UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Silver Spring, Maryland 20910

JUL 15 2011

Secretary Michael Krancer
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16th Floor
P.O. Box 2063
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Dear Secretary Krancer:

Enclosed are the final evaluation findings for Pennsylvania's Coastal Resources Management Program for the period from August 2005 to September 2010.

We appreciated the cooperation and assistance of your staff during the evaluation.

Sincerely,

Donna Wieting

Donna Wieting
Acting Director

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EVALUATION FINDINGS

FOR THE

PENNSYLVANIA COASTAL ZONE MANAGEMENT PROGRAM

AUGUST 2005 - SEPTEMBER 2010

July, 2011

Office of Ocean and Coastal Resource Management
National Ocean Service
National Oceanic and Atmospheric Administration
United States Department of Commerce

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I. EXECUTIVE SUMMARY

Section (§) 312 of the Coastal Zone Management Act (CZMA) of 1972, as amended, requires NOAA's Office of Ocean and Coastal Resource Management (OCRM) to conduct periodic evaluations of the performance of states and territories with federally-approved coastal management programs. This review examined the operation and management of the Pennsylvania Coastal Resources Management Program (PCRMP) by the Pennsylvania Department of Environmental Protection, the designated lead agency, for the period from August 2005 through September 2010.

This document describes the evaluation findings of the Director of NOAA's OCRM with respect to PCRMP during the review period. These evaluation findings include discussions of major accomplishments as well as recommendations for program improvement. The evaluation concludes that the Department of Environmental Protection is successfully implementing and enforcing its federally-approved coastal management program, adhering to the terms of the Federal financial assistance awards, and addressing the coastal management needs identified in section 303(2)(A) through (K) of the CZMA.

The evaluation team documented a number of PCRMP accomplishments during this review period. Overall, OCRM finds the PCRMP continues to demonstrate progress in addressing coastal management issues through successful coordination and collaboration with both governmental and non-governmental partners. Specific accomplishments are noted with regard to mitigating coastal hazards, protecting coastal resources, providing public access and revitalizing urban waterfronts. The PCRMP is continuing to provide technical assistance to local governments in implementing the Bluff Recession and Setback Act, and the incorporation of the City of Erie into the program is a significant accomplishment. PCRMP "seed" funding for local projects to enhance public access and revitalize urban waterfronts is allowing coastal communities to leverage significant additional public and private funding for implementation of these projects.

The evaluation team also identified areas where the PCRMP could be strengthened. In terms of the cooperative agreement, there is a need for the PCRMP to align the state spending plan with the NOAA cooperative agreement cycle, and the PCRMP should more clearly articulate priorities in the cooperative agreement and reporting. During the site visit, the evaluation team heard about the benefits of a possible coastal zone boundary expansion for the Lake Erie coastal zone, and OCRM encourages the PCRMP to undertake the necessary outreach and planning related to a boundary change. In addition, the PCRMP should develop a plan for Routine Program Changes to be submitted to NOAA. Finally, OCRM believes representation and participation at the national and regional level is a very important opportunity the PCRMP should pursue in the future.

II. PROGRAM REVIEW PROCEDURES

A. OVERVIEW

The National Oceanic and Atmospheric Administration (NOAA) began its review of the PCRMP in July, 2010. The §312 evaluation process involves four distinct components:

- An initial document review and identification of specific issues of particular concern;
- A site visit to Pennsylvania, including interviews and public meetings;
- Development of draft evaluation findings; and
- Preparation of the final evaluation findings, partly based on comments from the state regarding the content and timetables of recommendations specified in the draft document.

The recommendations made by this evaluation appear in boxes and bold type and follow the findings section where facts relevant to the recommendation are discussed. The recommendations may be of two types:

> **Necessary Actions** address programmatic requirements of the CZMA's implementing regulations and of the PCRMP approved by NOAA. These must be carried out by the date(s) specified;
>
> **Program Suggestions** denote actions that the OCRM believes would improve the program, but which are not mandatory at this time. If no dates are indicated, the state is expected to have considered these Program Suggestions by the time of the next CZMA §312 evaluation.

A complete summary of accomplishments and recommendations are outlined in Appendix A.

Failure to address Necessary Actions may result in future finding of non-adherence and the invoking of interim sanctions, as specified in CZMA §312(c). Program Suggestions that are reiterated in consecutive evaluations to address continuing problems may be elevated to Necessary Actions. The findings in this evaluation document will be considered by NOAA in making future financial award decisions relative to the PCRMP.

B. DOCUMENT REVIEW AND ISSUES DEVELOPMENT

The evaluation team reviewed a wide variety of documents prior to the site visit, including: (1) 2005 PCRMP §312 evaluation findings; (2) federally approved Environmental Impact Statement and program documents; (3) financial assistance awards and work products; (4) semi-annual performance reports; (5) official correspondence; and (6) relevant publications on natural resource management issues in Pennsylvania.

Based on this review and on discussions with NOAA's Office of Ocean and Coastal Resource Management (OCRM), the evaluation team identified the following priority issues:

- *Program accomplishments since the last evaluation;*
- *The effectiveness of the state in implementing, monitoring and enforcing the core authorities that form the legal basis for the CMP;*
- *Implementation of the Federal Consistency process, including adherence to procedural requirements;*
- *The manner in which PCRMP has addressed the recommendations contained in the §312 evaluation findings released in 2005. The PCRMP's assessment of how it has responded to each of the recommendations in 2005 evaluation findings is located in Appendix B.*

Appendix B is the PCRMP's assessment of how it responded to each of the previous evaluation findings necessary actions.

C. SITE VISIT TO PENNSYLVANIA

Notification of the scheduled evaluation was sent to the Department of Environmental Protection, PCRMP, relevant environmental agencies, members of Pennsylvania's congressional delegation and regional newspapers. In addition, a notice of NOAA's "Intent to Evaluate" was published in the *Federal Register* on July 21, 2010.

The site visit to Pennsylvania was conducted on September 13-17, 2010. The evaluation team consisted of Kenneth Walker, Program Analyst, National Policy and Evaluation Division; Kate Barba, Chief, National Policy and Evaluation Division; and Elizabeth Mountz, Program Specialist, Coastal Programs Division.

During the site visit, the evaluation team met with federal and state agencies, local officials, academicians, and non-governmental organizations. Appendix C lists people and institutions contacted during this review.

As required by the CZMA, NOAA held an advertised public meeting on September 15, 2010 at 6:30 at the Tom Ridge Environmental Center, 301 Peninsula Drive, Erie, PA. The public meeting gave members of the general public the opportunity to express their opinions about the overall operation and management of PCRMP. Appendix D lists individuals who registered at the meeting. NOAA's response to written comments submitted during this review is summarized in Appendix E.

The PCRMP staff members provided essential support in setting up meetings and arranging logistics for the evaluation site visit, in addition to providing the evaluation team with needed program information before, during, and after the site visit. The evaluation team greatly appreciated their assistance and active participation.

III. COASTAL MANAGEMENT PROGRAM DESCRIPTION

The Pennsylvania Coastal Resources Management Program (PCRMP or coastal program) was approved by NOAA in September 1980. Authority for implementation of the PCRMP is based upon Article I, Section 27 (the Environmental Rights Amendment) of the Pennsylvania Constitution; Pennsylvania Gubernatorial Executive Order 1980-20; and Memoranda of Understanding (MOU) between Commonwealth agencies. Article I, Section 27 provides personal environmental rights that citizens can assert in court and imposes duties on the Commonwealth to act as trustee to conserve and maintain Pennsylvania's natural resources. The Executive Order directs all administrative departments and independent boards and commissions to follow the enforceable policies of the PCRMP. The MOUs detail the manner in which the agencies and commissions use their authorities in the furtherance of the PCRMP's nonregulatory policies.

The Executive Order also designates the Department of Environmental Protection (originally called the Department of Environmental Resources) as the lead agency for implementing and administering the PCRMP. The coastal program is located in the Water Planning Office in the DEP Office of Water Management.

To address major coastal resource management issues of federal, state, and local concern, the PCRMP has developed policies in 11 primary areas to guide Commonwealth decision-making in the Delaware and Lake Erie coastal zones. These 11 policy areas are:

- Coastal hazard areas
- Dredging and spoil disposal
- Fisheries management
- Wetlands
- Public access for recreation
- Historic sites and structures
- Port activities
- Energy facilities siting
- Intergovernmental coordination
- Public involvement
- Ocean resources

The PCRMP combines multiple authorities and programs of the Commonwealth into a set of regulatory and nonregulatory policies. These policies are applied in a uniform fashion to address the 11 coastal policy/issue areas (above) throughout the Lake Erie and Delaware Estuary coastal zones. All state agencies are directed to comply with the enforceable policies of the management program through the Executive Order. The state agencies subject to the Executive Order are the departments of Community and Economic Development, Environmental Protection, Conservation and Natural Resources, and Transportation. The agencies responsible for carrying out the nonregulatory policies included in the management program have entered

into Memoranda of Understanding (MOU) with the Department of Environmental Protection. These agencies include the Fish and Boat Commission, Historical and Museum Commission, and the Public Utility Commission.

The regulatory aspect of the program is centered primarily on the following Commonwealth statutes:

- Dam Safety and Encroachment Act (controls obstructions and encroachments in wetlands and in the beds of Lake Erie and the Delaware River)
- Bluff Recession and Setback Act
- Clean Streams Act, as amended
- Air Pollution Control Act, as amended
- Floodplain Management Act

Pennsylvania has elected a management approach which combines both State and local administration of regulations. The program authorities that are delegated to local administration based on state standards are the Floodplain Management Act and the Bluff Recession and Setback Act. The Dam Safety and Encroachment Act has a provision for delegation to local administration based on state standards.

The Executive Order creates a Coastal Zone Advisory Committee (Advisory Committee) to advise and assist in the design, implementation, and administration of the PCRMP. It also works to ensure that projects or activities proposed for funding under the PCRMP are in concert with planned or existing state agency activities and are in compliance with the policies of the PCRMP. It is a state level committee comprised of representatives of state departments, commissions, and other agencies that administer or are affected by various programs in the coastal areas.

At the local level, separate steering committees have been established in the Lake Erie and Delaware Estuary coastal zones. These committees are composed of county and local officials or their appointees with additional representation from authorities and environmental, economic and nonprofit coastal interests. They both annually review and consider changes to the criteria to be used in the selection of local projects to be funded by the PCRMP. The steering committees also review applications for funding of local level projects and recommend the priority listing of these projects for funding by the PCRMP.

IV. REVIEW FINDINGS, ACCOMPLISHMENTS, AND RECOMMENDATIONS

A. OPERATIONS AND MANAGEMENT

1. Organization and Administration

The Pennsylvania Coastal Resources Management Program (PCRMP or coastal program) has its headquarters in Harrisburg, the state capital, and is administratively within the Water Planning Office in the Office of Water Management in the Pennsylvania Department of Environmental Protection (DEP). To better serve the Commonwealth's two widely separated coastal areas, coastal program staff members are also located in DEP regional offices in the northwest, serving the Lake Erie coastal zone, and in the southeast, serving the Delaware Estuary coastal zone. As noted in the previous section of this document, the PCRMP has a Coastal Zone Advisory Committee comprised of representatives of state departments, commissions, and other agencies that advise and assist in the design, implementation, and administration of the PCRMP. Each coastal zone is also served by a steering committee representing local governments and local interests.

The Lake Erie coastal zone is more rural, encompassing much agricultural land, and includes an extremely popular state park/tourist destination. The Delaware Estuary is heavily developed, with industrial and commercial activities, and includes ports and an international airport, and many former industrial sites along the waterfront. During the site visit it was obvious to the evaluation team that the PCRMP staff members in both Harrisburg and the two regions are well-respected by everyone with whom they interact. State and local officials as well as representatives of non-governmental organizations were complimentary about the staff's accessibility and knowledge. Staff members have been able to establish a balance between programs and factors that are common to both coasts and serve wider state interests, and those that recognize and serve the unique geologic, geographic, and cultural aspects of each coastal zone. The coastal program has developed strong and effective partnerships in both the Lake Erie and Delaware Estuary coastal zones to assist in implementation of the program. In many respects the PCRMP is managing two separate programs each with distinct issues and partners, and the PCRMP continues to be successful in doing so.

2. Grants Management

<u>E-Grants:</u>

In 2009, the PCRMP launched the first phase of a new electronic grants management system for all FY10 grant applications under a cooperative agreement between the Pennsylvania Department of Environmental Protection and the Department of Conservation and Natural Resources. The PCRMP volunteered as a pilot to be one of the first programs to go online with

their grant application. Currently, applicants create an account, complete the grant application and submit their request online. PCRMP staff can view in-progress and completed applications over the web in real time. To assist applicants with the transition from paper applications to electronic format, PCRMP staff and DEP IT staff hosted two successful eGrants demonstrations in Philadelphia and Erie in September, 2009.

Benefits of the eGrants system are already apparent. The new website will function as a "one stop shop" for all environmental grants in Pennsylvania. For some 306a requirements, applicants can now complete their own Pennsylvania Natural Diversity Index (PNDI) search on line. PCRMP staff can also verify match from other state grant programs. This has already reduced staff time on the part of PCRMP staff. As the system is shared by other state grant programs, PCRMP staff will be able to search other grants in coastal areas to identify gaps or synergies between local grants. The second phase of the program, DARTS (DEP ARRA Reporting and Tracking System) will improve the PCRMPs ability to track and manage coastal grants.

ACCOMPLISHMENT: PCRMP is to be commended on serving as a state pilot for implementing eGrants and DARTS which is reducing staff time and allowing easier grant tracking.

3. Budget/Finance

The PCRMP grant expenditures for federally funded staff positions have become "off-cycle' from the federally funded grant. For example, in December 2009, CRM staff time (task 306-1) was billed to the CZM grant that started October 1, 2008 rather than the CZM grant that started on October 1, 2009. PCRMP did not start billing staff time to the 2009 grant until approximately 6 months after the grant started.

This practice creates difficulty in tracking and reporting the expenditure of grant funds, increasing the possibility of co-mingling funds between grant awards. Another result is that there is a significant delay in expending a large portion of Pennsylvania's federal CZM award. CZM grants are intended to be completed within 18 months. While NOAA often approves state CZM programs' requests to extend grants, these extensions are not guaranteed.

NECESSARY ACTION: By November 2011, the PCRMP must align the State's CZM grant expenditures with the timing of the federal grant cycle.

In terms of the cooperative agreement and reporting requirements, the evaluation team discussed the need for a clearer articulation of PCRMP's priorities within those documents. At the national level, this would assist OCRM's efforts to collect "success stories" and results of the program related to the various goals of the CZMA. At the State level, this could provide an opportunity to increase integration between the PCRMP activities and strategic planning efforts of the Department of Environmental Protection. Clearly articulated program goals would also assist local governments, non-profit organizations, and state agency partners with developing project

proposals that directly contribute to Pennsylvania's broader coastal goals. In general, the evaluation team felt a clearer articulation of priorities would provide benefits to NOAA and the PCRMP, as well as enhance visibility of the program in general.

PROGRAM SUGGESTION: NOAA encourages the PCRMP to more clearly articulate priorities within the cooperative agreement and reporting requirements.

4. Coastal Zone Boundary

A recommendation from both previous evaluation findings (dated November 2002 and February 2006) suggested that the PCRMP explore expansion of its coastal zone boundary to include more of the coastal watershed on both the Erie and Delaware coasts. Since then the possibility of an expansion to include watershed boundaries was discussed with the program's local steering committees, and an analysis of several options was conducted using GIS technology (which included the number of municipalities affected by various possible changes). The final approval of the Commonwealth's coastal nonpoint pollution control program in 2001 expanded those boundaries to include the majority of the coastal zone watersheds.

During the site visit, coastal program staff members indicated that they are still considering an expansion of the existing coastal program boundary to include additional area, up to the entire Lake Erie watershed. If accomplished, the coastal program boundaries would more closely approximate the boundaries established for the Commonwealth's coastal nonpoint pollution control program. This would also achieve the program's goal of using CZMA funds to support projects in the Lake Erie watershed that contribute to the health of Lake Erie and protect and restore habitat. The boundary expansion would also extend the application of federal consistency within the Lake Erie watershed. Given the major issues within the Lake Erie coastal zone, such as water quality and habitat protection, NOAA encourages Pennsylvania to continue exploring possible expansion of the Lake Erie coastal zone, but recognizes this is a multi-year effort which will require significant coordination with local governments and partners. In addition, the PCRMP and the Lake Erie steering committee should examine the committee membership to ensure that the boundary expansion areas are adequately represented on the committee.

PROGRAM SUGGESTION: NOAA encourages Pennsylvania to continue exploring the expansion of the Lake Erie coastal zone boundary, recognizing this is a multi-year effort which will require significant coordination with local governments and partners in the proposed expansion area.

B. PUBLIC ACCESS

The PCRMP faces two very different challenges in providing public access to the coast in the two coastal zones. In the Delaware Estuary coastal zone, the area is highly urbanized. There are ports and port related development, commercial shipping, oil and petroleum storage facilities, and significant homeland security concerns. The opportunities for public access are often related to revitalization of deteriorated piers and contaminated waterfront properties. Some of these projects are discussed in the Waterfront and Port Revitalization Section of the Findings. In the Erie coastal zone, there are more areas suitable for public access to the coast, but the demand for fishing and recreational access is high.

The coastal program continues to support local municipalities' efforts to enhance public access and access facilities along the coast. Many of these projects also include an educational component and habitat enhancements. Along the Delaware River, the PCRMP supported the planning and design of Schuylkill Trail through Bartram's garden. In addition, PCRMP also supported the Fairmont Park Commission construction of a waterless composting restroom facility along the Schuylkill River greenway trail. The public facility will include interpretative signage explaining the operation of the composting design and the importance of water quality and conservation along the Schuylkill River. During the review period, Ridley Township constructed a new multi-purpose marina facility at the municipal marina, including a boat launch, fishing dock and interpretive signage. In the Lake Erie coastal zone, the PCRMP provided funding to Millcreek Township to develop plans for streamside park at Walnut Creek that incorporates fishing access enhancements with significant stream restoration and fish habitat improvements. Also during the review period, the Erie County Department of Planning created a master site plan for public access to Elk Creek to enhance the recreational value of this steelhead fishing stream and natural area.

During the site visit, the evaluation team noted these public access projects would benefit from standardized signage, developed by the PCRMP and required at all PCRMP-funded 306A projects. A standard sign that includes the PRCMP logo would enhance recognition of the PCRMP in supporting these projects as well as guide the public to official public access sites. Standardized signage in other states, such as Michigan and North Carolina, have served both of these purposes.

PROGRAM SUGGESTION: The PCRMP should develop standard signage for public access projects.

C. COASTAL HABITAT

On August 24th 2010, NOAA approved the Commonwealth of Pennsylvania's Coastal and Estuarine Land Conservation Plan. Pennsylvania is the eighth CELCP plan to be approved by NOAA. Pennsylvania's CELC Plan boundaries are based on Pennsylvania's coastal watershed boundaries, and also include the three watersheds that drain to the Chesapeake Bay. The

Pennsylvania Coastal Resources Management Program has worked with local governments, land trusts, and other partners to develop several projects for submission to the national CELCP funding competition. While to date, Pennsylvania projects have not been selected for CELCP funding, Pennsylvania's CELC plan identifies state's priority areas for conservation within its coastal watersheds. The Pennsylvania CELC plan also supports regional conservation priorities under the recent Chesapeake Bay Executive Order (E.O. 13508 - Chesapeake Bay Protection and Restoration) and the Great Lakes Restoration Initiative, as well as other conservation plans.

ACCOMPLISHMENT: The PCRMP is to be commended on the 2010 approval of the Commonwealth of Pennsylvania's Coastal and Estuarine Land Conservation Program.

While the responsibility for the management and protection of wetlands within Pennsylvania primarily falls within the DEP's Bureau of Watershed Management, within the Wetlands, Waterways, and Stormwater Management Division, the PCRMP has supported wetlands assessment projects in both reaches of the coastal zone. PCRMP partnered with Pennsylvania Sea Grant in 2009 to employ the Level 2 Rapid Field Assessment in the Lake Erie watershed. This project successfully built a local capacity for understanding functional assessment of wetlands and the stressors that can change the function and services provided. CRM has participated in the Estuary Program's Delaware Estuary Wetland Workgroup (DEWWG) that is working to develop interstate tidal wetland monitoring and assessment methodologies that could be employed in Pennsylvania, New Jersey, and Delaware.

D. WATER QUALITY

Pennsylvania CRMP staff have contributed staff time and provided financial support of projects contributing to the remediation of the Presque Isle Bay Area of Concern. Presque Isle Bay was the 43rd AOC under the Great Lakes Water Quality Agreement in 1991. The AOC's Stage 1 Remedial Action Plan identified restrictions on dredging activities and fish tumors or other deformities as two key Beneficial Use Impairments (BUIs) occurring in the AOC. Since 2002, PCRMP staff have conducted annual monitoring of bullhead tumor incidence rates. PCRMP is partnering with Pennsylvania State University on an EPA-funded project to develop a comprehensive, on-line database containing best available information on bullhead tumors and sediment contaminant data from throughout the Great Lakes region. In March 2007, the EPA approved delisting of the restrictions on dredging beneficial use impairment for the Presque Isle Bay Area of Concern (AOC). PCRMP is currently partnering with Sea Grant on a project to monitor sediment subsequent to the delisting of the beneficial use impairment.

The PCRMP supported Pennsylvania Sea Grant's work in developing the Presque Isle Bay Watershed Restoration Plan. This plan was developed to ensure that the quality of water and sediment entering Presque Isle Bay from its watershed would not contribute to future impairment of the Presque Isle Bay ecosystem. The plan involves extensive use of GIS in the assessment of restoration priorities, and will serve as the framework for restoring and protecting water resources within the watershed. The Presque Isle Bay Watershed Restoration Plan has already

leveraged approximately $500K in Great Lakes Restoration Initiative Funding for implementation.

ACCOMPLISHMENT: The PCRMP has played a significant role in recovery efforts and restoration of water quality in Presque Isle Bay. The Presque Isle watershed management plan is providing a framework and leveraging funds for addressing water quality issues in Presque Isle Bay.

Pennsylvania's Water Resources Planning Act of 2002 required the DEP to: update the existing State Water Plan; register and report certain water withdrawals; identify Critical Water Planning Areas; create Critical Area Resource Plans; and establish a voluntary water conservation program. While the State Water Plan is a mandated non-PCRMP effort, the coastal program has been closely involved in its development and implementation in the coastal zones.

E. COASTAL HAZARDS

E. Coastal Hazards:

The major coastal hazards facing the Commonwealth are bluff recession and shoreline erosion in the Lake Erie coastal zone. The coastal program has long provided technical advisory assistance to bluff property owners at no cost in an effort to fully inform residents of the dynamic processes of bluff recession and shoreline erosion. In general, this consists of an on-site inspection and verbal and written recommendations for shoreline protection, surface and groundwater control, bluff stabilization, and use of vegetation. The Commonwealth's Bluff Recession and Setback Act (BRSA) was passed in 1980 and requires that new residential, commercial, and industrial structures be constructed outside of designated bluff recession hazard areas. As noted in NOAA's 1980 findings approving the PCRMP, the BRSA is a core management authority of the PCRMP providing for management of coastal development and controlling the impacts of shoreline erosion. Regulations developed in 1980 implement the BRSA and control the location of new structures and improvements to existing structures located in the bluff recession hazard area. Coastal municipalities with designated active bluff recession areas were required to enact local ordinances. Eight municipalities along the Lake Erie coast have designated bluff recession hazard areas and have enacted new or amended existing ordinances to incorporate the setback requirements. The City of Erie was not included in the 1980 BRSA regulations. The PCRMP continues to provide financial and technical assistance for local administration and enforcement of the BRSA. The evaluation team consistently heard how valuable these Technical Advisory Services are to local governments and landowners in the bluff recession hazard area. As further described within the education and outreach section, the PCRMP has partnered with Pennsylvania Sea Grant and neighboring coastal states to develop workshops for property

owners as well as contractors and real estate professionals who regularly work with coastal properties.

In 2009, The Pennsylvania Environmental Quality Board adopted changes to the proposed rulemaking for Chapter 85 regulations pertaining to Bluff Recession and Setback, and those rules were was adopted in final form. This includes the addition of the City of Erie to the list of municipalities having a Bluff Recession Hazard Area, clarifies minimum setback distances, and streamlines requirements for specific supporting documentation.

ACCOMPLISHMENT: The PCRMP is continuing to provide highly valued technical assistance to local governments in implementing the Bluff Recession and Setback Act, and the incorporation of the City of Erie into the program is a significant accomplishment.

The CRM also initiated a shoreline structure survey during the evaluation period. The Lake Erie shoreline was surveyed by walking the shoreline using a GPS unit in order to identify various structures located in, at or adjacent to the Lake Erie shoreline. The field survey portion has been completed and the PA CRM is in the process of cross-referencing the field data to state permit databases. OCRM encourages the CRM to continue with the project, with the goal of initiating an plan to bring landowners into compliance regarding unpermitted structures.

F. COASTAL DEPENDENT USES AND COMMUNITY DEVELOPMENT

1. Waterfront and Port Revitalization

Along the Delaware River, the PCRMP is working with local partners to revitalize urban waterfronts, many of which are legacies of their industrial past. Many portions of the river were disconnected from their adjacent communities due to the industrial history of the waterfront. As port and industry activities have moved up the Delaware River, many of these properties were abandoned and fenced off, and most of these sites require an assessment of potential contamination.

During the review period, the PCRMP assisted the Pennsylvania Horticultural Society with a feasibility study of wetlands restoration and open space and habitat features supporting a new public access point on the Delaware River at Piers 67, 68, and 70.

The PCRMP has also partnered with The Delaware River Waterfront Corporation (DRWC) and is providing a $75K (Oct 1, 2010) grant for park construction at Race Street Pier. The fundamental purpose of DRWC is to design, develop and manage the central Delaware River waterfront in Philadelphia between Oregon and Allegheny Avenues. DRWC intends to transform the central Delaware River waterfront into a vibrant destination location for recreational,

cultural, and commercial activities for the residents and visitors of Philadelphia. DRWC will serve as a catalyst for high quality investment in public parks, trails, maritime, residential, retail, hotel and other improvements that create a vibrant amenity, extending Philadelphia to the river's edge.

The Race Street Pier will be the first new public space of its kind on the central Delaware River waterfront and will reconnect the Philadelphia's old city neighborhood with the waterfront. The private consultants working on the Race Street pier project were involved with New York's "High Line" project, and the Race Street prier project with incorporate some design elements from the highly successful New York project.

The evaluation team consistently heard about the value of CZM funds to initiate these waterfront revitalization and planning efforts, and how these funds are serving as "seed" money to leverage additional public and private investment. The PCRMP also has effectively utilized other policy tools to support urban waterfront revitalization, such as the application of federal consistency to encourage additional public access opportunities in conjunction with the construction of the Chester Soccer Stadium. CRM staff also worked to develop the Commonwealth Model Submerged Lands Transfer Legislation which places certain public access requirements on developers who lease Commonwealth Submerged Lands in the Coastal Zone; this model legislation was utilized in several legislative actions enacted during this evaluation period.

ACCOMPLISHMENT: PCRMP "seed" funding for local projects to revitalize urban waterfronts is allowing coastal communities to leverage significant additional public and private funding for implementation of these projects.

G. GOVERNMENT COORDINATION AND DECISION-MAKING

1. Federal Consistency and Program Changes

In 2006, the PCRMP submitted a program change request to NOAA to review federal activities and federal license and permit actions in an area along Ohio's Lake Erie shoreline extending approximately three miles west southwestward from the Pennsylvania-Ohio border, including the waters of Lake Erie extending north to the U.S.-Canada border. The PCRMP determined that federal actions occurring at or in the vicinity of Conneaut Harbor, Ohio are the last major impediments to passage of littoral drift material from Ohio into Pennsylvania. NOAA approved this program change request on January 9, 2007. Pennsylvania is one of four state CZM programs that has been approved, pursuant to NOAA's interstate consistency regulations: 15 C.F.R. part 930, subpart I, to review federal actions occurring wholly within another state. Since 2007, the CRM has coordinated with the USACE and the Ohio Coastal Management Program to review federal activities occurring at Conneaut Harbor, Ohio.

ACCOMPLISHMENT: The PCRMP has successfully applied interstate consistency review procedures to a U.S. Army Corps of Engineers federal maintenance dredging activity in Conneaut Harbor, Ohio. As a result, dredged materials suitable for onshore disposal are no longer deposited in deep water.

The most recent program change submission covered legislative and regulatory updates from 2002 and 2003; due to staff turnover and other factors, the PCRMP has not submitted a Program Change covering the most recent time period. The evaluation team noted that the PCRMP should submit a plan for getting up to date on Routine Program Changes. Until program changes are submitted, approved by NOAA, and incorporated in the federally approved program, Federal Consistency cannot be applied to those activities.

PROGRAM SUGGESTION: The PCRMP should submit a plan to NOAA/OCRM for getting up to date on Routine Program Changes (RPCs).

2. Programmatic Coordination and Partnerships

The PCRMP supports the Delaware County Coastal Zone Task Force, which has become an effective mechanism for the municipalities to meet, share common concerns and information, and devise plans and projects that are of benefit to all the municipalities. The coastal program also established and continues to help fund and support the Urban Waterfront Action Group (UWAG) in the Delaware Estuary coastal zone. This is a permanent forum, chaired and organized by the Delaware Valley Regional Planning Commission (DVRPC). The forum brings together federal, state, and local agencies as well as developers who plan any construction or revitalization efforts along the Delaware Estuary coastal zone waterfront. It serves as a means to coordinate permitting requirements, clarify issues and concerns, and otherwise acts as a pre-construction coordinating meeting with all the principal players at the table. The DVRPC organizes, advertises, and coordinates the UWAG meetings, which are held at the DVRPC offices, on a bi-monthly basis.

The PCRMP also provides significant support to the Partnership for the Delaware Estuary. During the review period, funding provided to the Partnership for the Delaware Estuary supported a coordinator position for the Schuylkill Action Network. This staff person was involved in initiatives to address water quality, stormwater management and nonpoint source pollution in the watershed. The Partnership for Delaware Estuary also developed a comprehensive GIS-based mapping of native vegetation on the Pennsylvania portion of the Delaware Estuary watershed. PCRMP staff participates on the Partnership's Estuary Implementation Committee, which provides a venue for communication and coordination with other governmental interests throughout the estuary.

ACCOMPLISHMENT: PCRMP participation with and support of the Partnership for the Delaware Estuary has increased coordination on important coastal management issues throughout the region.

The evaluation team also heard about limitations on PCRMP staff to fully participate and represent their program at both the National and regional level. There are numerous opportunities to learn from other programs, foster regional coordination, and share "successes" from Pennsylvania that are applicable to other states. In addition, interstate coordination is critical for many federal consistency decisions and for policy initiatives such as Coastal and Marine Spatial Planning. NOAA encourages PCRMP staff to fully engage in opportunities at the National and regional level.

PROGRAM SUGGESTION: The PCRMP should take advantage of opportunities for representation and participation at the national and regional level.

3. Public Participation and Education/Outreach

The PCRMP relies on a number of partners to support their education, outreach and public participation efforts. For example, the PCRMP supported the Partnership for the Delaware Estuary and the Philadelphia Water Department to conduct Pennsylvania's Coast Day events at the Penns Landing waterfront. This event served to educate the public on coastal issues and showcased Sea Grant efforts from the region.

The PCRMP has also partnered with PA Sea Grant Program and the Lake Erie Allegheny Earth Force to develop outreach workshops in the Erie area. A Landowner Workshop, first held in 2005, was attended by over 130 actual or prospective lakefront landowners, who were interested in protecting their properties and Lakefront investments. As a result of this workshop, landowners learned about bluff recession, the bluff recession setback act, coastal erosion, bluff recession rates, stormwater management, groundwater, geology of the lake shore, septic systems, public access issues, and permits.

In 2006, a Professionals Workshop was held to familiarize contractors that provide environmental, engineering, consulting, surveying and landscaping services, with lake and coastal processes, lake geology, permitting issues, bluff recession rates, the bluff recession setback act, coastal erosion, stormwater management, groundwater, septic systems, and public access. This two-day Workshop was well attended by landscapers, consultants and engineers. Landowner Workshops and Professionals Workshops were again held in 2008, and were well attended.

PCRMP staff continues to take a leading role in organizing the Lake Erie International Coastal Cleanup. Between 2003 and 2009, over 5100 volunteers have assisted with the removal of more than 90,000 lbs. of trash and debris from the Lake Erie shoreline and tributaries. The Erie Times-News "Newspaper-in-Education" project supports the educational component, with pull-out sections that document what was found.

The PCRMP has clearly placed a high priority on public education and outreach activities. As noted within the Operations and Management Section above, NOAA encourages the CRM to

continue to plan strategically towards utilizing this education/outreach capacity in coordination with clearly established programmatic goals.

V. CONCLUSION

For the reasons stated herein, I find that Pennsylvania is adhering to the programmatic requirements of the Coastal Zone Management Act and its implementing regulations in the operation of its approved CZMP.

The Pennsylvania Coastal Zone Management Program has made notable progress in the following areas: grants management, coastal hazards, coastal dependent uses and community development, programmatic coordination and partnerships, coastal habitat and water quality.

These evaluation findings also contain seven (7) recommendations. The recommendations are in the form of one (1) Necessary Actions and six (6) Program Suggestions. The state must address the Necessary Actions by the dates indicated. The Program Suggestions should be addressed before the next regularly-scheduled program evaluation, but they are not mandatory at this time. Program Suggestions that must be repeated in subsequent evaluations may be elevated to Necessary Actions. Summary tables of program accomplishments and recommendations are provided in section VI.

This is a programmatic evaluation of the PCRMP that may have implications regarding the state's financial assistance awards. However, it does not make any judgment about or replace any financial audits.

Donna Whitney 7/15/11

Name of Director Date

Director, Office of Ocean and Coastal Resource Management

VI. APPENDICES

Appendix A. OCRM Summary of Accomplishments and Recommendations

The evaluation team documented a number of PCRMP accomplishments during the review period. These include:

Issue Area	Accomplishment
Grants Management	The PCRMP is to be commended on serving as a state pilot for implementing eGrants and DARTS which is reducing staff time and allowing easier grant tracking.
Coastal Habitat	The PCRMP is to be commended on the 2010 approval of the Commonwealth of Pennsylvania's Coastal and Estuarine Land Conservation Program.
Water Quality	The PCRMP has played a significant role in recovery efforts and restoration of water quality in Presque Isle Bay. The Presque Isle watershed management plan is providing a framework and leveraging funds for addressing water quality issues in Presque Isle Bay.
Coastal Hazards	The PCRMP is continuing to provide highly valued technical assistance to local governments in implementing the Bluff Recession and Setback Act, and the incorporation of the City of Erie into the program is a significant accomplishment.
Coastal Dependent Uses & Community Development	PCRMP "seed" funding for local projects to enhance public access and revitalize urban waterfronts is allowing coastal communities to leverage significant additional public and private funding for implementation of these projects.

Government Coordination & Decision-Making	The PCRMP has successfully applied interstate consistency review procedures to a U.S. Army Corps of Engineers federal maintenance dredging activity in Conneaut Harbor, Ohio. As a result, dredged materials suitable for onshore disposal are no longer deposited in deep water.
Programmatic Coordination & Partnerships	PCRMP support of the Partnership for the Delaware Estuary has effectively facilitated coordination with the States of New Jersey and Delaware on important coastal management issues.

In addition to the accomplishments listed above, the evaluation team identified several areas where the program could be strengthened. Recommendations are in the form of Program Suggestions. Areas for improvement include:

Issue Area	**Recommendation**
Budget & Finance	NECESSARY ACTION: By November, 2011, the PCRMP must align the State's CZM grant expenditures with the timing of the federal grant cycle.
Budget & Finance	PROGRAM SUGGESTION: NOAA encourages the PCRMP to more clearly articulate priorities within the cooperative agreement and reporting requirements.
Public Access	PROGRAM SUGGESTION: The PCRMP should develop standard signage for public access projects.
Federal Consistency & Program Changes	PROGRAM SUGGESTION: The PCRMP should submit a plan to NOAA/OCRM for getting up to date on Routine Program Changes (RPCs).
Operations and Management	PROGRAM SUGGESTION: NOAA encourages Pennsylvania to continue exploring the expansion of the Lake Erie coastal zone boundary, recognizing this is a multi-year effort which will require significant coordination with local governments and partners in the proposed expansion area.
Programmatic Coordination & Partnerships	PROGRAM SUGGESTION: The PCRMP should take advantage of opportunities for representation and participation at the national and regional level.

Appendix B. Pennsylvania's Response to Previous (2005) Evaluation Findings

1) The PCRMP should submit program changes that have occurred since NOAA's approval of changes from 2000 and 2001. New program changes should include the relocation of the PCRMP to the Water Planning Office in the Department of Environmental Protection.

Update: Since the Year 2005 312 evaluation, the PA Coastal Resources Program (PA CRM) has completed one Routine Program Change, referred to programmatically as "RPC XII." This RPC covered program changes for the years 2002 and 2003. Following a Pennsylvania public comment period, the RPC was submitted to OCRM for review. OCRM approved RPC XII in January 2007.

CRM staff are working on developing an RPC that would address changes that have occurred since 2003.

2) The PCRMP should continue its consideration of expansion of its coastal zone boundary to include the entire Lake Erie and lower Delaware River watersheds.

Update: Various discussion and work has been initiated regarding this suggestion. The possibility of an expansion to include watershed boundaries has been discussed with the program's local Advisory Committees. An analysis of several options was conducted using GIS technology, which included the number of municipalities impacted by various possible changes. The Lake Erie Advisory Committee is supportive of the concept of expanding the boundary, so CRM has decided to move forward and include specific steps for expanding the boundary as part of the proposed Section 309 workplan. The intent is to expand the boundary within the next few years.

3) The PCRMP should take advantage of the various planning processes and activities in which it is involved at this time (Water Plan development, performance measures, Section 309 process, boundary expansion, focus of grants program) to focus on a clear vision of its future and the ways and means to attain that vision.

Update: The CRM program has been working on a variety of projects to link land and water resources to further the office mission of Integrating Water Resource planning efforts. We have contracted with Erie County Conservation District and PA Sea Grant to develop an integrated plan for Presque Isle Bay, and are now expanding this effort to the entire Lake Erie Watershed. We intend to link this plan with the Marine Spatial Plan that has been proposed in the latest 309 plan. By linking plans that bring together land and water resources, we will have more

opportunities to learn about, and educate others about, the important interactions between these resources. In addition, through our efforts to track performance measures and contextual measures, we will be able to measure the effectiveness of integrated planning on the resources we are tracking.

The CRM program hopes to begin implementation of these concepts through a number of projects that are currently planned, including the LECZ boundary expansion effort, through future pass-through grants and a new effort to prioritize grants based on their consistency with local/regional/and state –supported planning efforts in the coastal zones, through the pilot land acquisition program in the LECZ, and through our extensive AIS planning that we hope to continue in the next 309 timeframe.

4) The PCRMP should continue to seek out opportunities to establish greater program visibility and its unique identity.

Update: CRM has sought out several opportunities to establish greater program visibility and identity. Annual grant selections are forwarded to the Press Office for a formal public announcement, and given consideration for a press event. A press release is also prepared for the announcement.

Additionally, CRM volunteered to be one of the first Department programs to accept applications electronically via EGRANTs. This has raised awareness of the CRM program throughout the Department. The next step is for the program to employ DARTs, which will provide a one-stop area where the public can learn more about the various Coastal Zone grants and resulting products.

CRM also enhanced its website during this time period. Organization and content have been improved. This important program interface will be reviewed and addressed on an on-going basis in future years.

5) NOAA encourages the PCRMP to reconsider and revisit the roles, functions, and bylaws of both the Advisory Committee and the two Steering Committees, particularly as they relate to potential conflicts of interest in the grants application and project selection processes.

Update: The CRM Program revisited the roles, functions and bylaws of the Coastal Zone Advisory Committee and the two Steering committees during the year of 2007.

These activities took place during a timeframe in which the Commonwealth was also examining grant award processes, and drafting procedures to assist state employees to determine if they had conflicts of interest which would require them to abstain from reviewing certain grant applications. Documents drafted by the Commonwealth included a memo titled “Mandatory Reading – New Ethics Act Considerations” and an Ethics Bulletin dated July 18, 2007.

CRM staff participated in a meeting on July 31, 2007 with the Erie Coastal Zone Committee, and a meeting on August 6, 2007 with the Delaware Estuary Coastal Zone Committee to discuss the procedures employed for reviewing applications. To help clarify the role of the committees, the term "Steering" has been changed to "Advisory." Voting procedures were also clarified; if a Committee member is part of, or has some connection to, an application, the Committee member does not vote on the project. The revised voting procedures are reviewed prior to each Committee meeting.

The efforts undertaken by the Committees and the CRM program appear to have resolved this issue.

6) The PCRMP should consider initiating discussions with the states of New Jersey and Delaware and their coastal management programs about common coastal concerns and issues and some ways in which the three states, three coastal programs, and local municipalities and organizations could work together or support one another to address some of their common priority areas.

Update: The Coastal Resources Program has been maintaining discussions with the states of Delaware and New Jersey through the Partnership for the Delaware Estuary (PDE) program. Several staff members, including regional staff, are involved with PDE, allowing for various areas of expertise to be represented at PDE's policy and science meetings. In addition, Coastal staff members have attended some of the Northeast/Mid-Atlantic Regional Coastal program meetings.

Appendix C. Persons and Institutions Contacted

Pennsylvania Department of Environmental Protection
John Hines, Deputy Secretary for Water Management
John Booser, Associate Director, Water Planning Office
Jim Grazio, Biologist, Office of the Great Lakes
Kelly Burch, Regional Director, NW Regional Office

Pennsylvania Coastal Zone Management Program
Andrew Zemba, Manager
Gary Obleski
Jeff Dewey
Donovan Houck
Lori Mohr
Kevin Hess
Don Benczkowski, DEP Northwest Regional Office
Randy Brown, DEP Southeast Regional Office
Andy Faivre, intern, DEP Northwest Regional Office

State Agency Representatives

Anne DeSarro, Environmental Education Specialist, Presque Isle State Park, DCNR

Local Government Representatives

Bill Payne, Director, City of Chester Division of Planning
Karen Holm, Manager, Environmental Section, Delaware County Planning Department
Becky Hosack, Girard Township
Bill Payne, City of Chester
Brian Zeppenfeld, Erie County Conservation District
Chris Linn, Delaware Regional Planning Authority
Dennis Livrone, Bucks County Planning Commission
Joseph Hudson, Erie County Conservation District
Julia Donahue, Erie County Department of Planning

Academia
Eric Obert, Associate Director, Pennsylvania State University, Pennsylvania Sea Grant
David Skellie, Pennsylvania State University, Pennsylvania Sea Grant
Anna McCartney, Pennsylvania State University, Pennsylvania Sea Grant
Marti Martz, Pennsylvania State University, Pennsylvania Sea Grant

Other Organizations and Representatives
Anna Benner, Pennsylvania Horticultural Society
Barbara Conlin, Marine Ecologist, USACE Philadelphia District
Ed Kissel, Lake Erie Advisory Committee Chair
Jen Adkins, Executive Director, Partnership for Delaware Estuary
Nick Mobilia, Arrowhead Winery

Appendix D. Persons Attending the Public Meetings

The public meeting was held on September 15, 2010, at 6:30 at the Tom Ridge Environmental Center, 301 Peninsula Drive, Erie, PA.

The following members of the public attended this meeting.

Sally Griffin, Sierra Club
Bill Welch, Sierra Club

The following people also attended this meeting:

Dave Skellie, PA Sea Grant

Appendix E. NOAA's Response to Written Comments

OCRM received one written comment regarding the Pennsylvania Coastal Resources Management Program (PCRMP). This letter is part of the official record of the evaluation and is briefly summarized below, followed by OCRM's response.

Tom Fuhrman, Executive Director
Lake Erie Region Conservancy
Erie, PA

Comments: On behalf of the Lake Erie Region Conservancy, Mr. Fuhrman expressed his concern that the Conservancy has seen grants significantly reduced and not funded over the last few years. As the founder and Executive Director of the Lake Erie Regional Conservancy, Mr. Fuhrman received several CZM grants for the Conservancy and was also the lead for several local acquisition projects. Mr. Fuhrman previously served on the local review committee, but resigned due to a perception of a conflict of interest.

When Mr. Fuhrman has inquired about the reduction in funding, the response he has gotten from DEP has been that the funds he is seeking are for administration of the organization. Mr. Fuhrman believes the decisions of the DEP are personal.

OCRM's Response: The evaluation team thanks Mr. Fuhrman for his comments. OCRM understands there were previously conflicts of interest in terms of committee members voting on their own projects. It is the evaluation team's understanding that these issues have been resolved and now committee member recuse themselves when the voting takes place projects proposed by their organization. For example, other grantees have representatives on the council and they excuse themselves when voting occurs on their projects. OCRM has also found the PCRMP to be adhering to the competitive process, criteria and other protocols for awarding pass through grants.

Appendix F. PCRMP's Own Summary of Accomplishments for the Evaluation Period

Coastal Zone Electronic Grants Management System

The Coastal Resources Management Program launched the first phase of its new electronic grants management online system on August 24, 2009 for all FY 2010 grant applications. This initiative, collectively referred to as "Environmental eGrants", is a cooperative effort between Pennsylvania's two environmental agencies: the Department of Environmental Protection (DEP) and the Department of Conservation and Natural Resources (DCNR). CRM is at the forefront of this effort and proactively volunteered to be one of the first programs to go online.

The project is being developed and implemented in phases, which will span the next few years. Currently, applicants are able to create an account, complete an electronic application, and submit their grant request online. CRM staff can easily view in-progress and completed applications over the web in real-time. Future phases will include reviewer scoring and automated grant agreement creation.

The eGrants website is accessible at: https://www.grants.dcnr.state.pa.us. Eventually this web address will be replaced in subsequent phases. To assist applicants in the paper to electronic transition, CRM and DEP IT staff hosted two successful eGrants demonstrations in Erie and Philadelphia in September 2009.

Benefits of the eGrants implementation have already been apparent, including increased visibility. The new website will essentially function as a one-stop-shop for all state environmental grants in Pennsylvania, where new and more diverse applicants will discover coastal zone grant opportunities. We have also observed that most grantees prefer the new web-based system and are welcoming the change. For some 306a requirements, the system alleviates work previously completed by CRM staff. For example, now applicants can complete their own Pennsylvania Natural Diversity Index (PNDI) searches online, saving our grant staff hours of labor. Turnaround times will be greatly expedited as CRM staff and project reviewers can instantaneously review applications online, rather than waiting for mailed and scanned copies as in previous years. Since the system is shared by other state grant programs, we will be able to search other grants in the coastal areas to find gaps or duplicate projects. Another feature will allow us to verify secure or pending match supplied by other state money in eGrants.

The program has also initiated a second phase of the electronic grants management system. DEP created an on-line system called DARTS (DEP ARRA Reporting and Tracking System) to track grants related to recovery funding. A long-term goal for DEP is to transition grant tracking for non-ARRA programs to this system. The Coastal program volunteered to be one of the first programs to transition grant tracking to DARTS. Early indications are that DARTS (located at http://epenwebs01/DARTS/Modules/default/default.aspx)will improve the CRM program's ability to track and manage Coastal grants.

Delaware Coastal Zone

Chester Soccer Stadium

Project entailed construction of a Major League soccer stadium in Chester, Delaware County. Site was a former Act 2 site. Impacts included the filling of a CSO channel and new bulkhead along the Delaware River, for a cumulative impact of 0.88 acres. PA DEP CRM SERO required compensatory mitigation for these impacts. It was decided that the mitigation would be divided into two sites, the first (Mitigation Area 1) being the conversion of an existing upland area to a vegetated mudflat; the second site (Mitigation Area 2) was the conversion of an existing upland area to a tidal cove.

During excavation of Mitigation Area 2, coal tar was discovered. The site was a former Manufactured Gas Plant (MGP), and was suspected of having high concentrations of contaminants. Once the coal tar was found, the original design of Mitigation Area 2 became compromised. CRM SERO worked extensively with the applicant to formulate a new design that would offer the best environmental benefit. The new design included making the depths more shallow, an expansion of the total acreage, the construction of a weir to retain water during lower tides, and the construction of a trash rack to help keep floatable debris from entering the mitigation area.

On 7/27/2010, Mitigation Area 2 was opened to the Delaware River, and has the potential to be a highly successful tidal mitigation site.

Lake Erie Coastal Zone

International Coastal Cleanup (ICC) along Pennsylvania's Portion of Lake Erie

In late 2001, PA DEP's Coastal Zone Management Program, assembled a core group of interested people, in an effort to expand the "Fall Cleanup" at Presque Isle State Park. The goal was to get others involved, like property owners, businesses and users of various water resources along the Lake Erie shoreline, but beyond the boundaries of Presque Isle State Park. After mapping out a course of action, and involving various conservation groups and prominent individuals in the local environmental community, the International Coastal Cleanup Steering Committee was formed, in order to plan an effort to clean trash and debris from beaches along the entire Pennsylvania shoreline of Lake Erie.

ICC began in Texas in 1986, as a simple beach cleanup. It's evolved into a data collection event, where volunteers participate in over 100 countries worldwide, on the same day. All trash is itemized and documented with the use of standardized data forms supplied by the Ocean Conservancy.

The Lake Erie ICC event gives local volunteers the opportunity to make a difference in their own community, while generating important data that will be used to track litter trends. From 9am to noon on the date of the cleanup, those dedicated volunteers pick up trash, deposited by others, in

order that their local recreation spots look clean and inviting for others to visit. Waste Management, Inc., operator of Lakeview Landfill, plays a very vital role with ICC, and takes all trash generated from the event, at no cost.

In September of 2003, the first Pennsylvania Lake Erie International Coastal Cleanup event took place at Presque Isle State Park, and, for the first time, beyond the Park's boundaries. Nearly 650 volunteers gathered to remove trash from the shoreline of Lake Erie, and banks of Lake Erie tributaries, while totally cleaning up a dump area along Raccoon Creek in Springfield Township.

The 2004 ICC event was affected by remnants of two hurricanes that came through the Erie area within a week, and drove stream water levels to top their banks during this time. Safety issues became paramount, but dedicated volunteers still showed up to participate.

Since the early days (2003) of the ICC here in the Lake Erie area, through the last ICC event in 2009, over 5100 volunteers have assisted with the removal of more than 90,000 lbs. of trash and debris from the Lake Erie shoreline and tributaries. Over 122,000 cigarette butts and cigar tips have been collected, as well as nearly 29,000 plastic and glass bottles and aluminum cans, nearly 35,000 food wrappers and containers, and 13,000 plastic grocery bags.

This Pennsylvania Lake Erie International Coastal Cleanup event has put the PA Coastal Resources Management Program on the map. The dedicated volunteers that participate are the backbone of this event. Since 2003, the ICC here in Erie has also had a very positive educational aspect, as the Erie Times News in Education publishes an "Environmental Page" every Tuesday during the school year, so that this important ICC message resonates through all local and regional elementary, middle and high schools. This Environmental Page has been partially funded by PA CZM grants, and addresses many topics, from global warming to forestry issues, to smart development and Great Lakes water quality concerns. The NIE pages reach over 90,000 subscribers each week.

DEP's Coastal Resources Management Program has been involved with ICC as it continues to develop and grow. The emphasis for the 2010 ICC event will be recyclable materials, as we've formed a new partnership with the Erie County Recycling Coordinator. We will attempt to identify and document recyclable materials found along the shoreline and tributaries, separate those materials out from the wastestream, and attempt to determine the reasons for disposal of those materials in the first place.

In 2010, ICC celebrates its 25th Anniversary. The Pennsylvania Lake Erie ICC event is set to take place on Saturday, September 25.

Landowner and Professional Workshops

Since 2005, PA DEP's Coastal Resources Management Program, the PA Sea Grant Program, and the Lake Erie Allegheny Earth Force, have partnered to develop and sustain two very valuable Workshops in the Erie area. Coastal CRM staff have been involved in the planning and implementation of the workshops, and has been a presenter at each.

A Landowner Workshop, first held at Mercyhurst College in 2005, was attended by over 130 actual or prospective lakefront landowners, who were interested in protecting their properties and Lakefront investments. As a result of this workshop, landowners learned about bluff recession, the bluff recession setback act, coastal erosion, bluff recession rates, stormwater management, groundwater, geology of the lake shore, septic systems, public access issues, and permits. The Workshop was comprised of a half-day classroom session, and then a bus tour of a few lakefront locations to speak about what happens in the field. At the end, several property owners indicated the need for more regularly schedule workshops that cover a variety of topics.

In 2006, A Professionals Workshop was scheduled, in an effort to familiarize contractors that provide environmental, engineering, consulting, surveying and landscaping services, with lake and coastal processes, lake geology, permitting issues, bluff recession rates, the bluff recession setback act, coastal erosion, stormwater management, groundwater, septic systems, and public access. This two-day Workshop was well attended by landscapers, consultants and engineers.

In 2007, an Agricultural Workshop was held specifically for agricultural producers, in order to familiarize them with lake and coastal processes.

Landowner Workshops and Professionals Workshops were again held in 2008, and proved to be very successful. The one-day Landowner Workshop and two-day Professionals Workshop were based on the same model as before, but covered some additional topics, like an extensive introduction into the permitting process. Attendance again was outstanding, and a request for additional workshops was heard.

A 2010 Landowner Workshop is proposed for Saturday, November 6. A Professionals Workshop is planned for November, 2011, and is being designed specifically for realtors who are involved in the buying/selling of lakefront properties adjacent to Lake Erie and tributaries.

The PA Coastal Resources Management Program continues to commit to education of landowners and professionals through the Technical Assistance Program provided by NWRO Staff.

Lake Erie Shoreline Structure Survey (SSS)

In 2006, the PA Coastal Resources Management Program committed to initiate a shoreline structure survey, in order to identify various structures located in, at or adjacent to the Lake Erie shoreline. The first order of business was to determine a scope of the project, and staff that would conduct the work. PA CRM in Harrisburg provided funding to hire an intern for this project. That intern would be assigned to CRM Program staff in the NWRO.

In May of 2007, Andrew Faivre, an engineering student at Penn State Erie, was hired to begin the work. First stages included the review and familiarization of aerial photographs of the entire Lake Erie shoreline. Structures could be initially identified by photograph, and then exact locations determined in the field. A standardized data form was designed in order to assess each

structure, and provide measurements, a sketch, GPS coordinates, photographs, and potential adverse impacts updrift and downdrift of the structure.

Field work began after review of the Department's files regarding landowner addresses and permit numbers. Access to the shoreline was accomplished by using public properties, as well as several private properties with steps/paths/trails. Private property owners were notified in the field by the intern, that he would like to access the Lake Erie shoreline by using their steps or trail. All landowners were very cooperative and access was never an issue.

The western portion of Erie County was addressed first. Field data gathering took place from the inception of the project through the summer of 2008. Intern Faivre spent a portion of 2008 away from this location for a semester, and another intern, Sarah Lawlor, a student at Slippery Rock University filled in for Faivre. She was responsible for gathering data from the east Erie County portion of Lake Erie.

Intern Faivre returned to work for PA PCRMP in 2009 and 2010. All field data was verified, and permit verifications began shortly after. Permit documents were checked from a couple databases, and visits to the DEP NWRO took place by Faivre in late summer of 2009 and during the summer of 2010. All permits were not verified as of late summer 2010. Structures without permits were also identified at different locations along the shoreline. More work is needed before the DEP can initiate an effort to bring landowners into compliance regarding unpermitted structures.

This shoreline structure survey was designed to take time, due to workload issues by staff, locations/conditions of the structures, and complexity of the permitting/compliance/enforcement issues. The PA Coastal Resources Management Program wanted to initiate this study in an effort to establish eventual compliance by landowners. While an enforcement hammer could be used, the CRM wants to assess all data collected by Interns Faivre and Lawlor before determining the next course of action. This survey has been successful to date due to the scope of the project, and the ability of the CRM Central Office to provide staff for this effort.

Model Submerged Lands Transfer Legislation

In 2007, CRM/DEP, the Department of General Services, and the City of Philadelphia entered into a legal agreement that assures continued public access along the Delaware River where submerged lands, under the jurisdiction of the Commonwealth, are involved.

Bluff Recession Setback Regulations – Chapter 85

In 2009, The Pennsylvania Environmental Quality Board adopted changes to the proposed rulemaking for Chapter 85 regulations pertaining to Bluff Recession and Setback. Rulemaking was adopted as final. While this has been an issue for many years, the majority of effort to finalize these regulations has occurred during the period since the last 312 evaluation.