

Calendar No. 724114TH CONGRESS
2^D SESSION**S. 3038****[Report No. 114-399]**

To reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2016

Mr. NELSON (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 9, 2016

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To reauthorize the Coastal Zone Management Act of 1972,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 2 **ERENCES.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Coastal Coordination Act of 2016”.

5 (b) **TABLE OF CONTENTS.**—The table of contents of
 6 this Act is as follows:

Sec. 1. Short title; table of contents; references.

**TITLE I—COASTAL ZONE MANAGEMENT ACT OF 1972
 AMENDMENTS**

Sec. 101. Congressional findings.

Sec. 102. Definitions.

Sec. 103. Coastal resource improvement program.

Sec. 104. Coordination and cooperation.

Sec. 105. Coastal zone enhancement grants.

Sec. 106. National estuarine research reserve system.

Sec. 107. Coastal zone management reports.

Sec. 108. Technical and conforming amendments.

Sec. 109. Authorization of appropriations.

TITLE II—GULF OF MEXICO REGIONAL COORDINATION

Sec. 201. Sense of Congress.

Sec. 202. Purposes.

Sec. 203. Gulf of Mexico regional coordination.

Sec. 204. Authorization of appropriations.

TITLE III—COASTAL ZONE IMPACTS

Sec. 301. Agency consultations regarding coastal zone impacts.

7 (c) **REFERENCES TO THE COASTAL ZONE MANAGE-**
 8 **MENT ACT OF 1972.**—Except as otherwise expressly pro-
 9 vided, wherever in this Act an amendment or repeal is ex-
 10 pressed in terms of an amendment to, or repeal of, a sec-
 11 tion or other provision, the reference shall be considered
 12 to be made to a section or other provision of the Coastal
 13 Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

1 **TITLE I—COASTAL ZONE MAN-**
2 **AGEMENT ACT OF 1972**
3 **AMENDMENTS**

4 **SEC. 101. CONGRESSIONAL FINDINGS.**

5 Section 302 (16 U.S.C. 1451) is amended—

6 (1) by redesignating subsections (a) through
7 (m) as paragraphs (1) through (13), respectively;

8 (2) in paragraph (1), as redesignated, by strik-
9 ing “in the effective management, beneficial use,
10 protection, and development of the coastal zone” and
11 inserting “in the effective management, beneficial
12 use, protection, development, and resilience of the
13 coastal zone and coastal natural resources”;

14 (3) in paragraph (3), as redesignated, by strik-
15 ing “industry, commerce, residential development,
16 recreation, extraction of mineral resources and fossil
17 fuels, transportation and navigation, waste disposal,
18 and harvesting of fish, shellfish, and other living ma-
19 rine resources” and inserting “industry, commerce,
20 development, tourism, recreation, extraction of min-
21 eral resources, energy development, transportation
22 and navigation, waste disposal, and harvesting of
23 fish, shellfish, and other living marine resources”;

24 (4) in paragraph (6), as redesignated, by strik-
25 ing the semicolon at the end and inserting a period;

1 (5) in paragraphs (8) and (10), as redesignated, by striking “state” and inserting “State”;

2
3 (6) in paragraph (9), as redesignated, by striking
4 “states to” and all that follows through “vitaly
5 affected interests” and inserting “States to exercise
6 their full authority over the lands and waters in the
7 coastal zone by assisting the States, in cooperation
8 with Federal agencies and with the participation of
9 and coordination with local governments and other
10 vitaly affected interests”;

11 (7) in paragraph (13), as redesignated—

12 (A) by striking “by the active participation
13 of coastal states in all Federal programs affect-
14 ing such resources” and inserting “by the active
15 participation and coordination in all Federal
16 programs and activities affecting such re-
17 sources”; and

18 (B) by striking “state ocean” and inserting
19 “State ocean”; and

20 (8) by adding at the end the following:

21 “(14) In turn, once a State ocean and coastal
22 zone management plan has been approved by the
23 Secretary of Commerce, Federal agencies should, to
24 the maximum extent practicable, seek to conduct ac-
25 tivities, invest, and authorize licenses or permits re-

1 lated to the coastal zone of that State in a manner
2 consistent with that plan.”.

3 **SEC. 102. DEFINITIONS.**

4 Section 304 (16 U.S.C. 1453) is amended—

5 (1) by redesignating paragraphs (7) through
6 (18) as paragraphs (8) through (19), respectively;

7 (2) by striking “(6a) The” and inserting “(7)
8 The”;

9 (3) in paragraph (2), by striking “if any such
10 area is determined by a coastal state to be of sub-
11 stantial biological or natural storm protective value”
12 and inserting “if any such area is determined by a
13 coastal state, alone or in combination with other
14 such areas, to be of substantial biological, research,
15 geological, hydrological, natural, ecological, storm
16 protective, water quality, or flood risk protective
17 value”;

18 (4) in paragraph (5), by striking “any coastal
19 state” each place it appears and inserting “any
20 State”;

21 (5) by amending paragraph (6) to read as fol-
22 lows:

23 “(6) The term ‘energy facilities’—

24 “(A) means any equipment or facility
25 which is or will be used primarily—

1 “(i) in the exploration for, or the de-
2 velopment, production, conversion, storage,
3 transfer, processing, or transportation of,
4 any energy resource; or

5 “(ii) for the manufacture, production,
6 or assembly of equipment, machinery,
7 products, or devices which are involved in
8 any activity described in clause (i); and

9 “(B) includes—

10 “(i) electric generating plants;

11 “(ii) petroleum refineries and associ-
12 ated facilities;

13 “(iii) gasification plants;

14 “(iv) facilities used for the transpor-
15 tation, conversion, treatment, transfer, or
16 storage of liquefied natural gas;

17 “(v) uranium enrichment or nuclear
18 fuel processing facilities;

19 “(vi) oil and gas facilities, including
20 platforms, assembly plants, storage depots,
21 tank farms, crew and supply bases, and re-
22 fining complexes;

23 “(vii) facilities including deepwater
24 ports, for the transfer of petroleum;

1 “~~(viii)~~ pipelines and transmission fa-
2 cilities; and

3 “~~(ix)~~ terminals which are associated
4 with any of the foregoing.”;

5 (6) in paragraph (7), as redesignated, by strik-
6 ing “land and water uses” and inserting “land uses
7 and water uses”;

8 (7) in paragraph (8), as redesignated, by strik-
9 ing “from land drainage” and inserting “from land
10 drainage, or where there is tidal influence without
11 regard to salinity”;

12 (8) in paragraph (12), as redesignated, by
13 striking “state’s” and inserting “State’s”;

14 (9) in paragraphs (13), (15), and (16), as re-
15 designated, by striking “state” each place it appears
16 and inserting “State”; and

17 (10) by adding at the end the following:

18 “~~(20)~~ The term ‘working waterfront’ means wa-
19 terfront lands, waterfront infrastructure, and water-
20 ways that are used for a water-dependent commer-
21 cial activity.”.

22 **SEC. 103. COASTAL RESOURCE IMPROVEMENT PROGRAM.**

23 Section 306A (16 U.S.C. 1455a) is amended—

24 (1) in subsection (b)—

1 (A) in the matter preceding paragraph (1),
2 by striking “state in” and inserting “State in”;

3 (B) in paragraph (1)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “the state” and in-
6 serting “the State”; and

7 (ii) in subparagraph (B), by striking
8 “elutch” and inserting “culteh”;

9 (C) in paragraph (2), by striking “state’s”
10 and inserting “State’s”; and

11 (D) by adding at the end the following:

12 “~~(5)~~ The preservation or redevelopment of
13 working waterfronts in the coastal zone.

14 “~~(6)~~ The development of a coordinated process
15 to maximize the efficiency of processing permits re-
16 lated to activities in the coastal zone.”;

17 (2) in subsection (d)(1)—

18 (A) by striking “the state” and inserting
19 “the State”; and

20 (B) by striking “to state” and inserting
21 “to State”; and

22 (3) in subsection (e)—

23 (A) by striking “that state” and inserting
24 “that State”; and

1 (B) by striking “the state’s” and inserting
2 “the State’s”.

3 **SEC. 104. COORDINATION AND COOPERATION.**

4 (a) **IN GENERAL.**—Section 307 (16 U.S.C. 1456) is
5 amended—

6 (1) by redesignating subsections (e) through (i)
7 as subsections (f) through (j), respectively;

8 (2) in subsections (b) and (d), by striking
9 “state” and inserting “State”;

10 (3) in subsection (c)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A), by striking
13 “land or water use or natural resource of
14 the coastal zone” and inserting “land use
15 or water use or natural resource of the
16 coastal zone”; and

17 (ii) in subparagraph (B), by striking
18 “under subsection (h)” and inserting
19 “under subsection (i)”;

20 (B) in paragraph (2), by striking “a state”
21 and inserting “a State”; and

22 (C) in paragraph (3)—

23 (i) by striking “state’s” each place it
24 appears and inserting “State’s”;

1 (ii) by striking “the state” each place
2 it appears and inserting “the State”;

3 (iii) by striking “such state” each
4 place it appears and inserting “such
5 State”;

6 (iv) in subparagraph (A), by striking
7 “that state” and inserting “that State”;

8 (v) in subparagraph (B)(ii), by strik-
9 ing “federal” and inserting “Federal”; and

10 (vi) in the matter following subpara-
11 graph (B)(iii), by striking “a state” and
12 inserting “a State”;

13 (4) by inserting after subsection (d), the fol-
14 lowing:

15 “(e) INTERSTATE AND REGIONAL COORDINATION.—

16 “(1) The coastal states are encouraged—

17 “(A) to coordinate State coastal zone plan-
18 ning, policies, and programs with respect to
19 contiguous areas, shared resources, and inter-
20 state waters of such States;

21 “(B) to study, plan, and implement unified
22 coastal zone policies with respect to such areas;
23 and

24 “(C) to establish an effective mechanism,
25 and participate in mediation under subsection

1 (i), to identify, examine, and cooperatively re-
2 solve mutual problems with respect to the ma-
3 rine and coastal areas which affect, directly or
4 indirectly, the coastal zone.

5 “(2) Subject to paragraph (3), the coastal zone
6 activities described in this subsection may be con-
7 ducted pursuant to interstate or regional agreements
8 or compacts.

9 “(3) Two or more coastal states may negotiate
10 and enter into any interstate or regional agreement
11 or compact to do the following unless the agreement
12 or compact conflicts with any law or treaty of the
13 United States:

14 “(A) To develop and administer coordi-
15 nated coastal zone planning, policies, programs,
16 and dispute resolution.

17 “(B) To establish executive instrumental-
18 ities or agencies that such States consider nec-
19 essary for the effective implementation of an
20 agreement or compact under this subsection.

21 “(4) An agreement or compact under paragraph
22 (3) shall be binding and obligatory upon any State
23 or party thereto without further approval by Con-
24 gress.”;

25 (5) in subsection (f), as redesignated—

1 (A) by striking “or state” and inserting
2 “or State”; and

3 (B) by striking “more states” each place it
4 appears and inserting “more States”;

5 (6) in subsection (g), as redesignated, by strik-
6 ing “any state” and inserting “any State”;

7 (7) in subsection (h), as redesignated, by strik-
8 ing “any state’s” and inserting “any State’s”; and

9 (8) by amending subsection (i), as redesignated,
10 to read as follows:

11 “(i) MEDIATION OF DISAGREEMENTS.—

12 “(1) IN GENERAL.—The Secretary may mediate
13 a serious disagreement between any Federal agency
14 and a coastal state or between two or more willing
15 coastal states—

16 “(A) in the development or the initial im-
17 plementation of a management program under
18 section 305;

19 “(B) in the administration of a manage-
20 ment program approved under section 305; or

21 “(C) in coordination and cooperation under
22 this section.

23 “(2) COOPERATION.—The Secretary, with the
24 cooperation of the Executive Office of the President,

1 shall seek to mediate the differences involved in a
2 disagreement described in paragraph (1).

3 ~~“(3) PUBLIC HEARINGS.—Mediation under this~~
4 ~~subsection shall, with respect to any disagreement~~
5 ~~described in paragraph (1)(B), include public hear-~~
6 ~~ings in the local area concerned.”.~~

7 (b) CONFORMING AMENDMENTS.—

8 (1) DEFINITIONS.—Section 304(11) (16 U.S.C.
9 1453(11)), as redesignated by section 102 of this
10 Act, is amended by striking “section 307(g)” and in-
11 sserting “section 307(h)”.

12 (2) COASTAL ZONE MANAGEMENT FUND.—Sec-
13 tion 308(b)(1) (16 U.S.C. 1456a(b)(1)) is amended
14 by striking “section 307(i)(3)” and inserting “sec-
15 tion 307(j)(3)”.

16 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion, or the amendments made by this section, may be con-
18 strued to affect any mediation that was commenced before
19 the date of enactment of this Act.

20 **SEC. 105. COASTAL ZONE ENHANCEMENT GRANTS.**

21 (a) IN GENERAL.—Section 309(a) (16 U.S.C.
22 1456b(a)) is amended—

23 (1) by amending paragraph (1) to read as fol-
24 lows:

1 “(1) Protection, restoration, or enhancement of
2 existing coastal wetlands, seagrass beds, coral reefs,
3 oyster habitat, and marine habitat, or creation of
4 new coastal wetlands.”;

5 (2) by amending paragraph (2) to read as fol-
6 lows:

7 “(2) Increasing coastal resilience and pre-
8 venting or reducing loss of life and property by lim-
9 iting development and redevelopment in high-hazard
10 areas, using natural and restoration approaches to
11 reduce flood risk, or anticipating and managing the
12 effects of potential sea level rise and Great Lakes
13 level change.”;

14 (3) by amending paragraph (7) to read as fol-
15 lows:

16 “(7) Planning for the use of ocean and Great
17 Lakes resources.”; and

18 (4) by adding at the end the following:

19 “(10) Interstate water resource and coastal
20 management planning to facilitate healthy and resil-
21 ient coastal natural resources, land uses, and water
22 uses, and to resolve water management conflict.

23 “(11) Identification and adoption of procedures
24 and enforceable policies to ensure sufficient response
25 capabilities at the State level to address the environ-

1 mental, economic, and social impacts of oil spills or
 2 other accidents resulting from Outer Continental
 3 Shelf energy activities with the potential to affect
 4 land or water use or natural resources of the coastal
 5 zone.”.

6 (b) **EVALUATION OF STATE PROPOSALS BY SEC-**
 7 **RETARY.**—Section 309(e) (16 U.S.C. 1456b(e)) is amend-
 8 ed by striking “and the overall merit of each proposal in
 9 terms of benefits to the public” and inserting “and are
 10 consistent with the rules and regulations promulgated
 11 under section 306”.

12 (c) **RULE OF CONSTRUCTION.**—Nothing in this see-
 13 tion, or the amendments made by this section, may be con-
 14 strued to affect any grant made or funding awarded under
 15 section 309 of the Coast Zone Management Act of 1972
 16 (16 U.S.C. 1456b) before the date of enactment of this
 17 Act.

18 **SEC. 106. NATIONAL ESTUARINE RESEARCH RESERVE SYS-**

19 **TEM.**

20 (a) **IN GENERAL.**—Section 315 (16 U.S.C. 1461) is
 21 amended—

22 (1) in subsection (a)—

23 (A) by redesignating paragraphs (1) and

24 (2) as subparagraphs (A) and (B), respectively;

25 and indenting appropriately;

1 (B) in the matter preceding subparagraph
2 (A), as redesignated, by inserting “(1) IN GEN-
3 ERAL.—” before “There is” and indenting ap-
4 propriately;

5 (C) in the matter following subparagraph
6 (B), as redesignated, by inserting “(2) NA-
7 TIONAL ESTUARINE RESERVES.—” before
8 “Each estuarine” and indenting appropriately;

9 (D) in paragraph (1), as redesignated, by
10 striking “consists of—” and inserting “is a net-
11 work of areas designated to promote informed
12 management of the Nation’s estuarine and
13 coastal areas through interconnected programs
14 in resource stewardship, education and training,
15 monitoring, research, and scientific under-
16 standing consisting of—”; and

17 (E) in paragraph (2), as redesignated, by
18 striking “paragraph (1)” and inserting “sub-
19 paragraph (A)”;
20 (2) in subsection (b)(2)(C)—

21 (A) by striking “public awareness and”
22 and inserting “State coastal management, pub-
23 lic awareness, and”; and

24 (B) by striking “public education and in-
25 terpretation”; and inserting “education, inter-

1 pretation, training, and demonstration
2 projects”;

3 (3) by redesignating subsections (e) through (g)
4 as subsections (d) through (h), respectively;

5 (4) by inserting after subsection (b) the fol-
6 lowing:

7 “(e) EXPANSION OF NATIONAL ESTUARINE RE-
8 SERVES.—

9 “(1) IN GENERAL.—Subject to paragraph (3),
10 the Secretary shall periodically evaluate whether to
11 expand the estuarine area of each national estuarine
12 reserve.

13 “(2) CONSIDERATIONS.—In evaluating whether
14 to expand the area described in paragraph (1), the
15 Secretary shall consider—

16 “(A) the recommendations of prominent
17 members of the estuarine research community,
18 the Governor of the coastal state in which the
19 area is located, the System, and the heads of
20 relevant Federal agencies;

21 “(B) any changing environmental condi-
22 tions, including increased pressure on the re-
23 sources to be researched and potential adapta-
24 tion benefits of the expansion; and

1 “(C) the impact to that national estuarine
2 reserve and the System.

3 ~~“(3) AUTHORIZATION.—~~The Secretary is au-
4 thorized to expand the following:

5 ~~“(A) The Guana-Tolomato Matanzas Na-~~
6 ~~tional Estuarine Research Reserve.~~

7 ~~“(B) The Rookery Bay National Estuarine~~
8 ~~Research Reserve.~~

9 ~~“(C) The Apalachicola National Estuarine~~
10 ~~Research Reserve.”;~~

11 ~~(5) in subsection (f), as redesignated—~~

12 ~~(A) in paragraph (1)(A)—~~

13 ~~(i) in clause (i), by striking “reserve,”~~
14 ~~and inserting “reserve; and”;~~

15 ~~(ii) in clause (ii), by striking “and~~
16 ~~constructing appropriate reserve facilities,~~
17 ~~or” and inserting “, including for resource~~
18 ~~stewardship activities and for constructing~~
19 ~~reserve facilities; and”;~~ and

20 ~~(iii) by striking clause (iii);~~

21 ~~(B) by amending paragraph (1)(B) to read~~
22 as follows:

23 ~~“(B) to any coastal state or public or pri-~~
24 ~~vate person—~~

1 “(i) for purposes of supporting re-
2 search and monitoring associated with a
3 national estuarine reserve that are con-
4 sistent with the research guidelines devel-
5 oped under subsection (e); or

6 “(ii) for purposes of conducting edu-
7 cational, interpretive, or training activities
8 for a national estuarine reserve that are
9 consistent with the research guidelines de-
10 veloped under subsection (e).”;

11 (C) by adding at the end the following:

12 “(4)(A) The Secretary may—

13 “(i) enter into cooperative agree-
14 ments, financial agreements, grants, con-
15 tracts, or other agreements with any non-
16 profit organization, authorizing the non-
17 profit organization to solicit donations to
18 carry out the purposes and policies of this
19 section, except for general administration
20 of reserves or the System, and which are
21 consistent with the purposes and policies of
22 this section; and

23 “(ii) accept donations of funds and
24 services for use in carrying out the pur-
25 poses and policies of this section, except

1 for general administration of reserves or
2 the System, and which are consistent with
3 the purposes and policies of this section.

4 “(B) Donations accepted under this para-
5 graph shall be considered as a gift or bequest
6 to or for the use of the United States for the
7 purpose of carrying out this section.”; and

8 (6) by amending subsection (g), as redesign-
9 nated, to read as follows:

10 “(g) EVALUATION OF SYSTEM PERFORMANCE.—

11 “(1) The Secretary shall periodically evaluate
12 the operation and management of the National Es-
13 tuarine Research Reserve System and each national
14 estuarine reserve, including coordination with other
15 State programs, education and interpretive activities,
16 and the research being conducted within the reserve.

17 “(2) If an evaluation under paragraph (1) re-
18 veals that the operation, management, education, or
19 research conducted by the System as a whole is defi-
20 cient, the Secretary shall provide the System with
21 recommendations to improve the deficiencies.

22 “(3) If an evaluation under paragraph (1) re-
23 veals that the operation and management of a re-
24 serve is deficient, or that the research being con-
25 ducted within the reserve is not consistent with the

1 research guidelines developed under subsection (e);
 2 the Secretary may suspend the eligibility of that re-
 3 serve for financial assistance under subsection (e)
 4 until the deficiency or inconsistency is remedied.

5 “(4) The Secretary may withdraw the designa-
 6 tion of an estuarine area as a national estuarine re-
 7 serve if an evaluation under paragraph (1) reveals
 8 that—

9 “(A) the basis for any one or more of the
 10 findings made under subsection (b)(2) regard-
 11 ing that area no longer exists; or

12 “(B) a substantial portion of the research
 13 conducted within the area, over a period of
 14 years, has not been consistent with the research
 15 guidelines developed under subsection (e).”.

16 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
 17 tion, or the amendments made by this section, may be con-
 18 strued to affect any grant made or financial assistance
 19 provided under section 315 of the Coast Zone Manage-
 20 ment Act of 1972 (16 U.S.C. 1461) before the date of
 21 enactment of this Act.

22 **SEC. 107. COASTAL ZONE MANAGEMENT REPORTS.**

23 Section 316 (16 U.S.C. 1462) is amended—

24 (1) by amending subsection (a) to read as fol-
 25 lows:

1 “(a) REPORTS.—

2 “(1) IN GENERAL.—The Secretary shall—

3 “(A) consult with Congress on a regular
4 basis concerning the administration of this title;
5 and

6 “(B) submit to Congress a report summa-
7 rizing the administration of this title during
8 each period of 5 consecutive fiscal years.

9 “(2) CONTENTS.—Each report under para-
10 graph (1) shall include—

11 “(A) an identification of the State pro-
12 grams approved under this title during the pre-
13 ceeding Federal fiscal year and a description of
14 those programs;

15 “(B) a list of the States participating in
16 the provisions of this title and the status of
17 each State’s programs and accomplishments
18 during the preceding Federal fiscal year;

19 “(C) an itemization of the allocation of
20 funds to the various coastal states and a break-
21 down of the major projects and areas on which
22 these funds were expended;

23 “(D) an identification of each State pro-
24 gram that was reviewed and disapproved, in-
25 cluding the reasons for the disapproval;

1 “(E) a summary of evaluation findings
2 prepared in accordance with subsection (a) of
3 section 312, and a description of any sanctions
4 imposed under subsections (c) and (d) of that
5 section;

6 “(F) a list of all activities and projects
7 which, under the provisions of subsection (c) or
8 subsection (d) of section 307, are not consistent
9 with an applicable approved State management
10 program;

11 “(G) a summary of the regulations issued
12 by the Secretary or in effect during the pre-
13 ceeding Federal fiscal year;

14 “(H) a summary of a coordinated national
15 strategy and program for the Nation’s coastal
16 zone, including identification and discussion of
17 Federal, regional, State, and local responsibil-
18 ities and functions therein;

19 “(I) a summary of outstanding problems
20 arising in the administration of this title in
21 order of priority;

22 “(J) a description of the economic, envi-
23 ronmental, and social consequences of energy
24 activity affecting the coastal zone and an eval-
25 uation of the effectiveness of financial assist-

1 ance under section 308 in dealing with such
2 consequences;

3 “(K) a description and evaluation of appli-
4 cable interstate and regional planning and co-
5 ordination mechanisms developed by the coastal
6 states;

7 “(L) a summary and evaluation of the re-
8 search, studies, and training conducted in sup-
9 port of coastal zone management; and

10 “(M) such other information as may be ap-
11 propriate.”; and

12 (2) in subsection (b), by striking “deems” and
13 inserting “considers”.

14 **SEC. 108. TECHNICAL AND CONFORMING AMENDMENTS.**

15 (a) CONGRESSIONAL DECLARATION OF POLICY.—

16 Section 303 (16 U.S.C. 1452) is amended—

17 (1) in paragraph (2)—

18 (A) in the matter preceding subparagraph
19 (A), by striking “states” and inserting
20 “States”; and

21 (B) in subparagraph (B), by striking the
22 period at the end and inserting a semicolon;
23 and

24 (2) in paragraph (4), by striking “state” and
25 inserting “State”.

1 (b) ADMINISTRATIVE GRANTS.—Section
2 306(d)(10)(A) (16 U.S.C. 1455(d)(10)(A)) is amended by
3 inserting a comma after “development”.

4 (c) AUTHORIZATION OF THE COASTAL AND ESTUA-
5 RINE LAND CONSERVATION PROGRAM.—Section 307A
6 (16 U.S.C. 1456–1) is amended—

7 (1) in subsection (f)(4)(A)(i), by striking “sec-
8 tion 2(b)” and inserting “subsection (b)”; and

9 (2) in subsection (f)(4)(C), by striking “in (A)”
10 and inserting “in subparagraph (A)”.

11 (d) REVIEW OF PERFORMANCE.—Section 312 (16
12 U.S.C. 1458) is amended in subsections (a) and (e), by
13 striking “the state” and inserting “the State”.

14 (e) COASTAL ZONE MANAGEMENT REPORTS.—Sec-
15 tion 316(a) (16 U.S.C. 1462(a)) is amended—

16 (1) by striking “state” each place it appears
17 and inserting “State”;

18 (2) by striking “the states” and inserting “the
19 States”; and

20 (3) by striking “each state’s” and inserting
21 “each State’s”.

22 (f) RULES AND REGULATIONS.—Section 317 (16
23 U.S.C. 1463) is amended by striking “state agencies” and
24 inserting “State agencies”.

1 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 318(a) (16 U.S.C. 1464(a)) is amended to
3 read as follows:

4 “(a) **SUMS APPROPRIATED TO SECRETARY.**—There
5 is authorized to be appropriated to the Secretary, to re-
6 main available until expended—

7 “(1) for grants under sections 306, 306A, and
8 309, \$80,000,000 for each of fiscal years 2017
9 through 2021; and

10 “(2) for grants under section 315, \$25,000,000
11 for each of fiscal years 2017 through 2021.”.

12 **TITLE II—GULF OF MEXICO**
13 **REGIONAL COORDINATION**

14 **SEC. 201. SENSE OF CONGRESS.**

15 It is the sense of Congress that the United States
16 should encourage consistency and coordination of the pro-
17 tection and restoration activities in the Gulf of Mexico eco-
18 system in order to reduce duplication of efforts and maxi-
19 mize efficiencies through a collaborative regional effort.

20 **SEC. 202. PURPOSES.**

21 The purposes of this title are—

22 (1) to expand and strengthen the cooperative
23 voluntary efforts, including international efforts, of
24 public and private stakeholders to protect and re-
25 store the Gulf of Mexico; and

1 (2) to coordinate Federal and State actions, in-
2 cluding education, relating to the management of the
3 Gulf of Mexico ecosystem with the cooperative vol-
4 untary efforts described in paragraph (1).

5 **SEC. 203. GULF OF MEXICO REGIONAL COORDINATION.**

6 (a) IN GENERAL.—The Administrator of the Na-
7 tional Oceanic and Atmospheric Administration, in con-
8 sultation with the Council, may award grants to eligible
9 entities to conduct programs—

10 (1) to develop strategies—

11 (A) for the protection and restoration of
12 the Gulf of Mexico ecosystem, including—

13 (i) improving the water quality;

14 (ii) protecting nonregulated living re-
15 sources;

16 (iii) increasing valuable habitats; and

17 (iv) enhancing coastal resilience in the
18 Gulf of Mexico ecosystem; and

19 (B) for the input and participation of ap-
20 propriate Federal, State, and local agencies,
21 and other public and private stakeholders in the
22 protection and restoration of the Gulf of Mexico
23 ecosystem;

24 (2) to coordinate, in the development of the
25 strategies under paragraph (1), relevant Federal,

1 State, and local government activities and resources
2 to minimize duplication and maximize leveraging op-
3 portunities; and

4 ~~(3)~~ to develop and implement specific action
5 plans to carry out the strategies under paragraph
6 ~~(1)~~.

7 ~~(b)~~ ACTION PLANS.—An action plan under sub-
8 section ~~(a)(3)~~ may include the following activities:

9 ~~(1)~~ Monitoring the water quality and living re-
10 sources of the Gulf of Mexico ecosystem.

11 ~~(2)~~ Researching the effects of natural and
12 human-induced environmental changes on the water
13 quality and living resources of the Gulf of Mexico
14 ecosystem.

15 ~~(3)~~ Developing and implementing locally based
16 protection and restoration programs or projects
17 within a watershed, including the creation, restora-
18 tion, protection, or enhancement of habitat associ-
19 ated with the Gulf of Mexico ecosystem.

20 ~~(4)~~ Eliminating or reducing nonpoint sources
21 that discharge pollutants that contaminate the Gulf
22 of Mexico ecosystem, including activities to eliminate
23 leaking septic systems and construct connections to
24 local sewage systems.

1 (5) Facilitating and promoting scientific, re-
2 search, modeling, monitoring, data collection, and
3 other activities that support the strategies under
4 subsection (a)(1).

5 (6) Fostering public stewardship of the living
6 resources of the Gulf of Mexico ecosystem through
7 information, education, engagement, and participa-
8 tion.

9 (7) Developing and making available, through
10 publications, technical assistance, and other appro-
11 priate means, information pertaining to the environ-
12 mental quality and living resources of the Gulf of
13 Mexico ecosystem.

14 (8) Such other activities as the Administrator
15 considers appropriate to carry out the strategies
16 under subsection (a)(1).

17 (c) ADMINISTRATIVE COSTS.—Administrative costs,
18 such as salaries and overhead, or indirect costs for services
19 provided and charged against programs or activities car-
20 ried out using funds made available through a grant under
21 this section may not exceed 25 percent of the amount of
22 the grant.

23 (d) REPORTS.—Not later than April 30, 2019, and
24 every 5 years thereafter, the Administrator, in consulta-
25 tion with the Council, shall—

1 (1) assess the effectiveness of the programs
2 under subsection (a) in coordinating regional prior-
3 ities in the Gulf of Mexico ecosystem; and

4 (2) submit to Congress a comprehensive report
5 on the assessment under paragraph (1).

6 (c) DEFINITIONS.—In this section:

7 (1) COUNCIL.—The term “Council” means the
8 Gulf Coast Ecosystem Restoration Council estab-
9 lished under section 311(t)(2) of the Federal Water
10 Pollution Control Act (33 U.S.C. 1321(t)(2)).

11 (2) ELIGIBLE ENTITY.—The term “eligible enti-
12 ty” means a consortium of four or more States that
13 have a shoreline on the Gulf of Mexico.

14 (3) GULF OF MEXICO ECOSYSTEM.—The term
15 “Gulf of Mexico ecosystem” means the ecosystem of
16 the Gulf of Mexico and its watershed.

17 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

18 There is authorized to be appropriated to the Sec-
19 retary of Commerce to carry out this title \$5,000,000 for
20 each of fiscal years 2017 through 2021, to remain avail-
21 able until expended.

1 **TITLE III—COASTAL ZONE**
 2 **IMPACTS**

3 **SEC. 301. AGENCY CONSULTATIONS REGARDING COASTAL**
 4 **ZONE IMPACTS.**

5 The Fish and Wildlife Coordination Act (16 U.S.C.
 6 661 et seq.) is amended—

7 (1) in section 2(a) (16 U.S.C. 662(a))—

8 (A) by striking “Interior, and with the”
 9 and inserting “Interior, National Oceanic and
 10 Atmospheric Administration, Department of
 11 Commerce, the”; and

12 (B) by inserting “and the head of any po-
 13 tentially impacted coastal state (as defined in
 14 section 304 of the Coastal Zone Management
 15 Act of 1972 (16 U.S.C. 1453),”; and

16 (2) in section 8 (16 U.S.C. 666b), by adding
 17 “and fisheries (as those terms are defined in section
 18 (3) of the Magnuson-Stevens Fishery Conservation
 19 and Management Act (16 U.S.C. 1802))” after
 20 “fishes”.

21 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 22 **ERENCES.**

23 (a) *SHORT TITLE.*—*This Act may be cited as the*
 24 *“Coastal Coordination Act of 2016”.*

1 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 2 *Act is as follows:*

Sec. 1. Short title; table of contents; references.

TITLE I—COASTAL ZONE MANAGEMENT ACT OF 1972 AMENDMENTS

Sec. 101. Congressional findings.

Sec. 102. Definitions.

Sec. 103. Coastal resource improvement program.

Sec. 104. Coordination and cooperation.

Sec. 105. Coastal zone enhancement grants.

Sec. 106. National estuarine research reserve system.

Sec. 107. Coastal zone management reports.

Sec. 108. Technical and conforming amendments.

Sec. 109. Authorization of appropriations.

TITLE II—GULF OF MEXICO REGIONAL COORDINATION

Sec. 201. Sense of Congress.

Sec. 202. Purposes.

Sec. 203. Gulf of Mexico regional coordination.

Sec. 204. Authorization of appropriations.

TITLE III—COASTAL ZONE IMPACTS

Sec. 301. Agency consultations regarding coastal zone impacts.

3 (c) *REFERENCES TO THE COASTAL ZONE MANAGE-*
 4 *MENT ACT OF 1972.*—*Except as otherwise expressly pro-*
 5 *vided, wherever in this Act an amendment or repeal is ex-*
 6 *pressed in terms of an amendment to, or repeal of, a section*
 7 *or other provision, the reference shall be considered to be*
 8 *made to a section or other provision of the Coastal Zone*
 9 *Management Act of 1972 (16 U.S.C. 1451 et seq.).*

10 **TITLE I—COASTAL ZONE MAN-**
 11 **AGEMENT ACT OF 1972**
 12 **AMENDMENTS**

13 **SEC. 101. CONGRESSIONAL FINDINGS.**

14 *Section 302 (16 U.S.C. 1451) is amended—*

1 (1) by redesignating subsections (a) through (m)
2 as paragraphs (1) through (13), respectively;

3 (2) in paragraph (1), as redesignated, by strik-
4 ing “in the effective management, beneficial use, pro-
5 tection, and development of the coastal zone” and in-
6 serting “in the effective management, beneficial use,
7 protection, development, and resilience of the coastal
8 zone and coastal natural resources”;

9 (3) in paragraph (3), as redesignated, by strik-
10 ing “industry, commerce, residential development,
11 recreation, extraction of mineral resources and fossil
12 fuels, transportation and navigation, waste disposal,
13 and harvesting of fish, shellfish, and other living ma-
14 rine resources” and inserting “industry, commerce,
15 development, tourism, recreation, extraction of min-
16 eral resources, energy development, transportation
17 and navigation, waste disposal, and harvesting of
18 fish, shellfish, and other living marine resources”;

19 (4) in paragraph (6), as redesignated, by strik-
20 ing the semicolon at the end and inserting a period;

21 (5) in paragraphs (8) and (10), as redesignated,
22 by striking “state” and inserting “State”;

23 (6) in paragraph (9), as redesignated, by strik-
24 ing “states to” and all that follows through “vitally
25 affected interests” and inserting “States to exercise

1 *their full authority over the lands and waters in the*
 2 *coastal zone by assisting the States, in cooperation*
 3 *with Federal agencies and with the participation of*
 4 *and coordination with local governments and other*
 5 *vitaly affected interests”;* and

6 *(7) in paragraph (13), as redesignated—*

7 *(A) by striking “by the active participation*
 8 *of coastal states in all Federal programs affect-*
 9 *ing such resources” and inserting “by the active*
 10 *participation and coordination in all Federal*
 11 *programs and activities affecting such re-*
 12 *sources”;* and

13 *(B) by striking “state ocean” and inserting*

14 *“State ocean”.*

15 **SEC. 102. DEFINITIONS.**

16 *Section 304 (16 U.S.C. 1453) is amended—*

17 *(1) by redesignating paragraphs (7), (8), (9),*
 18 *(10), (11), (12), (13), (14), (15), (16), (17), and (18)*
 19 *as paragraphs (8), (9), (10), (11), (12), (13), (14),*
 20 *(15), (16), (18), (19), and (20) respectively;*

21 *(2) by striking “(6a) The” and inserting “(7)*
 22 *The”;*

23 *(3) in paragraph (2), by striking “if any such*
 24 *area is determined by a coastal state to be of substan-*
 25 *tial biological or natural storm protective value” and*

1 *inserting “if any such area is determined by a coastal*
2 *state, alone or in combination with other such areas,*
3 *to be of substantial biological, research, geological,*
4 *hydrological, natural, ecological, storm protective,*
5 *water quality, or flood risk protective value”;*

6 *(4) in paragraph (5)—*

7 *(A) in the matter preceding clause (i), by*
8 *striking “any coastal state;” and inserting “any*
9 *State;”;*

10 *(B) by inserting after clause (iii) the fol-*
11 *lowing:*

12 *“(iv) Any production, transportation,*
13 *transfer, or storage of renewable energy.”;*
14 *and*

15 *(C) in the matter following clause (iv) (as*
16 *added by subparagraph (B)), by striking “any*
17 *coastal state” and inserting “any State”;*

18 *(5) by amending paragraph (6) to read as fol-*
19 *lows:*

20 *“(6) The term ‘energy facilities’—*

21 *“(A) means any equipment or facility*
22 *which is or will be used primarily—*

23 *“(i) in the exploration for, or the devel-*
24 *opment, production, conversion, storage,*

1 *transfer, processing, or transportation of,*
2 *any energy or renewable energy resource; or*
3 “*(ii) for the manufacture, production,*
4 *or assembly of equipment, machinery, prod-*
5 *ucts, or devices which are involved in any*
6 *activity described in clause (i); and*
7 “*(B) includes—*
8 “*(i) electric generating plants;*
9 “*(ii) petroleum refineries and associ-*
10 *ated facilities;*
11 “*(iii) gasification plants;*
12 “*(iv) facilities used for the transpor-*
13 *tation, conversion, treatment, transfer, or*
14 *storage of liquefied natural gas;*
15 “*(v) uranium enrichment or nuclear*
16 *fuel processing facilities;*
17 “*(vi) oil and gas facilities, including*
18 *platforms, assembly plants, storage depots,*
19 *tank farms, crew and supply bases, and re-*
20 *fining complexes;*
21 “*(vii) facilities including deepwater*
22 *ports, for the transfer of petroleum;*
23 “*(viii) facilities for the production,*
24 *transportation, transfer, or storage of re-*
25 *newable energy;*

1 “(ix) pipelines and transmission facili-
2 ties; and

3 “(x) terminals which are associated
4 with any of the foregoing.”;

5 (6) in paragraph (7), as redesignated, by strik-
6 ing “land and water uses” and inserting “land uses
7 and water uses”;

8 (7) in paragraph (8), as redesignated, by strik-
9 ing “from land drainage” and inserting “from land
10 drainage, or where there is tidal influence without re-
11 gard to salinity”;

12 (8) in paragraph (12), as redesignated, by strik-
13 ing “state’s” and inserting “State’s”;

14 (9) in paragraphs (13), (15), and (16), as redesi-
15 gnated, by striking “state” each place it appears and
16 inserting “State”;

17 (10) by inserting after paragraph (16), as redesi-
18 gnated, the following:

19 “(17) The term “renewable energy” means any
20 energy that has recently originated from the sun, in-
21 cluding direct and indirect solar radiation and inter-
22 mediate solar energy forms, such as wind, ocean ther-
23 mal gradients, ocean currents and waves, hydropower,
24 photovoltaic energy, products of photosynthetic proc-
25 esses, organic wastes, and others.”; and

1 (11) by adding at the end the following:

2 “(21) The term ‘working waterfront’ means wa-
3 terfront lands, waterfront infrastructure, and water-
4 ways that are used for a water-dependent commercial
5 activity.”.

6 **SEC. 103. COASTAL RESOURCE IMPROVEMENT PROGRAM.**

7 Section 306A (16 U.S.C. 1455a) is amended—

8 (1) in subsection (b)—

9 (A) in the matter preceding paragraph (1),
10 by striking “state in” and inserting “State in”;

11 (B) in paragraph (1)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “the state” and in-
14 serting “the State”; and

15 (ii) in subparagraph (B), by striking
16 “clutch” and inserting “cultch”;

17 (C) in paragraph (2), by striking “state’s”
18 and inserting “State’s”; and

19 (D) by adding at the end the following:

20 “(5) The preservation or redevelopment of work-
21 ing waterfronts in the coastal zone.”;

22 (2) in subsection (d)(1)—

23 (A) by striking “the state” and inserting
24 “the State”; and

1 (B) by striking “to state” and inserting “to
2 State”; and

3 (3) in subsection (e)—

4 (A) by striking “that state” and inserting
5 “that State”; and

6 (B) by striking “the state’s” and inserting
7 “the State’s”.

8 **SEC. 104. COORDINATION AND COOPERATION.**

9 (a) *IN GENERAL.*—Section 307 (16 U.S.C. 1456) is
10 amended—

11 (1) in subsections (b) and (d), by striking
12 “state” and inserting “State”;

13 (2) in subsection (c)—

14 (A) in paragraph (2), by striking “a state”
15 and inserting “a State”; and

16 (B) in paragraph (3)—

17 (i) by striking “state’s” each place it
18 appears and inserting “State’s”;

19 (ii) by striking “the state” each place
20 it appears and inserting “the State”;

21 (iii) by striking “such state” each
22 place it appears and inserting “such State”;

23 (iv) in subparagraph (A), by striking
24 “that state” and inserting “that State”;

1 (v) in subparagraph (B)(ii), by strik-
2 ing “federal” and inserting “Federal”; and

3 (vi) in the matter following subpara-
4 graph (B)(iii), by striking “a state” and in-
5 serting “a State”;

6 (3) in subsection (e)(1)—

7 (A) by striking “or state” and inserting “or
8 State”; and

9 (B) by striking “more states” each place it
10 appears and inserting “more States”;

11 (4) in subsection (f), by striking “any state” and
12 inserting “any State”;

13 (5) in subsection (g), by striking “any state’s”
14 and inserting “any State’s”; and

15 (6) by amending subsection (h), to read as fol-
16 lows:

17 “(h) *MEDIATION OF DISAGREEMENTS.*—

18 “(1) *IN GENERAL.*—The Secretary may mediate
19 a serious disagreement between any Federal agency
20 and a coastal state or between two or more willing
21 coastal states—

22 “(A) in the development or the initial im-
23 plementation of a management program under
24 section 305;

1 “(B) in the administration of a manage-
2 ment program approved under section 305; or

3 “(C) in coordination and cooperation under
4 this section.

5 “(2) COOPERATION.—The Secretary, with the co-
6 operation of the Executive Office of the President,
7 shall seek to mediate the differences involved in a dis-
8 agreement described in paragraph (1).

9 “(3) PUBLIC HEARINGS.—Mediation under this
10 subsection shall, with respect to any disagreement de-
11 scribed in paragraph (1)(B), include public hearings
12 in the local area concerned.”; and

13 (7) by adding at the end the following:

14 “(j) INTERSTATE AND REGIONAL COORDINATION.—

15 “(1) The coastal states are encouraged—

16 “(A) to coordinate State coastal zone plan-
17 ning, policies, and programs with respect to con-
18 tiguous areas, shared resources, and interstate
19 waters of such States;

20 “(B) to study, plan, and implement unified
21 coastal zone policies with respect to such areas;
22 and

23 “(C) to establish an effective mechanism,
24 and participate in mediation under subsection
25 (h), to identify, examine, and cooperatively re-

1 *solve mutual problems with respect to the marine*
2 *and coastal areas which affect, directly or indi-*
3 *rectly, the coastal zone.*

4 “(2) *Subject to paragraph (3), the coastal zone*
5 *activities described in this subsection may be con-*
6 *ducted pursuant to interstate or regional agreements*
7 *or compacts.*

8 “(3) *Two or more coastal states may negotiate*
9 *and enter into any interstate or regional agreement*
10 *or compact to do the following unless the agreement*
11 *or compact conflicts with any law or treaty of the*
12 *United States:*

13 “(A) *To develop and administer coordinated*
14 *coastal zone planning, policies, programs, and*
15 *dispute resolution.*

16 “(B) *To establish executive instrumental-*
17 *ities or agencies that such States consider nec-*
18 *essary for the effective implementation of an*
19 *agreement or compact under this subsection.*

20 “(4) *An agreement or compact under paragraph*
21 *(3) shall be binding and obligatory upon any State*
22 *or party thereto without further approval by Con-*
23 *gress.”.*

24 (b) *RULE OF CONSTRUCTION.—Nothing in this section,*
25 *or the amendments made by this section, may be construed*

1 *to affect any mediation that was commenced before the date*
2 *of enactment of this Act.*

3 **SEC. 105. COASTAL ZONE ENHANCEMENT GRANTS.**

4 (a) *IN GENERAL.*—Section 309(a) (16 U.S.C.
5 1456b(a)) is amended—

6 (1) *by amending paragraph (1) to read as fol-*
7 *lows:*

8 “(1) *Protection, restoration, or enhancement of*
9 *existing coastal wetlands, seagrass beds, coral reefs,*
10 *oyster habitat, and marine habitat, or creation of new*
11 *coastal wetlands.”;*

12 (2) *by amending paragraph (2) to read as fol-*
13 *lows:*

14 “(2) *Increasing coastal resilience and preventing*
15 *or reducing loss of life and property by limiting de-*
16 *velopment and redevelopment in high-hazard areas,*
17 *using natural and restoration approaches to reduce*
18 *flood risk, or anticipating and managing the effects*
19 *of potential sea level rise and Great Lakes level*
20 *change.”;*

21 (3) *by amending paragraph (7) to read as fol-*
22 *lows:*

23 “(7) *Planning for the use of ocean and Great*
24 *Lakes resources.”; and*

25 (4) *by adding at the end the following:*

1 “(10) *Interstate water resource and coastal man-*
2 *agement planning to facilitate healthy and resilient*
3 *coastal natural resources, land uses, and water uses,*
4 *and to resolve water management conflict.*

5 “(11) *Identification and adoption of procedures*
6 *and enforceable policies to ensure sufficient response*
7 *capabilities at the State level to address the environ-*
8 *mental, economic, and social impacts of oil spills or*
9 *other accidents resulting from Outer Continental*
10 *Shelf energy activities with the potential to affect*
11 *land or water use or natural resources of the coastal*
12 *zone.*

13 “(12) *The development of a coordinated process*
14 *to maximize the efficiency of processing permits re-*
15 *lated to activities in the coastal zone.”.*

16 **(b) EVALUATION OF STATE PROPOSALS BY SEC-**
17 **RETARY.**—*Section 309(c) (16 U.S.C. 1456b(c)) is amended*
18 *by striking “and the overall merit of each proposal in terms*
19 *of benefits to the public” and inserting “and are consistent*
20 *with the rules and regulations promulgated under section*
21 *306”.*

22 **(c) RULE OF CONSTRUCTION.**—*Nothing in this section,*
23 *or the amendments made by this section, may be construed*
24 *to affect any grant made or funding awarded under section*

1 309 of the Coast Zone Management Act of 1972 (16 U.S.C.
2 1456b) before the date of enactment of this Act.

3 **SEC. 106. NATIONAL ESTUARINE RESEARCH RESERVE SYS-**

4 **TEM.**

5 (a) *IN GENERAL.*—Section 315 (16 U.S.C. 1461) is
6 amended—

7 (1) in subsection (d)—

8 (A) in paragraph (1), by striking “and” at
9 the end;

10 (B) in paragraph (2), by striking the period
11 at the end and inserting a semicolon and “and”;
12 and

13 (C) by adding at the end the following:

14 “(3) promoting the use of areas that comprise the
15 System for research by line offices of the Administra-
16 tion, such as the Office of Oceanic and Atmospheric
17 Research, the National Ocean Service, and the Na-
18 tional Marine Fisheries Service of the National Oce-
19 anic and Atmospheric Administration.”;

20 (2) in subsection (f), by adding at the end the
21 following:

22 “(4) In conducting an evaluation under paragraph
23 (1), the Secretary shall—

24 (A) consult with representatives of the Office of
25 Oceanic and Atmospheric Research, the National

1 *Ocean Service, and the National Marine Fisheries*
2 *Service of the National Oceanic and Atmospheric Ad-*
3 *ministration, appropriate industries, non-govern-*
4 *mental organizations, universities, and other Federal,*
5 *State, and local partners to assess opportunities to*
6 *better integrate research and habitat management;*

7 *“(B) leverage existing programs; and*

8 *“(C) efficiently use existing funds and capitalize*
9 *on local and regional capacity that can assist in*
10 *meeting stakeholder needs for science-based informa-*
11 *tion.”; and*

12 *(3) in subsection (g)—*

13 *(A) in paragraph (3), by striking “and” at*
14 *the end;*

15 *(B) in paragraph (4), by striking the period*
16 *at the end and inserting a semicolon and “and”;*
17 *and*

18 *(C) by adding at the end the following:*

19 *“(5) a summary of the consultation in subsection*
20 *(f)(4).”.*

21 *(b) RULE OF CONSTRUCTION.—Nothing in this section,*
22 *or the amendments made by this section, may be construed*
23 *to affect any grant made or financial assistance provided*
24 *under section 315 of the Coast Zone Management Act of*

1 1972 (16 U.S.C. 1461) before the date of enactment of this
2 Act.

3 **SEC. 107. COASTAL ZONE MANAGEMENT REPORTS.**

4 *Section 316 (16 U.S.C. 1462) is amended—*

5 *(1) by amending subsection (a) to read as fol-*
6 *lows:*

7 *“(a) REPORTS.—*

8 *“(1) IN GENERAL.—The Secretary shall—*

9 *“(A) consult with Congress on a regular*
10 *basis concerning the administration of this title;*
11 *and*

12 *“(B) submit to Congress a report summa-*
13 *rizing the administration of this title during*
14 *each period of 5 consecutive fiscal years.*

15 *“(2) CONTENTS.—Each report under paragraph*
16 *(1) shall include—*

17 *“(A) an identification of the State pro-*
18 *grams approved under this title during the pre-*
19 *ceding 4 Federal fiscal years and a description*
20 *of those programs;*

21 *“(B) a list of the States participating in the*
22 *provisions of this title and the status of each*
23 *State’s programs and accomplishments during*
24 *the preceding 4 Federal fiscal years;*

1 “(C) an itemization of the allocation of
2 funds to the various coastal states and a break-
3 down of the major projects and areas on which
4 these funds were expended;

5 “(D) an identification of each State pro-
6 gram that was reviewed and disapproved, in-
7 cluding the reasons for the disapproval;

8 “(E) a summary of evaluation findings pre-
9 pared in accordance with subsection (a) of sec-
10 tion 312, and a description of any sanctions im-
11 posed under subsections (c) and (d) of that sec-
12 tion;

13 “(F) a list of all activities and projects
14 which, under the provisions of subsection (c) or
15 subsection (d) of section 307, are not consistent
16 with an applicable approved State management
17 program;

18 “(G) a summary of the regulations issued
19 by the Secretary or in effect during the preceding
20 4 Federal fiscal years;

21 “(H) a summary of a coordinated national
22 strategy and program for the Nation’s coastal
23 zone, including identification and discussion of
24 Federal, regional, State, and local responsibil-
25 ities and functions therein;

1 “(I) a summary of outstanding problems
2 arising in the administration of this title in
3 order of priority;

4 “(J) a description of the economic, environ-
5 mental, and social consequences of energy activ-
6 ity affecting the coastal zone and an evaluation
7 of the effectiveness of financial assistance under
8 section 308 in dealing with such consequences;

9 “(K) a description and evaluation of appli-
10 cable interstate and regional planning and co-
11 ordination mechanisms developed by the coastal
12 states;

13 “(L) a summary and evaluation of the re-
14 search, studies, and training conducted in sup-
15 port of coastal zone management; and

16 “(M) such other information as may be ap-
17 propriate.”; and

18 (2) in subsection (b), by striking “deems” and
19 inserting “considers”.

20 **SEC. 108. TECHNICAL AND CONFORMING AMENDMENTS.**

21 (a) CONGRESSIONAL DECLARATION OF POLICY.—Sec-
22 tion 303 (16 U.S.C. 1452) is amended—

23 (1) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “states” and inserting “States”;
3 and

4 (B) in subparagraph (B), by striking the
5 period at the end and inserting a comma; and
6 (2) in paragraph (4), by striking “state” and in-
7 serting “State”.

8 (b) *ADMINISTRATIVE GRANTS*.—Section 306(d)(10)(A)
9 (16 U.S.C. 1455(d)(10)(A)) is amended by inserting a
10 comma after “development”.

11 (c) *AUTHORIZATION OF THE COASTAL AND ESTUARINE*
12 *LAND CONSERVATION PROGRAM*.—Section 307A (16 U.S.C.
13 1456–1) is amended—

14 (1) in subsection (f)(4)(A)(i), by striking “sec-
15 tion 2(b)” and inserting “subsection (b)”; and

16 (2) in subsection (f)(4)(C), by striking “in (A)”
17 and inserting “in subparagraph (A)”.

18 (d) *REVIEW OF PERFORMANCE*.—Section 312 (16
19 U.S.C. 1458) is amended in subsections (a) and (e), by
20 striking “the state” and inserting “the State”.

21 (e) *RULES AND REGULATIONS*.—Section 317 (16
22 U.S.C. 1463) is amended by striking “state agencies” and
23 inserting “State agencies”.

1 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 318(a) (16 U.S.C. 1464(a)) is amended to read*
 3 *as follows:*

4 *“(a) SUMS APPROPRIATED TO SECRETARY.—There is*
 5 *authorized to be appropriated to the Secretary, to remain*
 6 *available until expended—*

7 *“(1) for grants under sections 306, 306A, and*
 8 *309, \$80,000,000 for each of fiscal years 2017 through*
 9 *2021; and*

10 *“(2) for grants under section 315, \$25,000,000*
 11 *for each of fiscal years 2017 through 2021.”.*

12 **TITLE II—GULF OF MEXICO**
 13 **REGIONAL COORDINATION**

14 **SEC. 201. SENSE OF CONGRESS.**

15 *It is the sense of Congress that the United States should*
 16 *seek to attain coordination of the conservation and restora-*
 17 *tion efforts of the Gulf of Mexico in order to facilitate the*
 18 *continued economic uses of the Gulf of Mexico for the benefit*
 19 *of the people of the United States, reduce duplication of ef-*
 20 *forts and maximize efficiencies through a collaborative re-*
 21 *gional effort with the Gulf of Mexico Alliance, in consulta-*
 22 *tion with Federal agencies and State and local authorities.*

23 **SEC. 202. PURPOSES.**

24 *The purposes of this title are—*

25 *(1) to expand and strengthen the cooperative vol-*
 26 *untary efforts, including international efforts, of pub-*

1 *lic and private stakeholders to conserve and restore*
2 *the Gulf of Mexico and maintain its highly produc-*
3 *tive multiple uses;*

4 *(2) to recognize and enable the Gulf of Mexico*
5 *Alliance as a coordinating entity of Federal and*
6 *State actions relating to the management of the Gulf*
7 *of Mexico ecosystem with the cooperative voluntary ef-*
8 *forts described in paragraph (1); and*

9 *(3) to enable grant funding for coordination*
10 *management, scientific research, conservation, and*
11 *restoration activities to achieve these goals.*

12 **SEC. 203. GULF OF MEXICO REGIONAL COORDINATION.**

13 *(a) IN GENERAL.—The eligible entity, in consultation*
14 *with the Administrator of the National Oceanic and Atmos-*
15 *pheric Administration, may conduct programs—*

16 *(1) to develop strategies—*

17 *(A) for the conservation and restoration of*
18 *the Gulf of Mexico ecosystem, including—*

19 *(i) improving the water quality;*

20 *(ii) protecting nonregulated living re-*
21 *sources;*

22 *(iii) increasing valuable habitats; and*

23 *(iv) enhancing coastal resilience in the*
24 *Gulf of Mexico ecosystem; and*

1 (B) for the input and participation of ap-
2 propriate Federal, State, and local agencies, and
3 other public and private stakeholders in the con-
4 servation and restoration of the Gulf of Mexico
5 ecosystem;

6 (2) to coordinate, in the development of the strat-
7 egies under paragraph (1), relevant Federal, State,
8 and local government activities and resources to min-
9 imize duplication and maximize leveraging opportu-
10 nities; and

11 (3) to develop and implement specific action
12 plans to carry out the strategies under paragraph (1).

13 (b) ACTION PLANS.—An action plan under subsection
14 (a)(3) may include the following activities:

15 (1) Monitoring the water quality and living re-
16 sources of the Gulf of Mexico ecosystem.

17 (2) Researching the effects of natural and
18 human-induced environmental changes on the water
19 quality and living resources of the Gulf of Mexico eco-
20 system.

21 (3) Developing and implementing locally based
22 protection and restoration programs or projects with-
23 in a watershed, including the creation, restoration,
24 protection, or enhancement of habitat associated with
25 the Gulf of Mexico ecosystem.

1 (4) *Eliminating or reducing nonpoint sources*
2 *that discharge pollutants that contaminate the Gulf of*
3 *Mexico ecosystem, including activities to eliminate*
4 *leaking septic systems and construct connections to*
5 *local sewage systems.*

6 (5) *Facilitating and promoting scientific, re-*
7 *search, modeling, monitoring, data collection, and*
8 *other activities that support the strategies under sub-*
9 *section (a)(1).*

10 (6) *Fostering public stewardship of the living re-*
11 *sources of the Gulf of Mexico ecosystem through infor-*
12 *mation, education, engagement, and participation.*

13 (7) *Developing and making available, through*
14 *publications, technical assistance, and other appro-*
15 *prate means, information pertaining to the environ-*
16 *mental quality and living resources of the Gulf of*
17 *Mexico ecosystem.*

18 (8) *Such other activities as the Administrator*
19 *considers appropriate to carry out the strategies*
20 *under subsection (a)(1).*

21 (c) *ADMINISTRATIVE COSTS.—Administrative costs,*
22 *such as salaries and overhead, or indirect costs for services*
23 *provided and charged against programs or activities car-*
24 *ried out using funds made available through a grant under*

1 *this section may not exceed 25 percent of the amount of*
2 *the grant.*

3 (d) *DEFINITIONS.—In this section:*

4 (1) *GULF OF MEXICO ALLIANCE.—The term*
5 *“Gulf of Mexico Alliance” means the formal collabo-*
6 *rative organization of Federal, State, local, and pri-*
7 *vate participants established by the 5 Gulf States in*
8 *2004 as a nonregulatory, inclusive network of part-*
9 *ners to provide a broad geographic focus on the pri-*
10 *mary environmental issues affecting the Gulf of Mex-*
11 *ico.*

12 (2) *ELIGIBLE ENTITY.—The term “eligible enti-*
13 *ty” means a consortium of the 5 States that have a*
14 *shoreline on the Gulf of Mexico that is—*

15 (A) *primarily focused on coastal and envi-*
16 *ronmental issues affecting the Gulf of Mexico eco-*
17 *system, excluding regulated fisheries;*

18 (B) *a network of coastal resource managers*
19 *that work together to significantly increase re-*
20 *gional collaboration;*

21 (C) *an organization that coordinates state*
22 *and Federal agencies, NGOs, academia, and in-*
23 *dustry stakeholders for the purposes of ecological*
24 *and economic health, conservation, and restora-*
25 *tion of the Gulf of Mexico; and*

1 (D) established and governed by the 5 Gulf
2 State governors, or their representatives.

3 (3) *GULF OF MEXICO ECOSYSTEM.*—The term
4 “Gulf of Mexico ecosystem” means the ecosystem of
5 the Gulf of Mexico and its watershed.

6 (e) *LIMITATION ON REGULATORY AUTHORITY.*—Noth-
7 ing in this section establishes any new regulatory authority
8 of the National Oceanic and Atmospheric Administration
9 or the Gulf of Mexico Alliance.

10 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated to the Secretary
12 of Commerce to carry out this title \$5,000,000 for each of
13 fiscal years 2017 through 2021, to remain available until
14 expended.

15 **TITLE III—COASTAL ZONE**
16 **IMPACTS**

17 **SEC. 301. AGENCY CONSULTATIONS REGARDING COASTAL**
18 **ZONE IMPACTS.**

19 The Fish and Wildlife Coordination Act (16 U.S.C.
20 661 *et seq.*) is amended—

21 (1) in section 2(a) (16 U.S.C. 662(a))—

22 (A) by striking “Interior, and with the”
23 and inserting “Interior, National Oceanic and
24 Atmospheric Administration, Department of
25 Commerce, the”; and

1 (B) by inserting “and the head of any po-
2 tentially impacted coastal state (as defined in
3 section 304 of the Coastal Zone Management Act
4 of 1972 (16 U.S.C. 1453),” before “with a view”;
5 and

6 (2) in section 8 (16 U.S.C. 666b), by adding
7 “and fisheries (as those terms are defined in section
8 3 of the Magnuson-Stevens Fishery Conservation and
9 Management Act (16 U.S.C. 1802))” after “fishes”.

Calendar No. 724

114TH CONGRESS
2^D SESSION

S. 3038

[Report No. 114-399]

A BILL

To reauthorize the Coastal Zone Management Act
of 1972, and for other purposes.

DECEMBER 9, 2016

Reported with an amendment