

116TH CONGRESS  
1ST SESSION

# S. 2166

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 18, 2019

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

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## A BILL

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, 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 “Regional Ocean Part-  
5 nership Act”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

1           (1) The ocean and coastal waters of the United  
2 States are foundational to the economy, security,  
3 global competitiveness, and well-being of the United  
4 States and continuously serve the people of the  
5 United States and other countries as an important  
6 source of food, energy, economic productivity, recre-  
7 ation, beauty, and enjoyment.

8           (2) Over many years, the resource productivity  
9 and water quality of the ocean and coastal areas of  
10 the United States have been diminished by pollution,  
11 increasing population demands, economic develop-  
12 ment, and natural and man-made hazard events,  
13 both acute and chronic.

14           (3) Ocean and coastal areas of the United  
15 States are managed by State and Federal resource  
16 agencies and regulated by various overlapping au-  
17 thorities, thereby creating a significant need for co-  
18 ordination to enhance the ecological and economic  
19 health of those areas.

20           (b) SENSE OF CONGRESS.—It is the sense of Con-  
21 gress that the United States should seek to attain coordi-  
22 nation of the efforts relating to the management, con-  
23 servation, resilience, and restoration of ocean and coastal  
24 areas to reduce duplication of efforts and maximize effi-  
25 ciencies through collaborative regional efforts by Regional

1 Ocean Partnerships, in consultation with Federal agencies  
2 and State and local authorities.

3 (c) PURPOSES.—The purposes of this Act are as fol-  
4 lows:

5 (1) To expand and strengthen cooperative vol-  
6 untary efforts intended to manage and restore ocean  
7 and coastal areas spanning across multiple State  
8 boundaries.

9 (2) To expand Federal support for monitoring,  
10 data management, and restoration activities in ocean  
11 and coastal areas.

12 (3) To commit the United States to a com-  
13 prehensive cooperative program to achieve improved  
14 water quality in, and improvements in the produc-  
15 tivity of living resources of, all coastal ecosystems.

16 (4) To authorize Regional Ocean Partnerships  
17 as coordinators of Federal and State authorities re-  
18 lating to voluntary efforts for the collaborative man-  
19 agement of the large marine ecosystems, thereby re-  
20 ducing duplication of efforts and maximizing oppor-  
21 tunities to leverage support in the ocean and coastal  
22 regions.

23 (5) To enable Regional Ocean Partnerships to  
24 receive Federal funding to conduct the scientific re-  
25 search, conservation and restoration management,

1 and priority coordination necessary to achieve the  
2 purposes described in paragraphs (1) through (4).

3 **SEC. 3. REGIONAL OCEAN PARTNERSHIPS.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-  
6 trator” means the Administrator of the National  
7 Oceanic and Atmospheric Administration.

8 (2) COASTAL STATE.—The term “coastal state”  
9 has the meaning given that term in section 304 of  
10 the Coastal Zone Management Act of 1972 (16  
11 U.S.C. 1453).

12 (3) INDIAN TRIBE.—The term “Indian Tribe”  
13 means an Indian tribe, as defined in section 4 of the  
14 Indian Self-Determination and Education Assistance  
15 Act (25 U.S.C. 5304).

16 (b) REGIONAL OCEAN PARTNERSHIPS.—

17 (1) IN GENERAL.—A coastal state may partici-  
18 pate in a Regional Ocean Partnership with one or  
19 more other coastal states that share a common  
20 ocean or coastal area with the coastal state.

21 (2) APPLICATION.—The Governor of a coastal  
22 state or the Governors of a group of coastal states  
23 may apply to the Secretary of Commerce, on behalf  
24 of a partnership, for the partnership to receive des-

1       ignation as a Regional Ocean Partnership if the  
2       partnership—

3               (A) meets the requirements under para-  
4               graph (3); and

5               (B) submits an application for such des-  
6               ignation in such manner, in such form, and  
7               containing such information as the Secretary  
8               may require.

9               (3) REQUIREMENTS.—A partnership is eligible  
10              for designation as a Regional Ocean Partnership by  
11              the Secretary under paragraph (2) if the partner-  
12              ship—

13               (A) is established to coordinate the man-  
14               agement of coastal resources;

15               (B) focuses on the environmental issues af-  
16               fecting the ocean and coastal areas of the coast-  
17               al states participating in the partnership;

18               (C) does not have a regulatory function;  
19               and

20               (D) is not duplicative of an existing Re-  
21               gional Ocean Partnership designated under  
22               paragraph (4), as determined by the Secretary.

23               (4) DESIGNATION OF CERTAIN ENTITIES AS RE-  
24               GIONAL OCEAN PARTNERSHIPS.—Notwithstanding

1 paragraph (2) or (3), the following entities are des-  
2 ignated as Regional Ocean Partnerships:

3 (A) The Gulf of Mexico Alliance, rep-  
4 resenting the ocean and coastal area shared by  
5 the States of Alabama, Florida, Louisiana, Mis-  
6 sissippi, and Texas.

7 (B) The Northeast Regional Ocean Coun-  
8 cil, representing the ocean and coastal area  
9 shared by the States of Maine, Vermont, New  
10 Hampshire, Massachusetts, Connecticut, and  
11 Rhode Island.

12 (C) The Mid-Atlantic Regional Council on  
13 the Ocean, representing the ocean and coastal  
14 area shared by the States of New York, New  
15 Jersey, Delaware, Maryland, and Virginia.

16 (D) The West Coast Ocean Alliance, in-  
17 cluding the States of California, Oregon, and  
18 Washington and the Indian Tribes in those  
19 States.

20 (e) GOVERNING BODIES OF REGIONAL OCEAN PART-  
21 NERSHIPS.—

22 (1) IN GENERAL.—A Regional Ocean Partner-  
23 ship designated under subsection (b) shall be gov-  
24 erned by a governing body.

1           (2) MEMBERSHIP.—A governing body described  
2           in paragraph (1)—

3                   (A) shall be comprised, at a minimum, of  
4           voting members from each coastal state partici-  
5           pating in the Regional Ocean Partnership, des-  
6           ignated by the Governor of the coastal state;  
7           and

8                   (B) may include such other members as  
9           the partnership considers appropriate.

10          (d) FUNCTIONS.—A Regional Ocean Partnership des-  
11        ignated under subsection (b) may perform the following  
12        functions:

13                (1) Promote coordination of the actions of the  
14        agencies of coastal states participating in the part-  
15        nership with the actions of the appropriate officials  
16        of Federal agencies and other authorities in devel-  
17        oping strategies—

18                   (A) to conserve living resources, increase  
19        valuable habitats, enhance coastal resilience,  
20        and address such other issues related to the  
21        shared ocean or coastal area as are determined  
22        to be a priority by those states;

23                   (B) to manage regional data portals and  
24        develop associated data products for purposes  
25        that support the priorities of those states; and

1           (C) to obtain the support of appropriate  
2 officials for such strategies.

3           (2) In cooperation with appropriate Federal  
4 agencies and State and local authorities, develop and  
5 implement specific action plans to carry out coordi-  
6 nation goals.

7           (3) Coordinate and implement priority plans  
8 and projects, and facilitate science, research, mod-  
9 eling, monitoring, data collection, and other activi-  
10 ties that support the goals of the partnership  
11 through the provision of grants and contracts under  
12 subsection (e).

13           (4) Engage and collaborate with stakeholders to  
14 address ocean and coastal related matters that re-  
15 quire interagency or intergovernmental solutions.

16           (5) Implement outreach programs for public in-  
17 formation, education, and participation to foster  
18 stewardship of the resources of the ocean and coast-  
19 al areas.

20           (6) Develop and make available, through publi-  
21 cations, technical assistance, and other appropriate  
22 means, information pertaining to cross-jurisdictional  
23 issues being addressed through the coordinated ac-  
24 tivities of the partnership.

1           (7) Serve as the liaison with, and provide infor-  
2           mation to, international counterparts, as appro-  
3           priate.

4           (e) GRANTS AND CONTRACTS.—

5           (1) IN GENERAL.—A Regional Ocean Partner-  
6           ship designated under subsection (b) may, from  
7           amounts made available to the partnership by the  
8           Administrator or the head of another Federal agen-  
9           cy—

10                   (A) provide grants to eligible persons de-  
11                   scribed in paragraph (2) for the purposes de-  
12                   scribed in paragraph (3); and

13                   (B) enter into contracts with such persons  
14                   for such purposes.

15           (2) ELIGIBLE PERSONS.—The eligible persons  
16           described in this paragraph are the following:

17                   (A) Indian Tribes.

18                   (B) State and local governments.

19                   (C) Nongovernmental organizations.

20                   (D) Institutions of higher education.

21                   (E) Individuals.

22                   (F) Private entities.

23           (3) PURPOSES.—The purposes described in this  
24           paragraph are the following:

1 (A) Monitoring the water quality and living  
2 resources of multi-State ocean and coastal eco-  
3 systems.

4 (B) Researching and addressing the effects  
5 of natural and human-induced environmental  
6 changes to ocean and coastal ecosystems.

7 (C) Developing and executing cooperative  
8 strategies that—

9 (i) address regional data issues identi-  
10 fied by the partnership; and

11 (ii) will result in more effective man-  
12 agement of common ocean and coastal  
13 areas.

14 (f) REPORTS AND ASSESSMENTS.—

15 (1) ANNUAL REPORT.—Not later than 1 year  
16 after the date of the enactment of this Act, and an-  
17 nually thereafter, each Regional Ocean Partnership  
18 designated under subsection (b) shall submit to the  
19 Administrator, and make available to the public, a  
20 report that describes the following:

21 (A) Each project and activity for which the  
22 partnership received funding under this section  
23 during the previous fiscal year.

24 (B) The goals and objectives of those  
25 projects and activities.

1           (C) The net benefits of the projects and  
2 activities funded under this section during pre-  
3 vious fiscal years.

4           (D) The collaborative efforts of the part-  
5 nership.

6           (2) ASSESSMENTS AND REPORTS.—

7           (A) IN GENERAL.—Not later than 5 years  
8 after the date of the enactment of this Act, and  
9 every 5 years thereafter, the Administrator, in  
10 coordination with the Regional Ocean Partner-  
11 ships designated under subsection (b), shall—

12                   (i) assess the effectiveness of the part-  
13 nerships in coordinating regional priorities  
14 relating to the management of common  
15 ocean and coastal areas; and

16                   (ii) submit to Congress a report on  
17 that assessment.

18           (B) REPORT REQUIREMENTS.—The report  
19 required under subparagraph (A)(ii) shall in-  
20 clude the following:

21                   (i) An assessment of the overall status  
22 of coordinated efforts in regional eco-  
23 systems covered by the Regional Ocean  
24 Partnerships designated under subsection  
25 (b).

1                   (ii) An assessment of the effectiveness  
2                   of the management strategies that such  
3                   partnerships are implementing and the ex-  
4                   tent to which the priority needs of the re-  
5                   gions covered by such partnerships are  
6                   being met through such strategies.

7                   (iii) Such recommendations as the Ad-  
8                   ministrator may have for the improved co-  
9                   ordination among the regulatory and non-  
10                  regulatory programs operating in the re-  
11                  gions covered by such partnerships, includ-  
12                  ing recommendations for strengthening the  
13                  strategies being implemented or adopting  
14                  improved strategies.

15           (g) AVAILABILITY OF FEDERAL FUNDS.—In addition  
16 to amounts made available to Regional Ocean Partner-  
17 ships designated under subsection (b) by the Adminis-  
18 trator under this section, the head of any other Federal  
19 agency may provide grants to, enter into contracts with,  
20 or otherwise provide funding to such partnerships.

21           (h) AUTHORITIES.—Nothing in this section estab-  
22 lishes any new legal or regulatory authority of the Na-  
23 tional Oceanic and Atmospheric Administration or of the  
24 Regional Ocean Partnerships designated under subsection  
25 (b), other than—

1           (1) the authority of the Administrator to pro-  
2       vide amounts to the partnerships; and

3           (2) the authority of the partnerships to provide  
4       grants and enter into contracts under subsection (e).

5       (i) FUNDING.—

6           (1) IN GENERAL.—Of amounts authorized to be  
7       appropriated to the National Oceanic and Atmos-  
8       pheric Administration, the Administrator may make  
9       the following amounts available to Regional Ocean  
10      Partnerships designated under subsection (b) to  
11      carry out activities of the partnerships under this  
12      Act:

13                   (A) \$10,000,000 for fiscal year 2020.

14                   (B) \$10,100,000 for fiscal year 2021.

15                   (C) \$10,202,000 for fiscal year 2022.

16                   (D) \$10,306,040 for fiscal year 2023.

17                   (E) \$10,412,160 for fiscal year 2024.

18                   (F) \$10,520,404 for fiscal year 2025.

19           (2) DISTRIBUTION OF AMOUNTS.—Amounts  
20      made available under paragraph (1) shall be divided  
21      evenly among the Regional Ocean Partnerships des-  
22      ignated under subsection (b).

1           (3) AVAILABILITY OF AMOUNTS.—Amounts  
2           made available under paragraph (1) shall remain  
3           available until expended.

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