

## Union Calendar No. 228

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 729

[Report No. 116-283]

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.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. KILMER (for himself, Mr. YOUNG, Mr. GRIJALVA, Mr. COLE, Mr. HECK, Mr. COOK, Mr. GALLEGRO, 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

NOVEMBER 13, 2019

Additional sponsors: Mr. LARSEN of Washington and Mr. CASE

NOVEMBER 13, 2019

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **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”.

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

8 (a) GRANTS AUTHORIZED.—The Coastal Zone Man-

9 agement Act of 1972 (16 U.S.C. 1451 et seq.) is amended

10 by adding at the end the following:

11 **“SEC. 320. GRANTS TO FURTHER ACHIEVEMENT OF TRIBAL**  
12 **COASTAL ZONE OBJECTIVES.**

13 “(a) GRANTS AUTHORIZED.—The Secretary may

14 award competitive grants to Indian Tribes to further

15 achievement of the objectives of such a Tribe for its Tribal

16 coastal zone.

17 “(b) COST SHARE.—

18 “(1) IN GENERAL.—The Federal share of the

19 cost of any activity carried out with a grant under

20 this section shall be—

21 “(A) in the case of a grant of less than

22 \$200,000, 100 percent of such cost; and

23 “(B) in the case of a grant of \$200,000 or

24 more, 95 percent of such cost, except as pro-

25 vided in paragraph (2).

1           “(2) WAIVER.—The Secretary may waive the  
2 application of paragraph (1)(B) with respect to a  
3 grant to an Indian Tribe, or otherwise reduce the  
4 portion of the share of the cost of an activity re-  
5 quired to be paid by an Indian Tribe under such  
6 paragraph, if the Secretary determines that the  
7 Tribe does not have sufficient funds to pay such por-  
8 tion.

9           “(c) COMPATIBILITY.—The Secretary may not award  
10 a grant under this section unless the Secretary determines  
11 that the activities to be carried out with the grant are  
12 compatible with this title and that the grantee has con-  
13 sulted with the affected coastal state regarding the grant  
14 objectives and purposes.

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

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

23           “(f) DEFINITIONS.—In this section:

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

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

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

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

15           “(A) Protection, restoration, or preserva-  
16 tion of areas in the Tribal coastal zone of such  
17 Tribe that hold—

18                   “(i) important ecological, cultural, or  
19 sacred significance for such Tribe; or

20                   “(ii) traditional, historic, and esthetic  
21 values essential to such Tribe.

22           “(B) Preparing and implementing a special  
23 area management plan and technical planning  
24 for important coastal areas.

1           “(C) Any coastal or shoreline stabilization  
2           measure, including any mitigation measure, for  
3           the purpose of public safety, public access, or  
4           cultural or historical preservation.”.

5           (b) GUIDANCE.—Not later than 180 days after the  
6           date of the enactment of this Act, the Secretary of Com-  
7           merce shall issue guidance for the program established  
8           under the amendment made by subsection (a), including  
9           the criteria for awarding grants under such program based  
10          on consultation with Indian Tribes (as that term is defined  
11          in that amendment).

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

19                       “(F) fulfilling any Tribal coastal zone ob-  
20                       jective (as that term is defined in section  
21                       320).”.

22          (d) OTHER PROGRAMS NOT AFFECTED.—Nothing in  
23          this section shall be construed to affect the ability of an  
24          Indian Tribe to apply for, receive assistance under, or par-  
25          ticipate in any program authorized by the Coastal Zone

- 1 Management Act of 1972 (16 U.S.C. 1451 et seq.) or
- 2 other related Federal laws.

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