

118TH CONGRESS
2D SESSION

S. 3123

AN ACT

To provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, 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.**

2 This Act may be cited as the “Modernizing Access
3 to Our Public Waters Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **FEDERAL FISHING RESTRICTION.**—The
7 term “Federal fishing restriction” means a defined
8 area in which all or certain fishing activities are
9 temporarily or permanently prohibited or restricted
10 by a Federal land or water management agency.

11 (2) **FEDERAL LAND OR WATER MANAGEMENT**
12 **AGENCY.**—The term “Federal land or water man-
13 agement agency” means—

14 (A) the Bureau of Reclamation;

15 (B) the National Park Service;

16 (C) the Bureau of Land Management;

17 (D) the United States Fish and Wildlife
18 Service; and

19 (E) the Forest Service.

20 (3) **FEDERAL WATERWAY.**—The term “Federal
21 waterway” means waters managed by a Federal land
22 or water management agency.

23 (4) **FEDERAL WATERWAY RESTRICTION.**—The
24 term “Federal waterway restriction” means a re-
25 striction on the access or use of a Federal waterway

1 applied under applicable law by 1 or more of the
2 Secretaries.

3 (5) SECRETARIES.—The term “Secretaries”
4 means—

5 (A) the Secretary of Agriculture, acting
6 through the Chief of the Forest Service; and

7 (B) the Secretary of the Interior.

8 (6) SECRETARY CONCERNED.—The term “Sec-
9 retary concerned” means—

10 (A) the Secretary of Agriculture, acting
11 through the Chief of the Forest Service, with
12 respect to Federal waterways under the juris-
13 diction of the Secretary of Agriculture; or

14 (B) the Secretary of the Interior, with re-
15 spect to Federal waterways under the jurisdic-
16 tion of the Secretary of the Interior.

17 **SEC. 3. INTERAGENCY DATA STANDARDIZATION.**

18 Not later than 30 months after the date of enactment
19 of this Act, the Secretaries, in consultation with the Fed-
20 eral Geographic Data Committee, shall jointly develop and
21 adopt interagency standards to ensure compatibility and
22 interoperability among applicable Federal databases with
23 respect to the collection and dissemination of geospatial
24 data relating to public outdoor recreational use of Federal
25 waterways and Federal fishing restrictions.

1 **SEC. 4. DATA CONSOLIDATION AND PUBLICATION.**

2 (a) **FEDERAL WATERWAY RESTRICTIONS.**—Not later
3 than 5 years after the date of enactment of this Act, the
4 Secretary concerned, to the maximum extent practicable,
5 shall digitize and make publicly available online, as appli-
6 cable, geographic information system data that includes,
7 with respect to Federal waterway restrictions—

8 (1) status information with respect to the con-
9 ditions under which Federal waterways are open or
10 closed to entry or watercraft, including watercraft
11 inspection or decontamination requirements;

12 (2) the dates on which Federal waterways are
13 seasonally closed to entry or watercraft;

14 (3) the areas of Federal waterways with restric-
15 tions on motorized propulsion, horsepower, or gaso-
16 line fuel;

17 (4) the areas of Federal waterways with an-
18 choring restrictions, no wake zones, or vessel speed
19 restrictions;

20 (5) Federal waterway restrictions on the direc-
21 tion of travel, including upstream or downstream
22 travel; and

23 (6) the uses, including by watercraft, that are
24 restricted on each area of a Federal waterway, in-
25 cluding the permissibility of—

26 (A) canoes and other paddlecraft;

- 1 (B) rafts and driftboats;
- 2 (C) motorboats;
- 3 (D) personal watercraft;
- 4 (E) airboats;
- 5 (F) amphibious aircraft;
- 6 (G) hovercraft;
- 7 (H) oversnow vehicles and other motorized
- 8 vehicles on frozen bodies of water;
- 9 (I) swimming; and
- 10 (J) other applicable recreational activities,
- 11 as determined to be appropriate by the Sec-
- 12 retary concerned.

13 (b) FEDERAL WATERWAY ACCESS AND NAVIGATION
14 INFORMATION.—Not later than 5 years after the date of
15 enactment of this Act, the Secretary concerned, to the
16 maximum extent practicable, shall digitize and make pub-
17 licly available online, as applicable, geographic information
18 system data that includes, with respect to Federal water-
19 way access and navigation information—

- 20 (1)(A) the location of boat ramps, portages, and
- 21 designated fishing access sites under the authority of
- 22 the Secretary concerned; and
- 23 (B) the identification of the dates on which the
- 24 facilities and sites identified under subparagraph (A)
- 25 are open or closed, as applicable; and

1 (2) available bathymetric information and depth
2 charts.

3 (c) FEDERAL FISHING RESTRICTIONS.—Not later
4 than 5 years after the date of enactment of this Act, the
5 Secretary concerned, to the maximum extent practicable,
6 shall digitize and make publicly available online geo-
7 graphic information system data that describes, with re-
8 spect to Federal fishing restrictions—

9 (1) the location and geographic boundaries of
10 Federal fishing restrictions on recreational and com-
11 mercial fishing, including—

12 (A) full or partial closures;

13 (B) no-take zones; and

14 (C) Federal fishing restrictions within or
15 surrounding marine protected areas;

16 (2) Federal fishing restrictions on the use of
17 specific types of equipment or bait, such as restric-
18 tions on the use of barbed hooks or live bait; and

19 (3) Federal requirements with respect to catch
20 and release.

21 (d) PUBLIC COMMENT.—The Secretaries shall de-
22 velop a process to allow members of the public to submit
23 questions or comments regarding the information de-
24 scribed in subsections (a) and (b).

1 (e) UPDATES.—The Secretary concerned, to the max-
 2 imum extent practicable, shall update—

3 (1) the data described in subsections (a) and
 4 (b) not less frequently than annually; and

5 (2) the data described in subsection (c) in real
 6 time as changes go into effect.

7 (f) EXCLUSION.—This section shall not apply to irri-
 8 gation canals and flowage easements.

9 (g) DISCLOSURE.—Any geographic information sys-
 10 tem data made publicly available under this section shall
 11 not disclose information regarding the nature, location,
 12 character, or ownership of historic, paleontological, or ar-
 13 chaeological resources, consistent with applicable law.

14 **SEC. 5. COOPERATION AND COORDINATION.**

15 (a) COMMUNITY PARTNERS AND THIRD-PARTY PRO-
 16 VIDERS.—For purposes of carrying out this Act, the Sec-
 17 retary concerned may—

18 (1) coordinate and partner with non-Federal
 19 agencies and private sector and nonprofit partners,
 20 including—

21 (A) State natural resource agencies;

22 (B) technology companies;

23 (C) geospatial data companies; and

24 (D) experts in data science, analytics, and
 25 operations research; and

1 (2) enter into an agreement with a third party
2 to carry out any provision of this Act.

3 (b) UNITED STATES GEOLOGICAL SURVEY.—The
4 Secretaries shall work with the Director of the United
5 States Geological Survey to collect, aggregate, digitize,
6 standardize, and publish data on behalf of the Secretaries
7 to meet the requirements of this Act.

8 (c) REQUIREMENT.—With respect to data developed
9 and distributed under this Act, the Secretaries shall—

10 (1) develop the data in accordance with applica-
11 ble Federal, State, and Tribal laws (including regu-
12 lations); and

13 (2) include a notice that any geospatial data
14 are subject to applicable Federal, State, and Tribal
15 laws (including regulations).

16 (d) EXISTING EFFORTS.—To the extent practicable,
17 the Secretary concerned shall use or incorporate existing
18 applicable data, maps, and resources in carrying out this
19 Act, including data, maps, and resources developed and
20 published under—

21 (1) the Modernizing Access to Our Public Land
22 Act (16 U.S.C. 6851 et seq.);

23 (2) section 103 of division DD of the Consoli-
24 dated Appropriations Act, 2023 (43 U.S.C. 776); or

25 (3) other applicable law.

1 **SEC. 6. REPORTS.**

2 Not later than 1 year after the date of enactment
3 of this Act and annually thereafter through March 30,
4 2033, the Secretaries shall submit a report that describes
5 the progress made by the Secretaries with respect to meet-
6 ing the requirements of this Act to—

7 (1) the Committee on Energy and Natural Re-
8 sources of the Senate;

9 (2) the Committee on Agriculture, Nutrition,
10 and Forestry of the Senate;

11 (3) the Committee on Natural Resources of the
12 House of Representatives;

13 (4) the Committee on Energy and Commerce of
14 the House of Representatives; and

15 (5) the Committee on Agriculture of the House
16 of Representatives.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated—

19 (1) to the Secretary of the Interior to carry out
20 this Act—

21 (A) \$3,000,000 for fiscal year 2025; and

22 (B) \$6,000,000 for each of fiscal years
23 2026 through 2029; and

24 (2) to the Secretary of Agriculture to carry out
25 this Act—

26 (A) \$2,000,000 for fiscal year 2025; and

1 (B) \$4,000,000 for each of fiscal years
2 2026 through 2029.

3 **SEC. 8. EFFECT.**

4 Nothing in this Act—

5 (1) modifies or alters the definition of the term
6 “navigable waters” under Federal law;

7 (2) affects the jurisdiction or authority of State
8 or Federal agencies to regulate navigable waters;

9 (3) modifies or alters the authority or jurisdic-
10 tion of Federal or State agencies to manage fish-
11 eries; or

12 (4) expands or restricts access to Federal wa-
13 terways.

Passed the Senate December 18 (legislative day, De-
cember 16), 2024.

Attest:

Secretary.

118TH CONGRESS
2D SESSION

S. 3123

AN ACT

To provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes.