

TITLE 2: NATURAL RESOURCES
DIVISION 1: MARITIME AND COASTAL RESOURCES

§ 1511. Coastal Resources Management Policy.

- (a) It is the coastal resources management policy of the Commonwealth to:
- (1) Encourage land use master planning, flood plain management, and the development of zoning and building code legislation;
 - (2) Promote, through a program of public education and public participation, concepts of resource management, conservation and wise development of coastal resources;
 - (3) Promote more efficient resources management through:
 - (i) Coordination and development of resource management laws and regulations into a readily identifiable program;
 - (ii) Revision of existing unclear laws and regulations;
 - (iii) Improvement of coordination among Commonwealth agencies;
 - (iv) Improvement of coordination between Commonwealth and federal agencies;
 - (v) Establishment of educational and training programs for Commonwealth government personnel and refinement of supporting technical data;
 - (4) Plan for and manage any use or activity with the potential for causing a direct and significant impact on coastal resources. Significant adverse impacts shall be mitigated to the extent practicable;
 - (5) Give priority for water-dependent development and consider the need for water-related and water-oriented locations in its siting decisions;
 - (6) Provide for adequate consideration of the national interest, including that involved in planning for, and in the siting of, facilities (including energy facilities in, or which significantly affect, the Commonwealth's coastal zone) which are necessary to meet requirements which are other than local in nature;
 - (7) Not permit to the extent practicable, development of identified hazardous lands including flood plains, erosion-prone areas, storm wave inundation areas, air installation crash and sound zones and major fault lines, unless it can be demonstrated that such development does not pose unreasonable risks to the health, safety or welfare of the people of the Commonwealth, and complies with applicable laws;
 - (8) Mitigate, to the extent practicable adverse environmental impacts, including those on aquifers, beaches, estuaries and other coastal resources while developing an efficient and safe transportation system;
 - (9) Require any development to strictly comply with erosion, sedimentation, and related land and water use districting guidelines, as well as other related land and water use policies for such areas;
 - (10) Maintain or improve coastal water quality through control of erosion, sedimentation, runoff, siltation, sewage and other discharges;
 - (11) Recognize and respect locations and properties of historical significance throughout the Commonwealth, and ensure that development which would disrupt, alter, or destroy these, is subject to Commonwealth laws and regulations;
 - (12) Recognize areas of cultural significance, the development of which would disrupt the cultural practices associated with such areas, which shall be

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subject to a consultation process with concerned ethnic groups and any applicable laws and regulations;

(13) Require compliance with all local air and water quality laws and regulations and any applicable federal air and water quality standards;

(14) Not permit, to the extent practicable, development with the potential for causing significant adverse impact in fragile areas such as designated and potential historic and archaeological sites, critical wildlife habitats, beaches, designated and potential pristine marine and terrestrial communities, limestone and volcanic forests, designated and potential mangrove stands and other wetlands;

(15) Manage ecologically significant resource areas for their contribution to marine productivity and value as wildlife habitats, and preserve the functions and integrity of reefs, marine meadows, salt ponds, mangroves and other significant natural areas;

(16) Manage the development of the local subsistence, sport and commercial fisheries, consistent with other policies;

(17) Protect all coastal resources, particularly sand, coral and fish from taking beyond sustainable levels and in the case of marine mammals and any species on the Commonwealth endangered species list, from any taking whatsoever;

(18) Encourage preservation and enhancement of and respect for, the Commonwealth's scenic resources through the development of, increased enforcement of, and compliance with, sign, litter, zoning, building codes, and related land use laws;

(19) Discourage, to the maximum extent practicable, visually objectionable uses so as not to significantly degrade scenic views;

(20) Encourage the development of recreation facilities which are compatible with the surrounding environment and land uses;

(21) Encourage the preservation of traditional rights of public access to and along the shorelines consistent with the rights of private property owners;

(22) Pursue agreements for the acquisition or use of any lands necessary to guarantee traditional public access to and along the shorelines; and

(23) Encourage agricultural development and the preservation and maintenance of critical agricultural lands for agricultural uses.

(b) All departments, agencies, offices, and instrumentalities of the Commonwealth government shall take action to incorporate the above-listed policies into their programs and to conduct their activities in a manner consistent with these policies.

Source: PL 3-47, § 3; amended by PL 7-51 §§ 2, 3.