

Coastal Coordination Council

Project Manager: Amy Tripp

Council at a Glance

The Coastal Coordination Council (Council) is a 12-member interagency board that administers Texas' federally approved Coastal Management Program (CMP). The Council's mission is to coordinate Texas' approach to managing its coastal resources and responding to coastal issues. The Council, housed within and staffed by the General Land Office (GLO), achieves its mission by carrying out the following key activities.

- Awards competitive grants to local governments and other entities for coastal improvement projects, such as erosion control and habitat restoration.
- Reviews state and federal agency decisions that affect the Texas coast to certify they are consistent with the State's CMP goals and policies.
- Provides information and assistance to individuals and small businesses regarding permits in the coastal region.

Summary

Texas benefits from having a federally approved Coastal Management Program in two primary ways. First, Texas receives about \$2.5 million per year in federal funding for coastal projects. Second, the State has authority to review and provide input on federal actions, activities, and decisions that affect the coastal zone. The Council must agree federal actions or activities are consistent with the CMP before federal agencies can proceed on projects affecting the coastal zone.

Since its creation in 1991, the Council's role has transitioned from developing and implementing the Coastal Management Program to simply administering it, which is done mainly through its individual member agencies. The Sunset Commission found that while the Council's functions continue to be needed to ensure Texas maintains federal approval of its CMP and receives federal funding for coastal projects, the Council is no longer needed to facilitate coordination and oversee ongoing CMP administration. Additionally, the Council has neglected its coordination function. The following material summarizes the Sunset Commission's recommendations on the Council.

A separate Council is no longer needed to administer the State's Coastal Management Program.

Issue 1

While Texas Has a Continuing Need to Maintain Its Coastal Management Program, the Council Structure Is No Longer Needed to Administer It.

Although the Council played a significant role during the development and implementation of the CMP, the Council's responsibilities now consist primarily of approving staff recommendations for approximately \$2.5 million in annual grant awards, and helping maintain interagency coordination on coastal issues. However, the Council has failed to ensure the best use of its interagency coordination functions, allowing the Permitting Assistance Group (PAG) to become inactive without re-evaluating its continuing need or making efforts to identify additional initiatives to guide its activities. Also, by not requiring consistent data reporting from its member agencies, the Council does not allow for effective information sharing, such as identifying trends and emerging issues for effective coastal planning. Given the Council's limited purpose and lack of effectiveness, the General Land Office, which has primary administrative responsibility for the CMP, could more efficiently perform the Council's duties.

Recommendations

Change in Statute

1.1 Abolish the Coastal Coordination Council and transfer its functions to the General Land Office.

Under this recommendation, the Council would be abolished on September 1, 2011 and its functions and existing authority would be transferred to GLO. The General Land Office would be required to consult with the National Oceanic and Atmospheric Administration during the Council's one-year wind-down process to ensure continued compliance with federal requirements and to maintain federal approval of the Texas Coastal Management Program.

1.2 Require the General Land Office to establish, by rule, a Coastal Coordination Advisory Committee.

This recommendation would require GLO to establish, by rule, a Coastal Coordination Advisory Committee to comply with federal requirements for interagency coordination. Members of the Coastal Coordination Advisory Committee would include a representative from each of the current Coastal Coordination Council member agencies, and the following four members appointed by the Land Commissioner:

- a city or county elected official who resides in the coastal area;
- an owner of a business located in the coastal area who resides in the coastal area;
- a resident from the coastal area; and
- a representative of agriculture.

The following agencies would be represented on the Coastal Coordination Advisory Committee:

- General Land Office;
- Texas Commission on Environmental Quality;
- Railroad Commission of Texas;

- Texas Parks and Wildlife Department;
- Texas Department of Transportation;
- Texas Water Development Board;
- Texas State Soil and Water Conservation Board; and
- Texas Sea Grant College Program at Texas A&M University.

1.3 Require the General Land Office to evaluate the need for the Permitting Assistance Group in its current form, and statutorily authorize the General Land Office to assign it additional duties and add members if needed.

Under this recommendation, GLO would evaluate the Permitting Assistance Group’s functions, membership, and usefulness. This evaluation would include soliciting input from all members of PAG and assessing any pending PAG initiatives. GLO would adopt rules to restructure PAG based on the results of the evaluation to ensure the best use of this interagency coordination mechanism. This recommendation would also allow GLO to expand the functions and add members to PAG based on its evaluation.

Management Action

1.4 The General Land Office should establish standard types of data networked agencies must include in their quarterly reports.

The General Land Office should adopt rules delineating the types of information networked agencies must provide to GLO on a regular basis, including agency actions, enforcement actions, and rulemakings. The rules should require Coastal Management Program networked agencies to submit the same types of information, as applicable, containing a similar level of detail. The General Land Office should determine this level of detail based on the kinds of information it deems most useful for evaluating coastal development impacts. For example, information requirements could include permit identification number, applicant name, and county. These requirements should take the limits of the agencies’ current technological capabilities into account.

Fiscal Implication Summary

These recommendations would not have a fiscal impact to the State. Costs associated with holding the two yearly Council meetings, such as travel costs, are paid using federal coastal management funds. Federal law requires these funds be spent on the Texas Coastal Management Program, so GLO would be required to use any savings for other program purposes, such as administrative costs or coastal grants.

