

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER

NUMBER SIXTY-ONE

TO: Heads of All State Departments and Agencies

RE: Review and Enforcement of the Coastal Management Program

WHEREAS, The federal Coastal Zone Management Act (P.L.92-583, as amended) provides funds to states to implement federally approved Coastal Management Programs; and

WHEREAS, pursuant to federal regulations (15 CFR Part 923.45), one condition of Coastal Management Program approval is demonstration that the Program, as approved, will be enforced; and

WHEREAS, Several State departments and agencies have authority for enforcing the State of Delaware's Coastal Management Program and for making rules which might possibly make the Program unenforceable;

NOW, THEREFORE, I, PIERRE S. duPont, IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. To the maximum extent permitted by law, all State departments and agencies shall, upon federal approval of the Delaware Coastal Management Program, enforce the goals, policies and objectives of the Coastal Management Program.

2. Each State department and agency shall, upon federal approval of the Delaware Coastal Management Program, review the Program and timely notify the Delaware Office of Management, Budget and Planning of any and all proposed

changes in its rules or regulations which have the potential for interfering with the enforcement of Coastal Management Program policies.

3. The Department of Natural Resources and Environmental Control shall, upon federal approval of the Coastal Management Program, notify the Office of Management, Budget and Planning of all proposed changes in the Department's rules and regulations.

4. The Office of Management, Budget and Planning shall, upon receipt of notification made pursuant to this Order, review the proposed changes and, if the Office determines such changes would have the potential for interfering with the enforcement of the Coastal Management Program, consult with the federal Office of Coastal Zone Management for the purpose of determining whether the proposed changes, if they were to take effect, would require an amendment to the Coastal Management Program.

5. The Office of Management, Budget and Planning shall take whatever action is necessary and sufficient to amend the Coastal Management Program in the event State authorities are inadequate to enforce the current Coastal Management Program, provided, however, that the Office of Management, Budget and Planning and other State departments and agencies will first explore the utility and desirability of amending the rules and regulations to conform with the current Coastal Management Program.

6. The Office of Management, Budget and Planning shall submit, pursuant to Title 29, Chapter 92, Delaware Code,

comments addressing the Coastal Management Program policies and concerns to local land and water use decision makers.

Approved this *24<sup>th</sup>* day of *August* 1978.



*R. S. Roark*  
Governor

ATTEST:

*W. C. Kent*  
Secretary of State