

Opening Statement of
Chairman Doug Lamborn
Tuesday, July 28, 2015 at 10:00am
1334 Longworth House Office Building
Before the Committee on Natural Resources

It has been a long time since this committee has held an oversight hearing on the Coastal Zone Management Act. Indeed the Act, which was enacted in 1972, has been out of authorization since 1999. Our focus today is to provide an overview of the program and how the Coastal Zone Management Act has been working – or in some cases, not working.

The original intent of the Coastal Zone Management Act, which is managed by the National Oceanic and Atmospheric Administration at the Department of Commerce, was to foster more coordination between coastal states and the federal government on resource management and economic development along the ocean and Great Lakes coastal zones. The program also incorporates funding for grants to eligible states in order to facilitate state participation in the program.

Currently, the federal government works with eligible states to develop a state coastal management plan. The plan must meet specific criteria outlined in the Act, and once the plan is approved by the federal government, that plan empowers states with the ability

to make “consistency determinations” on any federal agency activity that “affects any land or water use or natural resource of the coastal zone.” Section 304 of the Act specifically outlines that the definition of coastal zone EXCLUDES federal lands, which makes sense as state jurisdiction ends for most coastal states at 3 nautical miles from the coastline – with the exception of Texas and the Eastern Gulf side of Florida, where it is 3 marine leagues. Yet, the Act later extends its jurisdiction into federal lands by encompassing “any Outer Continental Shelf energy activity” – as well as any energy facilities that may significantly affect the coastal zone. This includes offshore oil and gas development, offshore wind development, seismic surveying, LNG facilities, energy generating facilities – such as nuclear plants – and any pipelines and transmission facilities...to name a few.

It is for this reason that we are reviewing the Coastal Zone Management Act today. While the Act undoubtedly was created with every intention of encouraging coordination to achieve a balance between resource management and economic development, we are seeing more evidence through examples today of the impacts this Act is having not only on new energy facility developments throughout our nation, but also on existing energy facilities.

Additionally, the powers provided in this Act have allowed states and localities to make consistency determinations to shut

down federally-permitted projects that have national significance. In the context of the greater LNG and crude export debate, the net effect of such decisions at the local level could have far reaching impacts to our nation – and to our trading partners.

As I said, it has been years since this committee has examined the overall implementation of the Coastal Zone Management Act – and much has changed over the decades since it was enacted in 1972. At the time of its passage, our nation had yet to face the tumultuous period of an energy crisis – occurring a year later when OPEC proclaimed an oil embargo. Today – with thanks to production on state and private lands – our nation is on the path to a more energy-secure future as the global leader of oil and gas production. Some things have stayed the same - we still face OPEC's attempts to destabilize our energy markets by keeping supply above demand in an attempt to slow nation's our upstream production. This is why domestic energy production and export of those products is critically important.

Today we look at the Coastal Zone Management Act through a new lens, the lens of energy prosperity. It is my hope that our witnesses today will provide an analytical view of this Act – where it has been successful, and areas where it likely will need to be updated.

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