

Unit 6 – Coastal Development

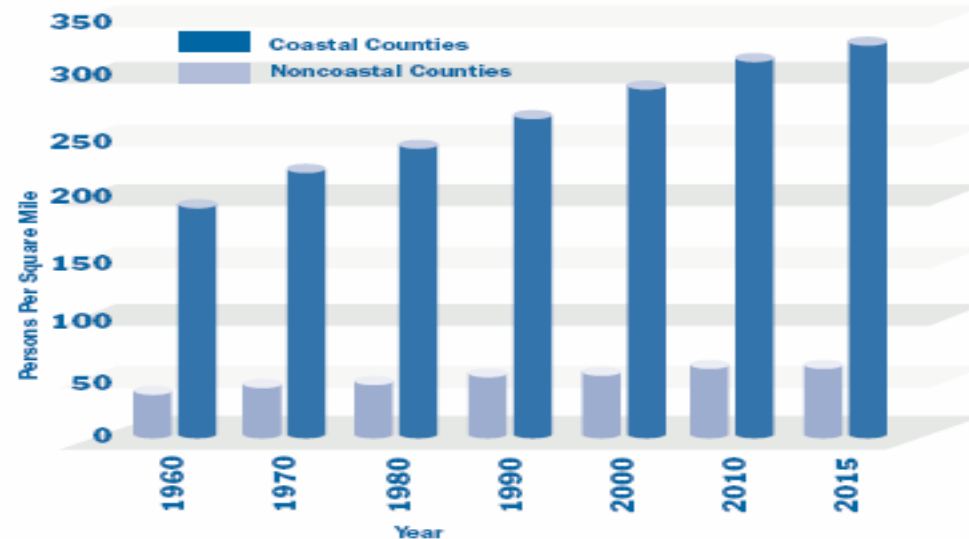


U.S. Coastal Population Trends

Figure One

Historical and Projected Densities of Coastal and Noncoastal Counties

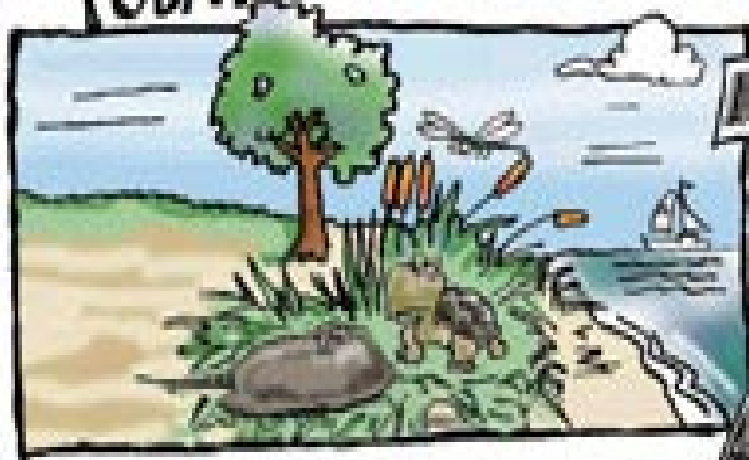
For the past 40 years, population density on the coast has been roughly five times that of the country's interior. In 2000, the nation's coastal counties averaged 275 people per square mile. By 2015, the number will rise to 325 people per square mile—an 18 percent increase.



Note: This graph does not include Alaska and Hawaii.
Source: Culliton, 1998.

Graphic Credit:
Coastal Sprawl,
Pew Oceans
Commission (2002)

TODAY



Your proposal to fill the wetlands violates the Public Trust Doctrine, the Tidal Wetlands Act, and §404 of the Clean Water Act!



BUT... THIRTY YEARS LATER



MUCH BETTER!



SOME PAIN!

Coastal Management

Complex interaction of laws, programs, and efforts to evaluate trade-offs and make decisions about how to use, conserve, and value the resources and opportunities of the coastal zone.

Seeks to address three fundamental questions:

- How do we want our coasts to function,
- What do we want them to look like, and
- What uses do we want them to accommodate?

Coastal Zone Management Act

Established the following as national policy:

“To preserve, protect, develop, and where possible, to restore and enhance, the resources of the Nation’s coastal zone for this and succeeding generations.”

Definition of Coastal Zone

Coastal waters and the adjacent shorelands, including islands, intertidal areas, salt marshes, and beaches.

- Seaward to the outer limits of state title.
- Inland “only to extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters, and to control those geographical areas which are likely to be affected by or vulnerable to sea level rise.”

Considerable variation between states.

Federal Consistency

“Each federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is *consistent to the maximum extent practicable* with the enforceable policies of approved State management programs.”

Interstate Consistency

- Can a state review (comment on and possibly object to) a federally licensed or permitted activity occurring totally within another state in order to determine if the activity has negative effects on the coastal environment of the reviewing state?
 - Yes, if the activity affects the reviewing state's coastal zone.

Coastal Barrier Resources Act

- Designated Coastal Barrier Resources System in 1982
 - After October 1983, a number of federal subsidies would not longer be permitted in these designated areas including federal flood insurance and infrastructure assistance.
- Effectiveness is debatable.

Case Study

Dauphin Island, Alabama

July 2001 before Hurricane Lili (2002).



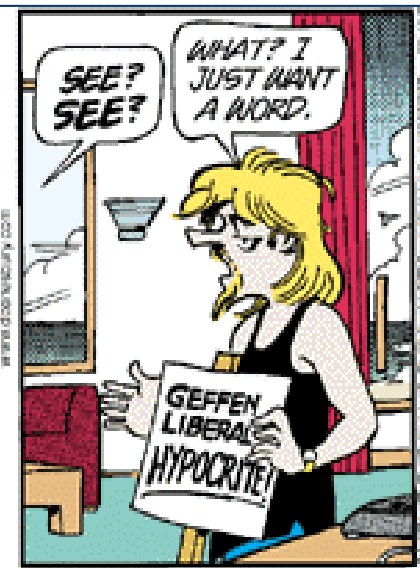
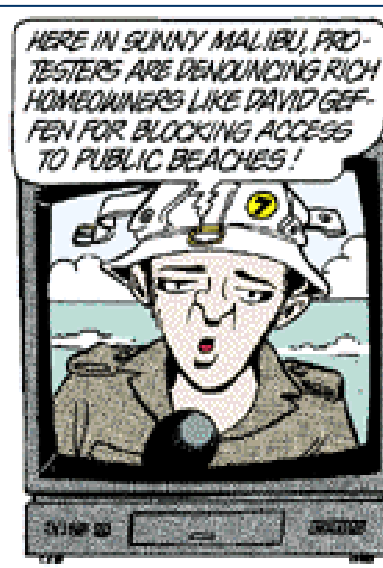
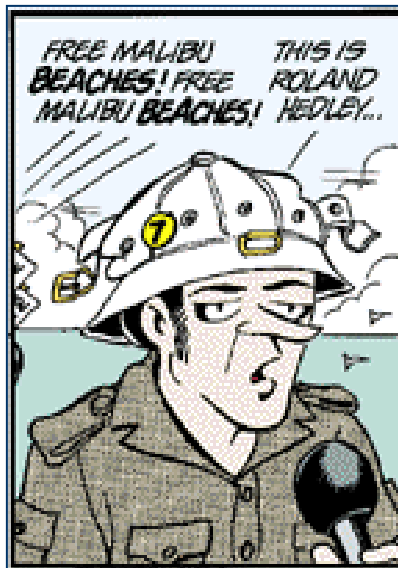
September 17, 2004, immediately after the passage of Hurricane Ivan.



August 31, 2005, two days after Hurricane Katrina.



Public Beach Access



Public Trust Doctrine

- PTD provides that public trust lands, waters, and living resources in a state are held by the state in trust for the benefit of all the people.
- Establishes the right of the public to enjoy fully public trust lands, waters, and living resources for a wide variety of public uses.

“Working Waterfronts”

- Working Waterfront Preservation Act of 2007
- Florida’s Working Waterfronts Legislation
- Maine Working Waterfront Access Pilot Program

