

Oceans: House to act on long-awaited CZMA reauthorization

A House panel yesterday abruptly slated a vote today (Thursday) on legislation reauthorizing the Coastal Zone Management Act, by which the federal government provides grants to states to help stop pollution. Objectionable provisions have been stripped from H.R. 1110 to form H.R. 2669, suggesting the third time may be the charm for a markup by the Fisheries Conservation, Wildlife and Oceans Subcommittee that has been postponed twice since the spring.

Chairman Jim Saxton (R-N.J.) introduced the bill, the Coastal Community Conservation Act of 1999, on Monday. An official with the Coastal States Organization, which had strong objections to H.R. 1110 and is credited with blocking action, said the group's concerns have been addressed and that it supports the extant bill.

Specifically, the original bill had language requiring states to restrict operations of personal watercraft (PWC) in shallow coastal areas to remain eligible for funding. H.R. 2669, however, authorizes \$2 million in grants for each of FY '00, '01 and '02 to study the matter. The studies should examine the effect of PWC, including noise and leaking fuel, on wildlife, aquatic vegetation, suspended sediments and shoreline erosion. A final report is to come from the Commerce secretary to the Resources Committee within four years of the bill's enactment.

Saxton had also sought to restrict Sec. 306 grants such that states would have to apply 20 percent of them to nonpoint pollution sources. But OCS objected to that as overly prescriptive and a potential precedent for more federal interloping, the official said. The new bill shifts the 20 percent earmark to the smaller Sec. 306(A) grant program, which is acceptable to CSO, he said.

That section was expanded in H.R. 1100 from the "resource management improvement" grant program to include new "coastal community conservation" grants. Funding for the new program was to ramp up from \$20 million in FY '00 to \$35 million in FY '04, but the new bill pegs it at \$30 million in FY '00 up to \$45 million in FY '04. Altogether, H.R. 2669 authorizes \$500.5 million over four years under CZMA.

Finally, the bill sets in motion creation of a "national coastal zone management outcome monitoring and performance evaluation system." It requires the Commerce secretary within two years of enactment to report recommendations for such a system, and within four years to submit draft legislation to the committee.

A controversial property rights amendment is expected to be offered by Rep. Richard Pombo (R-Calif.). Pombo, long a strong advocate of property rights, has sought to attach similar language to other bills, but so far to no avail.

The amendment reads, "Nothing in this act shall place restrictions on commercial or private use of private property, nor shall there be any taking of private land under this act."

The Clinton administration is strongly opposed to the language, as are many legislators and environmental groups.

Glenn Sugameli, senior counsel with the National Wildlife Federation, said the amendment would destroy coastal protections by prohibiting CZMA from restricting uses of private property, even if the restricted uses would pollute and destroy coastal resources. - Tim Breen