Chapter One
MANAGEMENT OVERVIEW

The Texas Coastal Preserve program basically provides the opportunity for a single designated agency to practice careful micro-management *within* selected, and relatively small, areas along the Texas Gulf Coast. This management responsibility falls on the Texas Parks and Wildlife Department (TPWD) under the lease provisions of the Texas Coastal Preserve program. The Texas General Land Office (GLO) retains ultimate responsibility for the state-owned land within the preserve. But in its role as overseer of all of the state's coastal public lands, the General Land Office, like other key agencies, can hardly afford to focus its management resources on such a tiny portion of its total jurisdiction. That role will be undertaken by TPWD, which will act as preserve manager. Agencies such as the Railroad Commission of Texas, the U.S. Army Corps of Engineers, the Texas Water Commission, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Texas Department of Health, and many others, retain independent authority over actions that could directly impact the coastal preserves -- either from within or outside the preserve boundary.

There are two major omissions in the Coastal Preserve program. First, it does not contain an explicit set of policy objectives and standards that could provide specific guidance on micro-management. Rather, TPWD is to develop a separate management plan for each preserve area nominated to the program. Second, the coastal preserves ultimately are dependent on their surrounding watersheds and airsheds. There is no coherent management framework for these adjacent areas. Instead, there is a haphazard collection of federal, state and local regulatory entities with their own existing responsibilities and jurisdictions. The smallest of these -- cities and the county -- have jurisdictions which may actually abut or encircle the small coastal preserve area. Other agencies operate on much broader scales, statewide or nationally, but may have field offices or local representatives who implement their programs in the area.

Therefore, given the realities of existing regulatory mechanisms, what the management planning process must do first is answer several fundamental questions:

- what exactly is to be "managed" within the preserve?
- who are the current "managers" of these targeted activities?
- will this require any changes in existing regulatory procedures?
- if so, how will this be accomplished?

- will any new programs or regulatory tools be needed specifically for the coastal preserve?

During the time that this report was being prepared, TPWD staff were completing a preliminary management plan for the Christmas Bay Coastal Preserve. However, the basic questions listed above had not yet been answered, especially with regard to overall management objectives. Under these circumstances, the challenge for this study was to clarify what "regulatory effectiveness" really means as applied to the newly-designated coastal preserve. The report attempts to do this by following up on the second question above: what can the existing "managers" contribute specifically to coastal preserve management based on their larger responsibilities in the area?

The *Regulatory Survey for the Christmas Bay Coastal Preserve* already identified who the management agencies are, where they obtain their regulatory authority, and how they apply this authority through permitting, monitoring and enforcement programs. This evaluation report once again turns the spotlight on the agencies, this time emphasizing the manager's perspective: How are agency mandates carried out? Do the agencies have adequate tools and resources to meet these mandates? What obstacles prevent the agencies from being more effective? The underlying aim was to identify any pressing concerns that not only might affect agency management in general, but also could pose problems when it comes time to apply these broad agency programs to the particular needs of the Christmas Bay Coastal Preserve.

Most of these agencies already regulate or influence certain activities in the area. The goal of this planning process is to explore how the existing authority and capabilities of the agencies might be brought to bear within the targeted area to meet certain management objectives. The Texas Parks and Wildlife Department has a rich and complex collection of regulatory and resource entities to call upon for assistance in managing the coastal preserve and the larger watershed beyond its boundaries. However, those assisting entities have little experience with or conception of how to work with a coastal preserve. Management experience, policy objectives, and policy standards will therefore have to be developed. The basic strategy is not one of enhanced regulatory authority but rather of inter-agency coordination.

While the challenge of the Armand Bayou management task is recovery and rehabilitation, the objective for Christmas Bay will be protection and preservation.

General Recommendations for Preserve Management

Recommendation 1

The management process should begin with recognition of the inherent limitations of the Coastal Preserve program. Coastal preserves are small areas that are largely influenced by "upstream" and external activities. The Parks and Wildlife Department and the General Land Office hope to influence "nearby activities," but the mechanisms for doing so are not known, aside from possible inter-agency initiatives and voluntary agreements with private landowners. From the outset, preserve managers should distinguish between those elements that they can control and those factors beyond the preserve boundary that they may be able to influence but cannot control directly. They also must note those activities which remain under the jurisdiction of other agencies no matter where they occur. This initial assessment will help to indicate the scope and difficulty of the management problem, as well as the limitations faced by preserve managers.

Recommendation 2

The lead agencies in the Coastal Preserve program should improve inter-agency understanding of the program's scope and implications. Most agency personnel interviewed for this study either were hearing about the Coastal Preserve program for the first time or had little idea of how it will affect them, if at all. Effective inter-agency communication and coordination are essential to an integrated environmental management task. The lead agencies must involve other agencies throughout the planning and implementation process. An early task in management planning should be the identification of all agencies with potential roles to play, and a decision on how they will be brought into the process. The climax of the process should be the distribution of draft and final preserve management plans for inter-agency review and comment. The General Land Office and the Texas Parks and Wildlife Department are relying on this and other coastal preserve reports, as well as the overall work program of the Galveston Bay National Estuary Program, to boost both public and agency awareness of the Texas Coastal Preserve program.

Recommendation 3

Preserve managers should determine how coastal preserve management will be affected by anticipated regional mechanisms for the entire Galveston Bay system. The lead agencies should monitor the ongoing planning work of the Galveston Bay National Estuary Program to determine how its eventual proposals for Baywide management will affect activities and regulated actions within coastal preserves. Preserve managers and Bay managers will face many of the same challenges and dilemmas, but on different scales. A close working relationship will be essential.

Recommendation 4

Preserve managers should recognize and take advantage of the particular management roles and capabilities of other agencies. Each agency that potentially can make a contribution to preserve management should be classified in terms of its legal powers, regulatory authority, monitoring programs, and enforcement role. Preserve managers must understand which agencies can take direct regulatory action, which can only advise other lead agencies, and which are more field- or policy-oriented. They also should appreciate which agencies have the practical ability to intervene, based on their resources and internal priorities.

Recommendation 5

Preserve managers should recognize and address the lack of baseline data to guide management efforts. The entire series of coastal preserve reports has documented the lack of site-specific data on various environmental aspects of the preserves. Recognizing resource limitations, preserve managers should assess their data needs, set priorities, and establish a multi-year data acquisition program that will provide a base for further refinement of the coastal preserve management plan.

Recommendation 6

Effective preserve management will depend on the development of a comprehensive preserve monitoring system. Nearly every aspect of preserve management will require some type of field monitoring, whether it be monitoring of water quality, wetlands status, recreational cabin use, or solid waste disposal. Preserve managers will need appropriate, reliable information to evaluate problems and measure progress. The preserve management plan should contain a conceptual design of an efficient, multi-purpose method for monitoring environmental conditions in the coastal preserve. Preserve managers also should consider the feasibility, perhaps several years into the management program, of preparing periodic status reports on preserve conditions and management results.

Recommendation 7

Administrative penalties and other flexible enforcement mechanisms should be applied effectively in coastal preserves and surrounding areas. Preserve managers should emphasize responsive, proven enforcement tools that stand the best chance of obtaining prompt compliance and pollution abatement.

Recommendation 8

Coastal preserves such as Christmas Bay should continue to be used as "pilot" areas for environmental research and management initiatives. The Galveston Bay National Estuary Program has provided the Texas Coastal Preserve program with a much higher profile than it otherwise would have had. Preserve management planning, in turn, has served as a model for Baywide planning. This mutually beneficial relationship should continue. Coastal preserves also should be used by state agencies hoping to improve their environmental management capabilities.