for coastal zone management financial assistance in FY2026.

CZMA consistency provisions require federal actions that have reasonably foreseeable effects on coastal uses or resources to be consistent with policies of a participant's approved CMP. An action may occur in the participant's approved coastal zone or in nearby federal or out-of-state waters that may cause interstate coastal effects. Federal agencies or applicants proposing to perform work in or near coastal zones (e.g., a project developer proposing an activity pursuant to a federal permit or using federal funds) must submit a consistency determination to the potentially affected participant certifying that the actions are consistent with participant policies and providing participants the opportunity to review their determinations. Depending on the federal action, federal agencies may or may not move forward with the activity if the participant finds the action is not consistent with the participant's policies.

Congress continues to consider changes to CZMA. For example, some Members in the 119th Congress have argued for alterations to CZMA account for continued population and infrastructure growth along the coast, and evolving coastal environmental conditions. Introduced bills would amend CZMA to address climate change and "working waterfronts" (e.g., H.R. 1808; H.R. 2786, H.R. 2990; H.R. 3718 §202; and H.R. 5746 §303), among other topics. Congress has examined how the Secretary of Commerce and NOAA have implemented CZMA and whether changes to the agency, the law, or the law's implementation are necessary. Concerns have focused on specific financial assistance programs, as well as federal consistency determination reviews of certain activities. Members of Congress have introduced some bills to address these issues (e.g., H.R. 1874 and H.R. 5342) and may consider additional oversight activities, such as reporting. Additionally, Congress may consider proposals to reauthorize or modify appropriated amounts for CZMA financial assistance programs. Various stakeholders have argued for changes to appropriated amounts for the CZMA financial assistance programs to address changing or additional priorities on and away from the coast. Bills in the 119th Congress to modify CZMA's authorization of appropriations or funding include H.R. 143 and H.R. 2786.

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Introduction

The Coastal Zone Management Act (CZMA; P.L. 92-583, 16 U.S.C. §§1451-1466) set up a national framework for states and territories to consider and manage coastal resources. Congress passed the act in 1972 and has amended it 11 times, most recently in 2009.[1] Congress deliberated and passed CZMA at a time when concern about environmental degradation spurred passage of many of the nation's environmental statutes.[2] Under the act, if a state or territory chooses to develop a coastal management program and the program is approved by the Secretary of Commerce, the state or territory (1) becomes eligible for several federal financial assistance programs and (2) can perform reviews of certain federal agency actions in coastal areas (known as *federal consistency determination reviews*).

Since 1972, many of the trends that originally called congressional attention to coastal management have continued. According to the 2020 census, coastal shoreline counties were home to 129 million people—nearly 40% of the U.S. population.[3] Coastal areas also are home to economic sectors such as fishing, transportation, defense, offshore energy, and tourism and to natural resources such as estuaries, beach systems, and wetlands. The shoreline likely will continue to be affected by pressures to both develop and preserve areas, large-scale natural events (e.g., hurricanes and tsunamis), and long-term environmental changes (to relative sea level, rainfall, wetland coverage, and air and water temperatures, etc.).[4] Congress may continue to consider whether and how CZMA should respond to these pressures, whether CZMA is being effectively implemented, and whether changes should be made to CZMA financial assistance programs, including their authorization of appropriations and funding levels.

This report provides a review of CZMA with a specific focus on the National Coastal Zone Management Program (NCZMP). The report discusses how and why states and territories may choose to participate in the national program (namely, to access federal financial assistance and to review consistency determinations related to federal actions, such as federally implemented or federally supported projects in coastal areas) and recent issues for Congress. Issues for potential consideration include addressing changes in the environment and development along the coast within CZMA, effectiveness of federal implementation of CZMA provisions, and authorization of appropriations and funding levels for CZMA financial assistance programs.

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[1] The Coastal Zone Management Act (CZMA; P.L. 92-583, 16 U.S.C. §§1451-1466) received broad support in both chambers. The Senate passed its version of the bill (S. 3507, 92nd Congress) by a 68-0 roll-call vote, and the House passed its version (H.R. 1414, 92nd Congress) by a 376-6 roll-call vote. The conference report was adopted by voice vote in both chambers. In addition to CZMA, the 92nd Congress considered but did not enact more general national land use planning legislation. Some Members of Congress concluded that the challenges the general land use legislation was intending to address were most concentrated in coastal areas and warranted immediate attention. U.S. Congress, Senate Committee on Commerce, *Bill Report on S. 3507, National Coastal Zone Management Act of 1972*, S. Rpt. 92-753, p. 3. The result was CZMA, with the intent by some Members to fold coastal management into more encompassing legislation at a later date. U.S. Congress, Conference Committee, *Conference Report to Accompany S. 3507, Coastal Zone Management Act of 1972*, H. Rept. 92-1544, p. 13.

[2] For example, in 1970, Congress passed the National Environmental Policy Act of 1969 (P.L. 91-190) and President Nixon created the Environmental Protection Agency. The Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500; also known as the Clean Water Act) also were enacted in the early 1970s.

[3] National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management (OCM), "Economics and Demographics," https://coast.noaa.gov/states/fast-facts/economics-and-demographics.html, archived April 1, 2025, at https://perma.cc/Q85H-YB33.

[4] NOAA, "Land Cover Change," https://coast.noaa.gov/states/fast-facts/land-cover-change.html, archived December 19, 2025, at https://perma.cc/M5X5-Z8W4https://coast.noaa.gov/states/fast-facts/land-cover-change.html; and U.S. Global Change Research Program (USGCRP), "Chapter 9: Coastal Effects," in *Fifth National Climate Assessment*, 2023. Hereinafter USGCRP, "Chapter 9: Coastal Effects."

Coastal Zone Management Act

Congress enacted CZMA "to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the nation's coastal zones."[5] Although CZMA has been amended 11 times since enactment, the national policies as declared by Congress have stayed relatively consistent over time. The national policies include

- to preserve, protect, develop, and, if possible, restore or enhance coastal resources;
- to encourage and assist states and territories to effectively exercise their development and management responsibilities in the coastal zone, giving full consideration to ecological, cultural, historic, and aesthetic values as well as the needs for compatible economic development;
- to encourage the preparation of special area management plans to protect significant natural resources, support reasonable coastal-dependent economic growth, and improve protection of life and property;
- to encourage the participation and cooperation of the public, state and local governments, interstate and other regional agencies, and federal agencies to carry out CZMA;
- to encourage coordination and cooperation with and among appropriate federal, state, and local agencies, and international organizations, in collection, analysis, and dissemination of coastal management information and research; and
- to respond to changing circumstances affecting the coastal environment and resources and their management by encouraging states and territories to consider ocean uses that may affect the coastal zone.[6]

Under CZMA, each level of government plays a role in coastal management. At the federal level, the Secretary of Commerce implements CZMA's national policies and provisions; the Secretary has delegated this responsibility to the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management (OCM). To participate in the NCZMP, states must adhere to guidelines as set in federal statute and related regulations. States and territories determine the details of their coastal management programs (CMPs), including the boundaries of their coastal zones, issues of most interest to the state, and policies to address these issues, among other factors. Local governments implement the approved CMPs, often through land use regulations.

National Coastal Zone Management Program

OCM administers CZMA provisions under two national programs, the NCZMP and the National Estuarine Research Reserve System (NERRS);[7] this report focuses on the NCZMP. The NCZMP

[5] P.L. 92-583.

[6] 16 U.S.C. §1452.

[7] The National Estuarine Research Reserve System program funds research and monitoring in 30 protected coastal areas. The Digital Coast is an online platform with data, tools, and training for U.S. coastal managers and technicians. OCM houses the NOAA Coral Reef Conservation Program, which supports efforts to preserve, sustain, and restore coral reef ecosystems across NOAA. More information on all of these programs can be found at NOAA, "Learn About the Programs," https://coast.noaa.gov/about/, archived April 1, 2025, at https://perma.cc/8VNR-3UYH.

encourages interested coastal states and territories (hereinafter referred to as *states*) to work with NOAA to develop and implement coastal management programs.[8] To join, states must develop CMPs pursuant to CZMA and federal regulations. States that join the NCZMP are eligible for several federal financial assistance programs and have the right to review federal actions for consistency with state coastal policies.

How States and Territories Become Part of the NCZMP

If a state chooses to become part of the NCZMP, it must develop a CMP pursuant to CZMA Section 306 and NOAA regulations.[9] CMPs must contain "a broad class of policies for ... resource protection, management of coastal development, and simplification of governmental processes."[10]

The Secretary of Commerce (the Secretary) must conclude that the state has completed certain tasks (e.g., included required program elements and coordinated with local and regional agencies) to approve the CMP. Once the Secretary approves the state's CMP, the state is eligible to receive the NCZMP's benefits and is referred to as a *participant* of the national program.[11] The Secretary is expected to evaluate participants at least once every three years to determine whether they are working toward their stated plans.[12]

Thirty-five states and territories (including states surrounding the Great Lakes, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) are eligible to participate. Although all 35 eligible states and territories have at some point chosen to participate, 34 are currently part of the NCZMP.[13]

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[8] Participating in CZMA is voluntary; states and territories (hereinafter *states*) are not required to submit a coastal management program to the Secretary of Commerce. However, if and when a state's coastal management program is approved by the Secretary of Commerce, the state must implement Section 6217, the Coastal Nonpoint Pollution Control Program, which requires states with approved coastal management programs to reduce polluted runoff to coastal waters through specific land-based measures.

[9] 16 U.S.C. §1455 and 15 C.F.R. Part 923.

[10] 15 C.F.R. §923.3(c).

[11] 16 U.S.C. §1455.

[12] 15 C.F.R. §923.132. Information about evaluation criteria can be found at NOAA, *Evaluation Process: Coastal Zone Management Act Evaluations*, June 2021, https://coast.noaa.gov/data/czm/media/guidance-evaluation-process.pdf, archived April 1, 2025, at https://perma.cc/PTT6-VKZ2. Past evaluations can be found at NOAA, "Evaluation Findings," https://coast.noaa.gov/czm/evaluations/evaluation_findings/index.html, archived December 19, 2025, at https://perma.cc/HPS5-MWP7. Information about ongoing evaluations can be found at NOAA, "Program Evaluations," https://coast.noaa.gov/czm/evaluations/, archived December 19, 2025, at https://perma.cc/VQY7-VL52.

[13] Alaska's legislature did not renew its coastal management program on July 1, 2011, resulting in its withdrawal from the National Coastal Zone Management Program (NCZMP) (NOAA, "Alaska Coastal Management Program Withdrawal from the National Coastal Management Program Under the Coastal Zone Management Act (CZMA)," 76 *Federal Register* 39857, July 7, 2011). According to some, Alaska's choice to discontinue the program was influenced by natural resource extraction agencies and divisive political discourse. Others argue that legislation to reestablish the program would have created a larger coastal zone and would have had adverse impacts on the state (Ryan M. Wilson, *Why Did Alaska Eliminate the Alaska Coastal Management Program?*, 2018, https://scholarworks.alaska.edu/handle/11122/8751, and Mark Thiessen, "Coastal Management Initiative Fails by a Heavy Margin," *Alaska Journal of Commerce*, 2012, https://www.proquest.com/trade-journals/coastal-management-initiative-fails-heavy-margin/docview/1040833201/se-2?accountid=12084).

Variety Among State Coastal Management Programs

Although the Coastal Zone Management Act (CZMA) and related regulations require states and territories (hereinafter *states*) to include specific components and take certain steps in developing their coastal management programs (CMPs), states have flexibility in their programs' structure and focus. Once the Secretary of Commerce approves a state's CMP, the state becomes known as a *participant*. CMPs vary in terms of where in each participant's government the program is situated, the relationships between state and local levels of government, and which issues are emphasized.

One major variation among CMPs is a program's placement in the participant's governmental structure, which may indicate how that participant approaches coastal management. NOAA has designated participants as *direct* or *networked* states. Direct states are participants with a single state agency with direct coastal comprehensive permit or regulatory activities. These states include California, Connecticut, Louisiana, New Jersey, North Carolina, Northern Marianas, Rhode Island, South Carolina, and the U.S. Virgin Islands. Networked states are those participants with a lead state agency that coordinates with other state agencies and where several state agencies have CMP responsibilities. These states include the remaining states and territories that are currently part of the National Coastal Zone Management Program.

A second variation among CMPs is how programs divide responsibilities between the state and local levels of government. NOAA has identified three main techniques participants use in their CMP organizational structure. Technique A is where a state establishes criteria and standards for local implementation, subject to state administrative review and enforcement. While many states use Technique A, no states use only Technique A. Technique B is where a state implements land and water use planning and regulation. States using Technique B include American Samoa, Georgia, Guam, Illinois, Indiana, Mississippi, New Hampshire, New Jersey, Northern Marianas, Puerto Rico, Rhode Island, South Carolina, and the U.S. Virgin Islands. The remaining states, with the exception of Michigan, use a mix of Techniques A and B. Finally, Technique C is where a state reviews actions affecting land and water uses in the CMP on a case-by-case basis. Michigan uses a combination of Techniques A, B, and C.

A third variation is the selection of program components that participants choose to emphasize, such as the protection of natural resources and the management of coastal development. A participant's focus may depend on characteristics of its coastal zone, major activities in the coastal zone, and associated issues and challenges. A comparison across the 34 participants is outside the scope of this report. However, as an example, both Illinois and Indiana are networked programs that use Technique B. Illinois has chosen to focus on habitats and species, economic development and recreation, and coastal communities. The program in neighboring Indiana has focused on protection and sustainable use of natural and cultural resources in the Lake Michigan region.

Sources: Personal correspondence with NOAA, Office of Legislative and Intergovernmental Affairs, February 9, 2024; Illinois Department of Natural Resources, "Coastal Management Program," https://dnr.illinois.gov/cmp.html; and Indiana Department of Natural Resources, "About the Lake Michigan Coastal Program," https://www.in.gov/dnr/lake-michigan-coastal-program/about/.

Why States and Territories May Choose to Join the NCZMP

Participation in the NCZMP provides various benefits to participants, including access to several federal financial assistance programs and the right to review certain federal actions for consistency with state coastal policies. These provisions have been mainstays of CZMA since its congressional consideration and enactment.[14]

Access to Federal Financial Assistance Programs

Coastal states or territories with approved CMPs are eligible to apply for federal financial assistance for coastal zone management. Financial assistance programs have changed over time to reflect congressional priorities and have included funding for program development, coastal energy impacts, and research and technical assistance. Currently, CZMA authorizes the Secretary of Commerce to provide funding related to program administration (Section 306),[15] coastal

[14] U.S. Congress, Senate Committee on Commerce, *Legislative History of the Coastal Zone Management Act of 1972, as Amended in 1974 and 1976 with a Section-by-Section Index*, committee print, prepared by the Congressional Research Service, 94th Cong., 2nd sess., 1976, CMP-1976-COM-0021.

[15] 16 U.S.C. §1455.

resource improvement (Section 306A),[16] coastal and estuarine land conservation (Section 307A),[17] coastal enhancement objectives (Section 309),[18] technical assistance (Section 310),[19] and coastal nonpoint pollution control (Section 6217) (**Table 1**).[20] The ability to fund activities under these authorities is subject to the availability of appropriations.

Table 1 shows programs that are a part of CZMA; some, but not all, have received federal funding in the last few years. For example, Congress appropriated $81.5 million for CZMA financial assistance for FY2024, of which the agency allocated $71.4 million to Sections 306 and 306A grants and $10.0 million to Section 309 grants.[21] Congress provided a total appropriation to NOAA for FY2025 but did not identify a specific amount for CZMA financial assistance, and the agency has not released a spending plan detailing its allocations. Congress again provided NOAA with $81.5 million for CZMA financial assistance in FY2026; details about the allocation of funds to specific programs were not available at the time of this report.[22]

According to NOAA, the agency disbursed nearly $2.7 billion to participants between FY1974 and FY2024 (nominal dollars) across the six programs shown in **Table 1** (**Figure 1**).[23] The disbursement total does not include amounts for financial assistance programs discontinued by Congress (i.e., Section 305 for management program development, Section 308 for impacts of coastal energy and other coastal uses, and Section 309 for interstate coordinated coastal zone planning and programs).[24] Between FY1974 and FY2024, participants received amounts ranging from at least $25.5 million to over $134.0 million across the programs in **Table 1**, depending on factors such as how long the participant had been a part of NCZMP, the participant's population and shoreline length, and the extent of the participant's success in competitive CZMA grant programs.[25]

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[16] 16 U.S.C. §1455a.

[17] 16 U.S.C. §§1456-1 and 1456d.

[18] 16 U.S.C. §1456b.

[19] 16 U.S.C. §1456c.

[20] 16 U.S.C. §1455b. CZMA also includes 16 U.S.C. 1456a, the Coastal Zone Management Fund (Fund), a mechanism for NOAA to provide loans to various coastal entities for coastal zone work. The fund was established, operated, and was amended several times. It is unclear whether the fund could function under the language of the current statute. In 2011, Congress permanently rescinded unobligated or unavailable funding in the Fund, and directed any future loan repayments to the Fund to be treated in accordance with the Federal Credit Reform Act of 1990 (P.L. 112-55; 16 U.S.C. §1456a note). As such, according to NOAA in 2018, if Congress appropriated dollars to the fund, NOAA would need a new authority to provide loans and to receive repayments for new loans (personal correspondence with NOAA's Office of Legislative and Intergovernmental Affairs (OLIA), November 7, 2018).

[21] Personal correspondence with NOAA's OLIA, August 12, 2025. An amount, less than $100,000, was assessed for the Hollings Scholarship Program.

[22] Explanatory Statement Submitted by Mr. Cole, Chair of the House Committee on Appropriations, regarding H.R. 6938, Commerce, Justice, Science; Energy and Water Development; and Interior and Environment Appropriations Act, 2026, *Congressional Record*, vol. 172, part 2 (January 8, 2026), p. H257.

[23] Personal correspondence with NOAA's OLIA, January 12, 2026. NOAA indicated the funding amounts do not include funds from the Infrastructure Investment and Jobs Act, Inflation Reduction Act, and congressionally directed spending, or through the Great Lakes Restoration Initiative (limited to use in Great Lakes states), which may have been allocated to the CZMA financial assistance programs.

[24] The agency has disbursed over $75.0 million for Sections 305 and 309 – Interstate Financial Assistance Programs. NOAA did not provide an estimate for the Section 308 program (personal correspondence with NOAA's OLIA, January 12, 2026).

[25] Personal correspondence with NOAA's OLIA, January 12, 2026. NOAA determines a participant's annual allocation for non-competitive financial assistance using a formula which considers the participant's coastal population and shoreline mileage, among other factors (15 C.F.R. §923.110). As noted in footnote 23, the disbursement amounts do not include amounts from several other funding sources.

Table 1. Coastal Zone Management Act (CZMA) Financial Assistance Provisions

Provision and Program[a]	Program Summary
16 U.S.C. §1455 Section 306. Administrative Grants	The Secretary of Commerce may allocate formula grants to coastal states with approved coastal management programs (CMPs) to administer the program. Grants are allocated based on extent and nature of the shoreline and area covered by the program, population of the area, and other relevant factors. State cost share is required. Implementing regulation at 15 C.F.R. §923.90-923.96 and 15 C.F.R. §923.110.
16 U.S.C. §1455a Section 306A. Coastal Resource Improvement Program	The Secretary of Commerce may provide grants to eligible coastal states to assist with certain activities. National Oceanic and Atmospheric Administration (NOAA) has interpreted the statute to mean that coastal states with CMPs may use a portion of their federal Section 306 funds for Section 306A activities, including (1) preservation or restoration of areas of conservation, recreational, ecological, and aesthetic value or of national significance; (2) the redevelopment of urban waterfronts and ports identified as areas of concern; (3) access to public beach and coastal areas; and (4) the development of a coordinated process among state agencies to regulate and issue permits for aquaculture facilities in the coastal zone. State cost share is required.[b]
16 U.S.C. §§1456-1 and 1456d Section 307A. Coastal and Estuarine Land Conservation Program	The Secretary of Commerce may administer competitive grants to coastal states with CMPs or to National Estuarine Research Reserve System (NERRS) units to acquire property or interest in property that will further the goals of the CMP, NERRS management plan, regional or state watershed protection or management plan, or state land acquisition plan that is consistent with an approved CMP. State cost share is required. [b]
16 U.S.C. §1456b Section 309. Coastal Zone Enhancement Grants	The Secretary of Commerce may allocate formula grants and administer competitive grants for projects of special merit to eligible coastal states for development and implementation of coastal zone enhancement objectives. The objectives include (1) protecting, restoring, or enhancing existing coastal wetlands or creating new coastal wetlands; (2) preventing or reducing threats to life and destruction of property by eliminating or managing development in hazardous areas; (3) providing increased current and future public access; (4) reducing marine debris; (5) developing and adopting procedures to consider and manage cumulative and secondary impacts of coastal growth and development; (6) preparing and implementing special area management plans for important coastal areas; (7) planning for the use of ocean resources; (8) adopting procedures and enforceable policies to facilitate energy facility siting; and (9) adopting procedures and policies to evaluate and facilitate public and private aquaculture in the coastal zone. Grants are allocated based on evaluation and ranking of the state's comprehensive, multiyear statement of goals and methods to achieve priority enhancement objectives, as determined by NOAA and the state, with a yearly minimum and maximum. No state cost share is required. Implementing regulations at 15 C.F.R. §923.121-923.128.
16 U.S.C. §1456c Section 310. Technical Assistance	The Secretary of Commerce may enter into contracts or other arrangements with coastal states with CMPs to provide technical assistance and fund management-related research in support of the development and implementation of coastal zone enhancement-related amendments to CMPs and international cooperative efforts.[b]
16 U.S.C. §1455b Section 6217. Coastal Nonpoint Pollution Control Program	The Secretary of Commerce, in consultation with the Environmental Protection Agency administrator, may allocate formula grants to states and territories with approved CMPs for development of state coastal nonpoint pollution control programs. Grants will be allocated based on regulations pursuant to Section 306 grants and state cost share is required.[b]

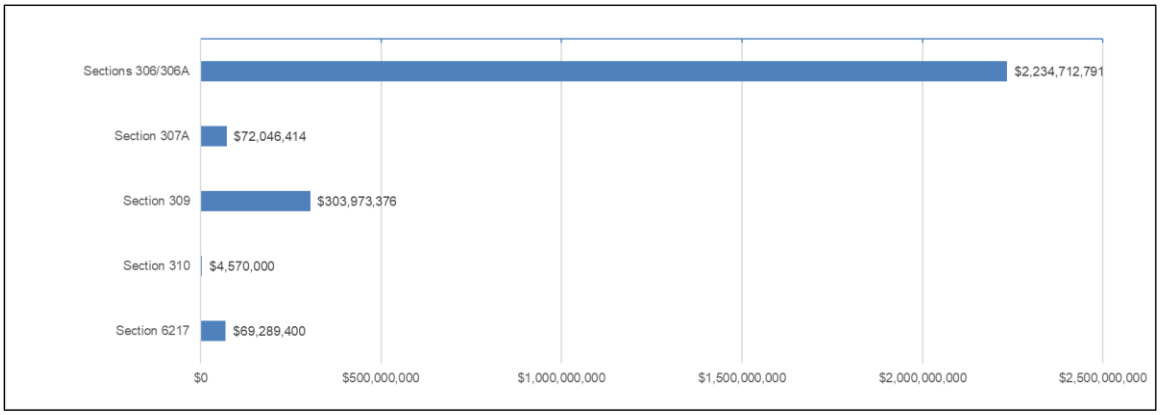
Source: Congressional Research Service (CRS) from 16 U.S.C. §§1451 et seq., regulations, and agency guidance.

a. The Secretary of Commerce has delegated to the NOAA assistant administrator many of the responsibilities related to the programs described in this table.

b. NOAA has not promulgated regulations related to §§306A, 307A, 310, or 6217. Instead, NOAA has issued guidance documents for some of these programs (e.g., NOAA, *Coastal Zone Management Act Section 306A Guidance*, April 2025, https://coast.noaa.gov/data/czm/media/guide306a.pdf, archived December 19, 2025, at https://perma.cc/A3PZ-599V; and NOAA, *Funding Guidance for State/Territory Expenditure of Coastal Nonpoint Pollution Control Program Implementation Funds*, March 2006, https://coast.noaa.gov/data/czm/media/grantsguidance_fy066217.pdf, archived December 19, 2025, at https://perma.cc/V95U-QQ2X)

Figure 1. Amounts Disbursed by CZMA Financial Assistance Programs, FY1974-FY2024

(nominal dollars)



Source: CRS using data from NOAA's Office of Legislative and Intergovernmental Affairs, January 12, 2026.

Notes: NOAA combined funding information for Sections 306 and 306A grants. In addition, NOAA indicated the funding amounts do not include funds from the Infrastructure Investment and Jobs Act, Inflation Reduction Act, and congressionally directed spending, or through the Great Lakes Restoration Initiative (limited to use in Great Lakes states), which may have been allocated to the CZMA financial assistance programs.

Federal Consistency Determination Review

CZMA Section 307 requires federal actions that have reasonably foreseeable effects on coastal uses or resources to be consistent with the enforceable policies of a participant's approved CMP.[26] These actions may occur in the state's approved coastal zone or in federal or out-of-state waters (which may cause interstate coastal effects). Federal agencies or applicants proposing to perform certain actions with a federal nexus (e.g., a project developer that would perform work pursuant to a federal permit or using federal funds) must submit a *consistency determination* or *consistency certification* (hereinafter referred to as a consistency determination), depending on the federal action, to the potentially affected participant confirming that proposed actions are consistent with the state's coastal policies.[27] The participant then completes a *consistency determination review.*

Statutes and NOAA regulation have defined several terms related to consistency determinations and reviews, including the following:

- *Applicant* is "any individual, public or private corporation, partnership, association, or other entity organized or existing under the laws of any nation, State, or any State, regional, or local government, who, following management program approval, either files an application for a required individual federal license or permit, or who files a consistency certification for a required general federal license or permit … to conduct an activity affecting any coastal use or resource."[28]
- *Coastal zone* is defined as the coastal waters and adjacent shorelands, strongly influenced by each other, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches. The zone extends in Great Lakes waters to

[26] 16 U.S.C. §1456(c)(1)(A).

[27] 16 U.S.C. §1456(c)(1)(C); 16 U.S.C. §1456(c)(3)(A); 16 U.S.C. §1456(c)(3)(B); and 16 U.S.C. §1456(d).

[28] 15 C.F.R. §930.52.

the international boundary and in other areas seaward to the outer limit of the state title and ownership under various acts, such as the Submerged Lands Act.[29] The zone extends inland from the shorelines only to the extent necessary to control shorelands and to control those geographical areas that are likely to be affected by or vulnerable to sea level rise.[30] Identification of the coastal zone boundaries is a required part of an approved CMP.[31]

- *Effect on coastal use or resource* refers to "any reasonable foreseeable effect on any coastal use or resource resulting from a federal agency activity or federal license or permit activity," including federal assistance to state and local governments.[32] Effects may be environmental or impact coastal use; may be direct or secondary; and may result from the incremental impact of past, current, or future actions.[33] The determination of whether the action will have a reasonably foreseeable effect is also known as the *effects test.*
- *Enforceable policies* are "state policies which are legally binding through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions, by which a state exerts control over private and public land and water uses and natural resources of the coastal zone."[34]
- *Federal actions* include federal agency activities, federal license or permit activities, outer continental shelf plans, and federal assistance to state and local governments.[35] NOAA requires participants to submit lists of federal actions that are subject to consistency determination reviews and their general geographic areas.[36]
- *Interstate coastal effect* refers to any reasonably foreseeable effect resulting from a federal action occurring in one state on any coastal use or resource of another state that has an approved CMP. Effects may be environmental or impact coastal use; may be direct or secondary; and may result from the incremental impact of past, current, or future actions.[37] A state must identify a list of federal actions in

[29] 67 Stat. 29.

[30] 16 U.S.C. §1453(1).

[31] 16 U.S.C. §1455(d)(2)(A).

[32] 15 C.F.R. §930.11(g).

[33] 15 C.F.R. §930.11(g).

[34] 16 U.S.C. §1453; 15 C.F.R. §930.11(h).

[35] NOAA has defined *federal actions* in regulation. *Federal agency activities* means "any functions performed by or on behalf of a Federal agency in the exercise of its statutory responsibilities" (15 C.F.R. §930.31). *Federal license or permit activities* is defined as "any authorization that an applicant is required by law to obtain in order to conduct activities affecting any land or water use of natural resource of the coastal zone and that any Federal agency is empowered to issue to an applicant" (15 C.F.R. §930.51). *OCS [outer continental shelf] plans* means "any plan for the exploration or development of, or production from, any area which has been leased under the Outer Continental Shelf Lands Act (43 U.S.C. §§1331 et seq.), and the regulations under that Act, which is submitted to the Secretary of the Interior or designee following management program approval and which describes in detail federal license or permit activities" (15 C.F.R. §930.73). *Federal assistance* is defined as "assistance provided under a federal program to an applicant agency through grant or contractual arrangements, loans, subsidies, guarantees, insurance, or other form of financial aid" (15 C.F.R. §930.90-91). 16 U.S.C. §1456(c)(1)(C); 16 U.S.C. §1456(c)(3)(A); 16 U.S.C. §1456(c)(3)(B); and 16 U.S.C. §1456(d).

[36] 15 C.F.R. §930.34(b)-(c); 15 C.F.R. §930.53-930.54; 15 C.F.R. §930.74; and 15 C.F.R. §930.95. NOAA has promulgated regulations for review of unlisted actions. See regulations listed above for more details.

[37] 15 C.F.R. §930.151.

other states for approval by NOAA in order to perform interstate consistency determination reviews.[38]

Participant reviews of federal actions are context-specific and depend on the location and action in question, with different rights and responsibilities assigned to the federal agency, applicants, and participants involved. The consistency determination review process—such as which party determines the foreseeable effects, the length of the participant review period, the effect of a participant's objection to the action, and the available conflict resolution or appeals options—depends on the federal action in question (**Table 2**).[39]

As noted above, resolutions to participant objections to consistency determinations depend on the federal action in question, as follows:

- Federal agency activities: If a participant objects to a federal agency's consistency determination, the participant may request mediation from the Secretary of Commerce or OCM. Regardless of the mediation outcomes, the federal agency may proceed with its activities if
    - the agency provides a legal basis for being consistent to the maximum extent practicable,[40] or
    - the agency has concluded that its proposed action is fully consistent with the participant's enforceable policies.[41]
- Federal license or permit activities, outer continental shelf plans, and federal assistance to state and local governments: If the participant objects to the consistency determination, the federal agency cannot authorize the action unless the Secretary of Commerce overrides the objection.[42] The applicant may appeal the objection to the Secretary, who is expected to review the administrative record and may override a participant's objection if they find that the action is consistent with the objectives of CZMA or is necessary for national security.[43] For example, in 2020, the Secretary of Commerce overrode New York's objection to an applicant's consistency determination, finding that the project "is necessary in the interest of national security."[44]

[38] 15 C.F.R. §930 Subpart I.

[39] NOAA also illustrated the federal agency activities and federal license and permit activities process in a step-by-step flowchart at NOAA OCM, *CZMA Federal Consistency Overview, Section 307 of the Coastal Zone Management Act of 1972*, February 24, 2020, https://coast.noaa.gov/data/czm/consistency/media/federal-consistency-overview.pdf, archived April 1, 2025, at https://perma.cc/LV3D-GWLG. The flowcharts are in Appendixes B and C of that report.

[40] NOAA has defined the term *consistent to the maximum extent practicable* as "fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency" (15 C.F.R. §930.32).

[41] 15 C.F.R. §930.43.

[42] 16 U.S.C. §1456(c)-(d); 15 C.F.R. §930.64; 15 C.F.R. §930.80; and 15 C.F.R. §930.97.

[43] 16 U.S.C. §1456(c)-(d); and 15 C.F.R. §930 Subparts G and H.

[44] Department of Commerce, *Decision and Findings by the U.S. Secretary of Commerce in the Consistency Appeal of Electric Boat Corporation from an Objection by the New York State Department of State*, November 16, 2020, p. 18, https://coast.noaa.gov/data/czm/consistency/appeals/fcappealdecisions/mediadecisions/ebc-decision.pdf, archived April 1, 2025, at https://perma.cc/R8D4-VD25.

Table 2. Summary of CZMA Consistency Determination Review Process by Proposed Federal Action Type

	Federal Agency Activities	Federal License or Permit Activities	Outer Continental Shelf Plans	Federal Assistance Activities to State and Local Governments
Proposed action is subject to participant review if it ...	Affects any land or water use or natural resource of state coastal zone, regardless of location of activity.	Affects any land or water use or natural resource of state coastal zone and activity is listed in participant's CMP or NOAA approves review of unlisted activity.	Affects any land or water use or natural resource of state coastal zone.	Affects any land or water use or natural resource of state coastal zone and activity is listed in participant's CMP or participant reviews unlisted activity.
Consistency Requirement	*Consistent to the maximum extent practicable* with participant CMP enforceable policies[a]	Consistent with participant CMP enforceable policies	Consistent with participant CMP enforceable policies	Consistent with participant CMP enforceable policies
Participant Review Period	60 days (plus 15-day extension or alternative period agreed to by participant and federal agency)	6 months	3 months (participant may extend to 6 months)	Participant clearinghouse schedule
Impact of Participant Objection	Federal agency may proceed only if it provides legal basis for being consistent to the maximum extent practicable[b]	Federal agency may not grant a license or permit unless Secretary of Commerce overrides objection on appeal	Federal agency may not grant a license or permit for plan activities unless Secretary of Commerce overrides objection on appeal	Federal agency may not provide federal assistance unless Secretary of Commerce overrides objection on appeal
Conflict Resolution	Mediation by Secretary of Commerce or OCM[c] (voluntary process and nonbinding decision)	License or permit applicant may appeal to Secretary of Commerce to override participant objection (binding decision)	Person may appeal to Secretary of Commerce to override participant objection (binding decision)	State and local governments may appeal to Secretary of Commerce to override participant objection (binding decision)

Source: CRS, adapted from National Oceanic and Atmospheric Administration (NOAA), *CZMA Federal Consistency Overview*, February 24, 2020, https://coast.noaa.gov/data/czm/consistency/media/federal-consistency-overview.pdf, archived April 1, 2025, at https://perma.cc/P2LZ-GSWF; 16 U.S.C. §1456; and 15 C.F.R. §930.

Notes: CMP = coastal management program; OCM = NOAA Office for Coastal Management

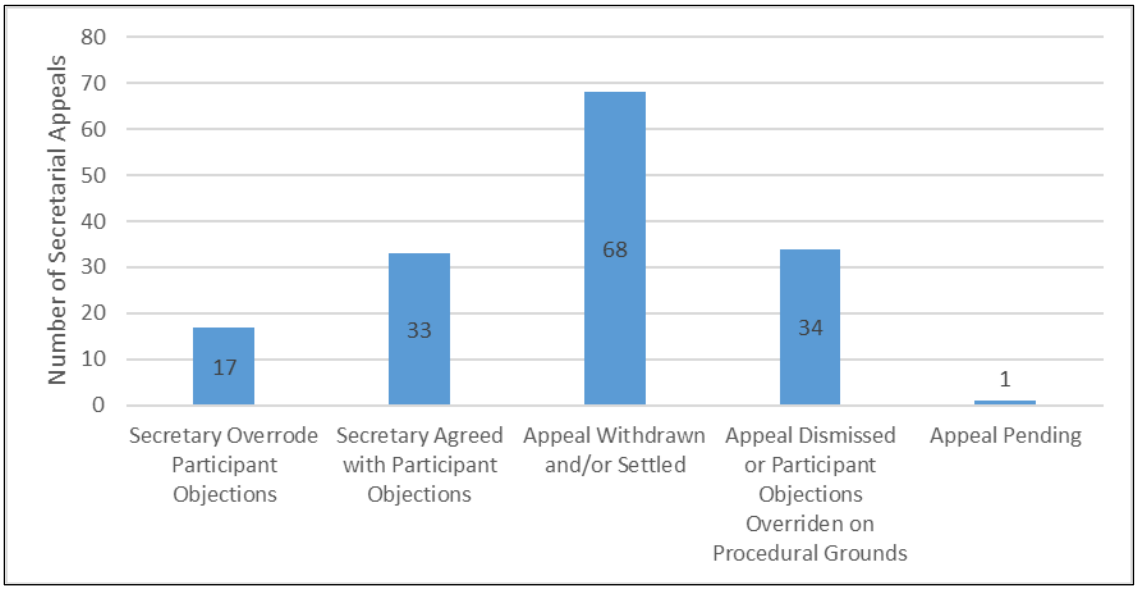
a. NOAA defines the term *consistent to the maximum extent practicable* as "fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency" (15 C.F.R. §930.32).

b. More information about the impact of the participant's objection to proposed federal actions can be found at 15 C.F.R. §930.43.

c. More information about the availability of mediation for proposed federal actions can be found at 15 C.F.R. §930.44.

According to NOAA, participants have concurred with around 95% of the federal consistency determinations they have reviewed.[45] Since the first CMP was approved in 1978, 51 consistency decisions have been subject to secretarial appeals (as of August 2025, **Figure 2**).[46] Of the 51 appeals, the Secretary overrode participant objections in 17 cases and agreed with the participant in the other 34 cases. An additional 68 appeals have been settled or withdrawn after they reached the secretarial level but before a determination was made, and 34 additional requests for appeals were dismissed or overridden on procedural grounds.[47]

Figure 2. CZMA Consistency Determination Objection Appeals to the Secretary of Commerce, 1972-August 2025



Source: NOAA, Office for Coastal Management, *Appeals to the Secretary of Commerce Under the Coastal Zone Management Act (CZMA)*, August 18, 2025, https://coast.noaa.gov/data/czm/consistency/media/appealslist.pdf, archived December 23, 2025, at https://perma.cc/8RVR-FPAQ.

Issues for Congress

Various concerns related to CZMA have been considered by Congress and have been recently raised by government agencies and various coastal stakeholders. Some of these concerns include the effects of natural and man-made changes on the coast, the effectiveness of CZMA implementation, and CZMA financial assistance authorizations of appropriations and funding levels. These discussions are occurring within the broader context of the 119th Congress and the Trump Administration. The 119th Congress may consider whether—and if so, how—to modify or codify in statute actions of the Trump Administration.

[45] NOAA, Office for Coastal Management, *Appeals to the Secretary of Commerce Under the Coastal Zone Management Act (CZMA)*, August 18, 2025, https://coast.noaa.gov/data/czm/consistency/media/appealslist.pdf, archived December 23, 2025 at https://perma.cc/8RVR-FPAQ. Hereinafter NOAA, *Appeals under CZMA*, August 18, 2025.

[46] NOAA, *Appeals Under CZMA*, August 18, 2025.

[47] In addition to the decisions noted in the text, the Secretary of Commerce has delegated questions of threshold (i.e., whether the appeal meets the form and timeliness requirements set in regulation) to the NOAA general counsel and substantive appeal decisions to the Under Secretary for Oceans and Atmosphere (NOAA, *Appeals Under CZMA*, August 18, 2025).

Changes Along the Coast

Congress may continue to examine CZMA in light of continued population and infrastructure growth along the coast, as well as coastal environmental conditions. According to the 2020 census, coastal shoreline counties were home to 129 million people—nearly 40% of the U.S. population.[48] NOAA and the U.S. Bureau of Economic Analysis estimate that the marine economy, covering the U.S. oceans and Great Lakes, accounted for 2.6 million jobs and contributed $511 billion to the total U.S. gross domestic product in 2023.[49] Population and infrastructure growth often occurs in shoreline communities amid ecosystems such as beaches, reefs, sea grasses, wetlands, estuaries, and deltas. The combination of built and natural systems has been and likely will continue to be affected by changes in sea level (and its impacts, such as higher tides, greater storm surge, saltwater intrusion, erosion, etc.), local rainfall, water and air temperatures, and ocean acidification, among other factors.[50]

Some scholars have argued for substantial revision or alterations to CZMA to account for changes along the coast.[51] For example, one suggested changing CZMA financial assistance programs to focus primarily on actions to protect and restore natural systems, acquire wetlands with greatest capacity to adapt to sea level rise, and address sea level rise and biodiversity loss.[52] Another advocated amending CZMA to increase the use of science in coastal management decisions and more acutely focus on low-income coastal communities.[53] Still another encouraged participants to more fully include the fishing industry in their coastal management planning regarding offshore wind;[54] Congress could amend CZMA to make these changes or others. On the other hand, some stakeholders may argue that CZMA is working as intended and should not be amended to specifically address new or novel concerns. Others, including the Trump Administration, have taken action to reduce, rather than expand, federal financial assistance under CZMA.

Members of the 119th Congress have introduced several bills with provisions to amend CZMA. For example, Members have introduced bills focused on amending CZMA to include provisions regarding climate change preparedness and response and "working waterfronts," including the creation of new financial assistance programs.[55] Another bill in the 119th Congress would expand

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[48] NOAA, OCM, "Economics and Demographics," https://coast.noaa.gov/states/fast-facts/economics-and-demographics.html, archived April 1, 2025, at https://perma.cc/Q85H-YB33.

[49] NOAA, OCM, "Marine Economy," https://coast.noaa.gov/states/fast-facts/marine-economy.html, archived December 29, 2025, at https://perma.cc/BBU7-SRJV. The marine economy includes tourism and recreation, national defense and public administration, offshore minerals, transportation and warehousing, living resources, ship and boat building, coastal utilities, research and education, professional and technical services, and construction.

[50] USGCRP, "Chapter 9: Coastal Effects."

[51] Eric V. Hull, "Protecting Coastal Communities and Marine Biodiversity Under the Coastal Zone Management Act," *South Carolina Law Review*, vol. 76 (2024), pp. 1-47 (hereinafter Hull, "Protecting Coastal Communities"); Alisha Summers et al., "Failure to Protect Beaches Under Slowly Rising Sea Level," *Climatic Change*, vol. 151 (2018), pp. 427-443; and Lindsay Garten, "The Coastal Zone Management Act: A Mixed Success," *Consilience: The Journal of Sustainable Development*, vol. 16, no. 1 (2016), pp. 1-13.

[52] Hull, "Protecting Coastal Communities," pp. 37-38.

[53] Brooke Mercaldi, "Enhancing the Coastal Zone Management Act by Integrating Environmental Justice," *Chicago-Kent Journal of Environmental & Energy Law*, vol. 12, no. 1 (Fall 2022), p. 52.

[54] Lindsey Hutchison, "Fissues in the Windustry: Mitigating Fishing Industry Concerns While Promoting Offshore Wind," *Journal of Environmental Law and Litigation*, vol. 37 (2022), p. 312.

[55] For example, H.R. 1808; H.R. 2990; H.R. 3718 §202; and H.R. 5746 §303 in the 119th Congress. H.R. 1808 would define a *working waterfront* as "real property (including support structure over water and other facilities) that (A) provides access to coastal waters by coastal users; and (B) is used for, or supports, commercial and recreational fishing, recreational fishing and boating businesses, and boatbuilding, aquaculture, and other water-dependent, coastal-related business."

CZMA financial assistance programs to the District of Columbia.[56] A bill introduced in the 118th Congress would have also authorized new CZMA grants to tribal governments and Native Hawaiian organizations; similar provisions have not been proposed in the 119th Congress.[57] Another bill in the 119th Congress would amend the Section 307A grant program to prioritize areas that are "under threat due to climate change" or that "may serve to mitigate the adverse effects of climate change," among other changes.[58]

Effectiveness of CZMA Implementation

Congress may examine how the Secretary of Commerce and NOAA have implemented CZMA and whether changes to the agency, the law, or the law's implementation are necessary. Various entities have evaluated the effectiveness of CZMA implementation, specifically the NCZMP, since the law's enactment. Evaluations have noted a range of issues, from monitoring and measuring the success of the program as a whole to issues concerning specific financial assistance programs. Some stakeholders also have proposed changes to the types of activities considered by participants in their consistency determination reviews.

In 2014 and 2016, the Government Accountability Office (GAO) reported several issues with NOAA's implementation of CZMA. The 2014 report focused on limitations to the coastal zone management performance measurement system and the agency's limited use of collected performance data, among other topics.[59] NOAA agreed with the recommendations and implemented the recommended actions by November 2016.[60] According to the agency, NOAA tracks the performance data internally but does not make it public.[61] In a separate 2016 study, GAO surveyed state coastal zone managers about the actions NOAA was taking under CZMA to support state efforts to make marine coastal ecosystems more resilient to climate change; GAO at that time found that state coastal zone managers "generally had positive views of the actions NOAA [was] taking."[62] Congress may continue allowing NOAA the discretion to retain data internally, or consider requiring the agency to make its progress implementing GAO recommendations public in a variety of ways, including periodic reports to Congress or the public.[63] Additionally, Congress may consider requiring NOAA, GAO, or another entity to re-survey state coastal zone managers to better understand whether and what kind of improvements could be made to CZMA and its implementation.

Some stakeholders have argued that the implementation of some CZMA programs has been inadequate. For example, some have questioned whether Section 6217 provisions have been properly implemented. Section 6217 establishes the Coastal Nonpoint Pollution Control Program

[56] H.R. 5920 in the 119th Congress

[57] H.R. 3976 in the 118th Congress.

[58] H.R. 2786 in the 119th Congress.

[59] U.S. Government Accountability Office (GAO), *Coastal Zone Management: Opportunities Exist for NOAA to Enhance Its Use of Performance Information*, GAO-14-592, July 16, 2014, pp. 22-24. Hereinafter GAO-14-592.

[60] GAO-14-592.

[61] NOAA, Office of Coastal Management, *Coastal Zone Management Act Performance Measurement System: Coastal Management Program Guidance*, April 2011, updated October 2023, https://coast.noaa.gov/data/czm/media/czmapmsguide.pdf, archived April 1, 2025, at https://perma.cc/P9KV-5Q73, and personal correspondence with NOAA's OLIA, August 12, 2025.

[62] GAO, *Climate Change: Information on NOAA's Support for States' Marine Coastal Ecosystem Resilience Efforts,* GAO-16-834, September 28, 2016, p. 14. Hereinafter GAO-16-834.

[63] 16 U.S.C. §1462 requires the Secretary of Commerce to submit a report summarizing CZMA administration every two fiscal years. In 1995, Congress passed the Sunset Act (P.L. 104-66) which repealed the CZMA reporting requirements, effective May 2000 (personal correspondence with NOAA's OLIA, August 12, 2025).

(CNPCP), which requires coastal states with approved CMPs to reduce polluted runoff to coastal waters through coastal nonpoint pollution control programs that include specific land-based measures. NOAA and the Environmental Protection Agency (EPA) jointly administer the CNPCP. Under Section 6217, participants that fail to submit an "approvable [CNPCP]" lose a portion of their funding under CZMA Section 306.[64] Most participants received conditional approval between 1997 and 1998, and the majority have since received final approval.

In 2009 and 2016, a private organization sued NOAA and EPA for continuing to provide Section 306 funds to Washington and Oregon, even though the states' programs were not approved.[65] Washington received final approval of its program in 2024. As of February 2026, approvals for Hawaii and Mississippi were pending, and Oregon had not submitted a "fully approvable" program.[66] According to available NOAA allocation guidance for FY2017 through FY2020, 30% of Oregon's Sections 306/306A allocations were withheld and redirected to participants with approved CNPCPs.[67] Some have advocated for Congress to further amend CZMA to better address coastal nonpoint pollution, such as agricultural nutrients, to reduce the incidence and extent of harmful algal blooms and hypoxia.[68] Others may argue that these responsibilities in coastal waters should fall primarily to the states and local governments.

Some have advocated for changes to the types of activities that can be funded by CZMA financial assistance or that undergo participant consistency determination reviews. For example, legislation introduced in the 119th Congress would prohibit CZMA financial assistance to be used to "block wildfire and timber production, energy production, housing construction, or military-related activities under the Endangered Species Act."[69] In another instance, a Member of Congress introduced legislation to add a "conclusive presumption" of consistency between certain federal actions and participants' policies.[70] In the bill, the specified federal actions or *covered activities* are defined as "a national security activity," "a critical infrastructure project," "a disaster recovery or mitigation activity," or "an activity with a significant national or regional economic impact."[71] Under the legislation, the participant could object to or challenge the activity, but such a challenge may "not delay or otherwise prevent the activity from proceeding." In a statement, the bill sponsor noted that the bill would "expedite important coastal activities" and highlighted concerns regarding state coastal management decisions in California.[72] Some stakeholders have

[64] 16 U.S.C. §1455b(c)(3).

[65] Northwest Environmental Advocates, *Lawsuit Seeks Federal Action on Washington's Failure to Control Puget Sound Polluted Runoff*, press release, December 7, 2016, https://northwestenvironmentaladvocates.org/wpdm-package/waczaranewsr201612/?wpdmdl=6334&refresh=695592720c5cf1767215730; and Northwest Environmental Advocates, Federal Lawsuit Settlement Will Force Changes in Oregon's Coastal Logging Practices, press release, September 28, 2010, https://www.northwestenvironmentaladvocates.org/blog/wp-content/uploads/2011/03/dt_intfc4d86844e01a23_4d8686c2a96cc.pdf.

[66] NOAA, "Coastal Nonpoint Pollution Control Program," https://coast.noaa.gov/czm/pollutioncontrol/, archived February 13, 2026, at https://perma.cc/D46Q-XMGT.

[67] NOAA, "National Coastal Zone Management Program," https://coast.noaa.gov/czm/guidance/, archived December 31, 2025, at https://perma.cc/CX4W-AYTK. Allocation guidance prior to FY2017 and after FY2020 was not available.

[68] Caroleen M. Dineen, "Stemming the 'Red Tide': Legislative Approaches to Addressing the Contribution of Agricultural Nutrient Pollution to the Development and Consequences of Harmful Algal Blooms," *Vermont Journal of Environmental Law*, vol. 24, no. 3 (spring 2023), p. 261.

[69] H.R. 5342, §616 in the 119th Congress.

[70] H.R. 1874 in the 119th Congress.

[71] H.R. 1874 in the 119th Congress. The bill also defines each of the covered activities listed.

[72] Rep. Kevin Kiley, "Representative Kiley Introduces the Coastal Commission Accountability Act to Rein in CA Coastal Commission Abuses," March 5, 2025, https://kiley.house.gov/posts/representative-kiley-introduces-the-coastal-commission-accountability-act-to-rein-in-ca-coastal-commission-abuses. For more about concerns regarding the (continued...)

opposed the bill, stating that it "would muzzle the voices of communities, small businesses, and states to speak out about federal government actions along the coast that affect their lives and livelihoods" and that it "attacks coastal states' rights to review federal actions under the CZMA."[73]

Authorization of Appropriations and Funding for CZMA Financial Assistance Programs

The CZMA coastal zone management financial assistance programs, listed in **Table 1**, were last authorized for appropriations in the following years:[74]

- Section 306 (Administrative Grants): FY1999;[75]
- Section 306A (Coastal Resource Improvement Grants): FY1999;
- Section 307A (Coastal and Estuarine Land Conservation Program): FY2013;[76]
- Section 309 (Coastal Zone Enhancement Grants): FY1999;
- Section 310 (Technical Assistance): no authorization of appropriations; and
- Section 6217 (Coastal Nonpoint Pollution Control Program): FY1995.[77]

Some Members of the 119th and previous Congresses have proposed to reauthorize the programs into the future. For example, one bill in the 119th Congress would update the time frame of the authorization of appropriations for an amended version of the Section 307A program.[78]

Although authorizations of appropriations for CZMA financial assistance programs expired years ago, Congress continued to appropriate funding for the programs through FY2024.[79] Various stakeholders have argued for changes to appropriated amounts for the CZMA financial assistance programs. For example, the Biden Administration requested $81.5 million for the programs for FY2025;[80] conversely, the Trump Administration proposed to eliminate all the programs for

California Coastal Commission, see, for example, Editorial Board, "Trump and Newsom Unite over Coastal Commission," March 30, 2025, *Los Angeles Daily News*, https://www.dailynews.com/2025/03/30/trump-and-newsom-unite-over-coastal-commission/.

[73] Coastal States Organization (CSO), "Coastal States Organization Opposes Bill Attacking Coastal Zone Management Act," March 6, 2025, https://coastalstates.org/coastal-states-organization-opposes-bill-attacking-coastal-zone-management-act/. Another group similarly stated that the bill "threatens to strip states of their authority" under CZMA (American Coastal Coalition, "American Coastal Coalition Opposes Anti-CZMA Bill Introduced by Rep. Kevin Kiley," March 21, 2025, https://americancoastalcoalition.org/news/american-coastal-coalition-opposes-anti-czma-bill-introduced-rep-kevin-kiley).

[74] Authorized amounts for CZMA grant programs generally decreased in the 1980 (P.L. 96-464) and 1985 (P.L. 99-272) amendments and increased in the subsequent amendments.

[75] P.L. 104-150 authorized appropriations of $50.5 million for Sections 306, 306A, and 309 grants in FY1999.

[76] P.L. 111-11 authorized appropriations of $60.0 million for Section 307A grants in FY2013.

[77] P.L. 101-508 authorized appropriations of $12.0 million for Section 6217 grants in FY1995.

[78] H.R. 2786 in the 119th Congress.

[79] Congress provided appropriations to NOAA for FY2025, but did not provide line office or budget line item information as part of the law (P.L. 119-4, Title III) or accompanying language. The agency also did not make its FY2025 spending plan publicly available.

[80] NOAA, *Budget Estimates Fiscal Year 2025*, March 2024, p. Control Table-1, https://www.noaa.gov/sites/default/files/2024-03/NOAA_FY25_Congressional_Justification.pdf, archived April 1, 2025, at https://perma.cc/ZZD7-2KW3. Hereinafter NOAA, *Budget Estimates FY2025*.

FY2026.[81] Congress appropriated $81.5 million to NOAA for coastal zone management grants in FY2026.[82]

Congress had also provided additional funding to states and territories under Sections 307A and 310 programs for FY2022 through FY2026 under the Infrastructure Investment and Jobs Act (IIJA) and P.L. 117-169, also known as the Inflation Reduction Act.[83] In January 2025, the Trump Administration paused or terminated certain categories of IIJA and P.L. 117-169 funding through Executive Order 14154, "Unleashing American Energy."[84] In July 2025, Congress rescinded unobligated balances of P.L. 117-169 funding for NOAA.[85] CRS was unable to identify how the Administration's pause and congressional rescission of P.L. 117-169 funds may have specifically impacted NOAA's coastal zone management-related financial assistance.

Some stakeholders have contended that financial assistance to states from the NCZMP is important, and have supported more funding. For example, in a 2016 GAO survey, state coastal zone managers indicated that "financial assistance provided by NOAA [was] critical" and that "the amount of financial assistance available [was] insufficient to address states' needs in implementing projects."[86] Another stakeholder group in 2024 stated that the "federal government needs to provide more consistent financial … support to states" and that "many states would be further along with coastal management programs if federal partners strategically committed more time and resources to assisting local efforts."[87] One group also noted that while funding for coastal zone management financial assistance generally increased nominally from FY2002 through FY2023, funding levels have "not kept pace with inflation or the increased costs of staffing and operating programs."[88] They claim that "coastal states and territories have identified that annual appropriations would need to be over $134 [million] in FY2025 … to fully address these demands."

NOAA has seen varying interest in its competitive financial assistance programs, with amounts applied for exceeding available funding in most years. For example, the NOAA Regional Coastal

[81] NOAA, *Budget Estimates Fiscal Year 2026*, June 2025, p. NOS-23, https://www.noaa.gov/sites/default/files/2025-06/NOAA%20FY26%20Congressional%20Justification.pdf, archived December 30, 2025, at https://perma.cc/PX7V-Q99Q. NOAA stated that the agency would "continue to administer existing cooperative agreements, while also providing national coordination and in-kind support to state coastal zone management agencies that are able operate programs using state funds."

[82] Sen. Patty Murray, Unanimous Consent Agreement - H.R. 4366, *Congressional Record*, vol. 170 (March 4, 2024), p. S1401. EPA directed states to allocate a portion of their Clean Water Act Section 319 funding towards the implementation of CZMA Section 6217 starting in FY2025 (EPA, *Nonpoint Source Program and Grants Guidelines for States and Territories*, May 4, 2024, EPA 841-R-24-009, https://www.epa.gov/system/files/documents/2024-06/2024_section_319_guidelines_final_1.pdf, archived April 1, 2025, at https://perma.cc/PG88-C3E9). For more information about Clean Water Act Section 319, see CRS Report R44871, *Freshwater Harmful Algal Blooms: Causes, Challenges, and Policy Considerations*, by Laura Gatz.

[83] NOAA, "Coastal Zone Management," https://www.noaa.gov/infrastructure-law/infrastructure-law-climate-ready-coasts/coastal-zone-management, archived April 1, 2025, at https://perma.cc/KQ5L-XQFW; and NOAA, "Inflation Reduction Act: Climate-Ready Coasts and Communities," https://www.noaa.gov/inflation-reduction-act/inflation-reduction-act-climate-ready-coasts-and-communities, archived April 1, 2025, at https://perma.cc/A4M7-RMK4. For information on how NOAA planned to allocate some of that funding, see NOAA, *Budget Estimates FY2025*, p. BIL Control Table-1.

[84] Executive Order 14154, "Unleashing American Energy," 90 *Federal Register* 8353, January 20, 2025.

[85] P.L. 119-21, §40008.

[86] GAO-16-834, p. 16.

[87] Surfrider Foundation, *State of the Beach Report, 2023*, p. 84, https://www.surfrider.org/hubfs/SOTB23/SOTB-2023.pdf.

[88] CSO, *CSO FY2025 Programmatic Request*, Subcommittee on Commerce, Justice, and Science, March 2024, https://coastalstates.org/wp-content/uploads/dmf/FY-2025-CSO-Approps-Request-FINAL_March24.pdf.

Resilience grant program, administered under Section 310, received 132 applications in FY2015 requesting $105 million, while $4.5 million was available for grants.[89] More recently, in FY2022 through FY2024, NOAA received applications for Projects of Special Merit under Section 309 at or above the available funding. For example, the agency received 11 applications in both FY2022 and FY2023, requesting over $2.2 million for $1.5 million in available funds each year.[90]

Moving forward, Congress could evaluate whether to increase appropriations for some or all of the CZMA financial assistance programs given these stakeholders' concerns, maintain the funding status quo, or reduce funding. Congress also may consider directing NOAA to continue its recent allocation strategy of funding certain financial assistance programs or making changes to provide funds to other programs, such as Sections 307A and 6217 programs, that have not received annual appropriations in recent years. Alternatively, some Members of Congress and stakeholders have argued no appropriations should be provided for programs with expired authorizations of appropriations, such as CZMA financial assistance programs. Under House rules, authorizations of appropriations are required to be enacted prior to consideration of relevant appropriations bills; Members may raise a point of order, which may be waived.[91] Some stakeholders contend that Congress should enforce the rules to a greater degree and refrain from appropriating funding toward programs with expired authorizations of appropriations.[92] Some Members of the 119th Congress have proposed legislation that would reduce appropriations for, or terminate altogether, programs with expired authorizations of appropriations.[93]

Author Information

Eva Lipiec
Specialist in Natural Resource Policy

[89] GAO-16-834, p. 16. Congress appropriated funds to the Regional Coastal Resilience grant program from FY2015 to FY2017.

[90] Personal correspondence with NOAA's OLIA, August 12, 2025.

[91] For more about the rules see CRS Report R46497, *Authorizations and the Appropriations Process*, by James V. Saturno.

[92] National Taxpayers Union Foundation, "Reform Legislation Would Help Bring 'Zombie Programs' to Their Final Rest," April 23, 2025, https://www.ntu.org/foundation/detail/reform-legislation-would-help-bring-zombie-programs-to-their-final-rest.

[93] H.R. 143 in the 119th Congress.

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