

116TH CONGRESS
1ST SESSION

H. R. 729

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. KILMER (for himself, Mr. YOUNG, Mr. GRIJALVA, Mr. COLE, Mr. HECK, Mr. COOK, Mr. GALLEGOS, Ms. DELBENE, Ms. PINGREE, Mr. HUFFMAN, Ms. MOORE, Mr. LUJÁN, and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Coastal Resil-

5 iency Act”.

1 **SEC. 2. GRANTS TO FURTHER ACHIEVEMENT OF TRIBAL**
2 **COASTAL ZONE OBJECTIVES.**

3 (a) GRANTS AUTHORIZED.—The Coastal Zone Man-
4 agement Act of 1972 (16 U.S.C. 1451 et seq.) is amended
5 by adding at the end the following:

6 **“SEC. 320. GRANTS TO FURTHER ACHIEVEMENT OF TRIBAL**
7 **COASTAL ZONE OBJECTIVES.**

8 “(a) GRANTS AUTHORIZED.—The Secretary may
9 award competitive grants to Indian Tribes to further
10 achievement of the objectives of such a Tribe for its Tribal
11 coastal zone.

12 “(b) COST SHARE.—

13 “(1) IN GENERAL.—The Federal share of the
14 cost of any activity carried out with a grant under
15 this section shall be—

16 “(A) in the case of a grant of less than
17 \$200,000, 100 percent of such cost; and

18 “(B) in the case of a grant of \$200,000 or
19 more, 95 percent of such cost, except as pro-
20 vided in paragraph (2).

21 “(2) WAIVER.—The Secretary may waive the
22 application of paragraph (1)(B) with respect to a
23 grant to an Indian Tribe, or otherwise reduce the
24 portion of the share of the cost of an activity re-
25 quired to be paid by an Indian Tribe under such
26 paragraph, if the Secretary determines that the

1 Tribe does not have sufficient funds to pay such por-
2 tion.

3 “(c) COMPATIBILITY.—The Secretary may not award
4 a grant under this section unless the Secretary determines
5 that the activities to be carried out with the grant are
6 compatible with this title and that the grantee has con-
7 sulted with the affected coastal state regarding the grant
8 objectives and purposes.

9 “(d) AUTHORIZED OBJECTIVES AND PURPOSES.—
10 Amounts awarded as a grant under this section shall be
11 used for one or more of the objectives and purposes au-
12 thorized under subsections (b) and (c), respectively, of sec-
13 tion 306A.

14 “(e) FUNDING.—Of amounts appropriated to carry
15 out this Act, \$5,000,000 is authorized to carry out this
16 section for each fiscal year.

17 “(f) DEFINITIONS.—In this section:

18 “(1) INDIAN LAND.—The term ‘Indian land’
19 has the meaning that term has under section 2601
20 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

21 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’
22 means an Indian tribe, as that term is defined in
23 section 4 of the Indian Self-Determination and Edu-
24 cation Assistance Act (25 U.S.C. 5304).

1 “(3) TRIBAL COASTAL ZONE.—The term ‘Tribal
2 coastal zone’ means any Indian land of an Indian
3 Tribe that is within the coastal zone.

4 “(4) TRIBAL COASTAL ZONE OBJECTIVE.—The
5 term ‘Tribal coastal zone objective’ means, with re-
6 spect to an Indian Tribe, any of the following objec-
7 tives:

8 “(A) Protection, restoration, or preserva-
9 tion of areas in the Tribal coastal zone of such
10 Tribe that hold—

11 “(i) important ecological, cultural, or
12 sacred significance for such Tribe; or

13 “(ii) traditional, historic, and esthetic
14 values essential to such Tribe.

15 “(B) Preparing and implementing a special
16 area management plan and technical planning
17 for important coastal areas.

18 “(C) Any coastal or shoreline stabilization
19 measure, including any mitigation measure, for
20 the purpose of public safety, public access, or
21 cultural or historical preservation.”.

22 (b) GUIDANCE.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary of Com-
24 merce shall issue guidance for the program established
25 under the amendment made by subsection (a), including

1 the criteria for awarding grants under such program based
2 on consultation with Indian Tribes (as that term is defined
3 in that amendment).

4 (c) USE OF STATE GRANTS TO FULFILL TRIBAL OB-
5 JECTIVES.—Section 306A(c)(2) of the Coastal Zone Man-
6 agement Act of 1972 (16 U.S.C. 1455a(c)(2)) is amended
7 by striking “and” after the semicolon at the end of sub-
8 paragraph (D), by striking the period at the end of sub-
9 paragraph (E) and inserting “; and”, and by adding at
10 the end the following:

11 “(F) fulfilling any Tribal coastal zone ob-
12 jective (as that term is defined in section
13 320).”.

14 (d) OTHER PROGRAMS NOT AFFECTED.—Nothing in
15 this section shall be construed to affect the ability of an
16 Indian Tribe to apply for, receive assistance under, or par-
17 ticipate in any program authorized by the Coastal Zone
18 Management Act of 1972 (16 U.S.C. 1451 et seq.) or
19 other related Federal laws.

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