

Subj: RELATIONS BETWEEN THE MARINE CORPS AND THE STATE OF NORTH CAROLINA

Department of the Navy informed the State that these proposed rules were federally preempted and unenforceable. The State has yet to submit these rules to the U.S. Department of Commerce for approval, and military flight activity has been unaffected. Despite the disagreement over the scope of the CZMA, substantial progress has been made over the past year in the procedural aspects of compliance with CZMA. The State requested mediation by the Department of Commerce when a dispute arose with the Marine Corps over the content of the "consistency determination" (CD) for the MAEWR. This mediation was recently concluded after the Marine Corps agreed to submit a clarification of the original CD with a format approved by the State. This controversy was resolved by direct talks in Raleigh between lawyers of the North Carolina Department of Justice and the Eastern Area Counsel Office.

4. RECOMMENDATION. The present level of communication between the State of North Carolina and Marine Corps installations is excellent. There are ongoing legal issues that may never be resolved to the satisfaction of the State, but a dialogue continues at command, legal, and staff levels. There is no need for a new committee or forum to discuss environmental compliance issues. If a single military point of contact in North Carolina is needed, the Executive Director of the East Coast Regional Review Board could be appointed. He would be assisted by the East Coast Regional Working Group and the Eastern Area Counsel Office. This proposal has received the concurrence of both the CG, COMCABEAST and the CG, MCB Camp Lejeune.

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