

107TH CONGRESS
1ST SESSION

H. R. 3577

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2001

Mr. GILCHREST (for himself and Mr. UNDERWOOD) introduced the following bill; which was referred to the Committee on Resources

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coastal Resources
5 Conservation Act of 2001”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Amendment of Coastal Zone Management Act of 1972.
- Sec. 4. Findings.
- Sec. 5. Policy.
- Sec. 6. Definitions.
- Sec. 7. Administrative grants.

- Sec. 8. Coastal resources improvement grants.
- Sec. 9. Coastal Zone Management Fund.
- Sec. 10. Repeal.
- Sec. 11. Coastal services.
- Sec. 12. Review of performance.
- Sec. 13. Amendments relating to Walter B. Jones Awards for Excellence in Coastal Zone Management.
- Sec. 14. National Estuarine Reserve System.
- Sec. 15. Reports.
- Sec. 16. Authorization of appropriations.
- Sec. 17. Technical corrections.
- Sec. 18. Coastal zone management outcome indicators and monitoring and performance evaluation system.

1 **SEC. 3. AMENDMENT OF COASTAL ZONE MANAGEMENT ACT**
 2 **OF 1972.**

3 Except as otherwise expressly provided, whenever in
 4 this Act an amendment or repeal is expressed in terms
 5 of an amendment to, or repeal of, a section or other provi-
 6 sion, the reference shall be considered to be made to a
 7 section or other provision of the Coastal Zone Manage-
 8 ment Act of 1972 (16 U.S.C. 1451 et seq.).

9 **SEC. 4. FINDINGS.**

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

11 (1) by striking “finds that—” and inserting
 12 “finds the following:”;

13 (2) in paragraph (k), by striking “the uses of
 14 adjacent lands which drain into the coastal zone”
 15 and inserting “coastal watersheds”;

16 (3) in paragraph (f), by striking the semicolon
 17 at the end and inserting a period; and

18 (4) by redesignating paragraphs (a) through
 19 (m) in order as paragraphs (1) through (13).

1 **SEC. 5. POLICY.**

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

3 (1) in paragraph (2) by striking “development
4 and”;

5 (2) in paragraph (2)(A) by striking “protec-
6 tion” and inserting “protection, and where appro-
7 priate the restoration, and enhancement,”;

8 (3) in paragraph (2)(B) by striking the period
9 at the end and inserting a comma;

10 (4) in paragraph (2)(J) by striking “State” the
11 second place it appears and inserting “State and
12 Federal fish”;

13 (5) in paragraph (2)(K) by striking “and” after
14 the semicolon;

15 (6) in paragraph (5) by striking “and” after
16 the semicolon;

17 (7) in paragraph (6) by striking the period at
18 the end and inserting “; and”; and

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

20 “(7) to use the National Estuarine Reserve Sys-
21 tem established under section 315 to improve the
22 understanding, stewardship, and management of
23 coastal and estuarine resources, including the devel-
24 opment, application, and transfer to local, State, and
25 Federal resources managers of innovative coastal

1 and estuarine resources management technologies
 2 and techniques.”.

3 **SEC. 6. DEFINITIONS.**

4 Section 304(2) (16 U.S.C. 1453(2)) is amended by
 5 inserting “, ecological,” after “biological”.

6 **SEC. 7. ADMINISTRATIVE GRANTS.**

7 (a) IN GENERAL.—Section 306 (16 U.S.C. 1455) is
 8 amended by striking so much as precedes subsection (b)
 9 and inserting the following:

10 “ADMINISTRATIVE GRANTS

11 “SEC. 306. (a) IN GENERAL.—The Secretary may
 12 make grants to any coastal State for the purpose of ad-
 13 ministering, amending, or modifying that State’s manage-
 14 ment program, if the State matches any such grant—

15 “(1) except as provided in paragraph (2), in a
 16 ratio of 1 to 1 of Federal-to-State contributions; or

17 “(2) for programs approved after October 1,
 18 2001, in a ratio of—

19 “(A) 4 to 1 for the first fiscal year;

20 “(B) 2.3 to 1 for the second fiscal year;

21 “(C) 1.5 to 1 for the third fiscal year; and

22 “(D) 1 to 1 for each fiscal year there-
 23 after.”.

24 (b) ALLOCATION.—Section 306(c) (16 U.S.C.
 25 1455(c)) is amended to read as follows:

1 “(c) ALLOCATION OF GRANTS TO COASTAL
2 STATES.—(1) Grants under this section shall be allocated
3 to coastal States with approved management programs
4 based on rules and regulations promulgated by the Sec-
5 retary that take into account the extent and nature of the
6 shoreline and area covered by such a program, the popu-
7 lation of such area, and other relevant factors.

8 “(2)(A) The Secretary shall establish, after con-
9 sulting with the coastal States, maximum and minimum
10 grants for any fiscal year to promote equity between coast-
11 al States and effective coastal management.

12 “(B) In promoting equity, the Secretary shall con-
13 sider the overall change in grant funding under this sec-
14 tion from the preceding fiscal year and minimize the rel-
15 ative increases or decreases among all the eligible coastal
16 States.

17 “(3)(A) The Secretary shall ensure that each eligible
18 coastal State receives increased funding under this section
19 in any fiscal year for which the total amount appropriated
20 to carry out this section is greater than the total amount
21 appropriated to carry out this section for the preceding
22 fiscal year.

23 “(B) Subparagraph (A) shall not apply in any fiscal
24 year that is the first full fiscal year for which an eligible
25 State may receive assistance under this section.”.

1 **SEC. 8. COASTAL RESOURCES IMPROVEMENT GRANTS.**

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

3 (1) by striking subsections (a) and (b) and in-
4 serting the following:

5 “(a) DEFINITIONS.—For the purposes of this section:

6 “(1) The term ‘eligible coastal State’ means a
7 coastal State that, for any fiscal year for which a
8 grant is applied for under this section, has a man-
9 agement program approved under section 306.

10 “(2) The term ‘qualified local entity’ means—

11 “(A) any local government;

12 “(B) any areawide agency referred to in
13 section 204(a)(1) of the Demonstration Cities
14 and Metropolitan Development Act of 1966 (42
15 U.S.C. 334(a)(1);

16 “(C) any regional agency;

17 “(D) any interstate agency; and

18 “(E) any reserve established under section
19 315.

20 “(b) GRANT AUTHORITY.—The Secretary may make
21 a grant to any eligible coastal State for the purpose of—

22 “(1) carrying out coastal resource improvement
23 projects that—

24 “(A)(i) protect, restore, and enhance and,
25 where appropriate, provide public access to or
26 interpretation of, coastal resources of national

1 significance designated under section
2 306(d)(13); and

3 “(ii) preserve or restore conservation,
4 recreation, ecological, or historic resources lo-
5 cated in areas designated under section 306(9);
6 and

7 “(B) are designed and carried out in co-
8 operation with a qualified local entity, and will
9 be carried out in the coastal zone; or

10 “(2) developing or implementing a coastal wa-
11 tershed, multistate, or regional coastal ecosystem
12 management plan.”;

13 (2) in subsection (c)(2) by—

14 (A) striking subparagraph (C) and insert-
15 ing the following:

16 “(C) in the case of grants made for the
17 purpose described in subsection (b)(1), among
18 other activities—

19 “(i) reestablishment of the chemical,
20 physical, hydrologic, and biological features
21 and components;

22 “(ii) control of nonnative and invasive
23 species which impact such resources;

1 “(iii) reintroduction of native species,
2 including through such means as planting
3 or promoting natural succession;

4 “(iv) construction of reefs to promote
5 fish and shellfish production; or

6 “(v) development or implementation
7 of coastal watershed, multistate, or re-
8 gional coastal ecosystem management
9 plans;”; and

10 (B) in subparagraph (D) by inserting
11 “technical assistance, monitoring, assessment,”
12 before “engineering designs,”;

13 (3) in subsection (d)—

14 (A) in paragraph (1) by—

15 (i) striking “the project or purpose for
16 which such grants are awarded,” and in-
17 serting “projects, or develop or implement
18 plans under this section”; and

19 (ii) striking “according to” and all
20 that follows through the period and insert-
21 ing “in a ratio of Federal to State con-
22 tributions equal to 2 to 1.”;

23 (B) in paragraph (2) by striking “under
24 any other Federal program”, and inserting

1 “under section 104(d)(3) of Public Law 106–
2 457”; and

3 (C) by striking paragraph (3) and insert-
4 ing the following:

5 “(3) An application for a grant under this section
6 shall be submitted to the Secretary by the State agency
7 designated by the Governor of the State in accordance
8 with section 306(d)(6).

9 “(4) The Secretary shall allocate grants under this
10 section among coastal States based on rules and regula-
11 tions promulgated by the Secretary under section
12 306(e).”; and

13 (4) in subsection (f) by striking “regarding the
14 objectives of this section.” and inserting “that fur-
15 thers the implementation of a project referred to in
16 subsection (b)(1) or that facilitates developing or im-
17 plementing a plan referred to in subsection (b)(2).”.

18 **SEC. 9. COASTAL ZONE MANAGEMENT FUND.**

19 Section 308 (16 U.S.C. 1456a) is amended—

20 (1) in subsection (a) by striking paragraph (2)
21 and inserting the following:

22 “(2) Loan repayments made pursuant to this
23 subsection—

1 “(A) shall be retained by the Secretary and
2 deposited into the Coastal Zone Management
3 Fund established under subsection (b); and

4 “(B) subject to amounts provided in ap-
5 propriation Acts, shall be available to the Sec-
6 retary for purposes of this title and transferred
7 to the Operations, Research, and Facilities ac-
8 count to offset the costs of implementing this
9 title.”; and
10 (2) in subsection (b)—

11 (A) by striking paragraphs (2) and (3);
12 and

13 (B) by striking “(b)(1)” and inserting
14 “(b)”.

15 **SEC. 10. REPEAL.**

16 Section 309 (16 U.S.C. 1456b) is repealed.

17 **SEC. 11. COASTAL SERVICES.**

18 Section 310 (16 U.S.C. 1456c) is amended—

19 (1) by striking so much as precedes subsection
20 (b) and inserting the following:

21 “TRAINING, EDUCATION, AND TECHNICAL SERVICES

22 “SEC. 310. (a) IN GENERAL.—The Secretary may
23 provide to other Federal agencies, State and local govern-
24 ments, Indian tribes, and other persons, training, edu-
25 cation, and technical services relating to the conservation
26 and management of ocean and coastal resources.”;

1 (2) in subsection (b) by inserting “COORDINA-
2 TION AND CONSULTATION.—” after “(b)”; and

3 (3) by adding at the end the following:

4 “(c) ASSISTANCE FROM OTHER AGENCIES AND PER-
5 SONS.—(1) Each department, agency, and instrumentality
6 of the executive branch of the Federal Government may
7 assist the Secretary, on a reimbursable basis or otherwise,
8 in carrying out the purposes of this section, including the
9 furnishing of information to the extent permitted by law,
10 the transfer of personnel with their consent and without
11 prejudice to their position and rating, and the perform-
12 ance of any research, study, and technical assistance that
13 does not interfere with the performance of the primary
14 duties of such department, agency, or instrumentality.

15 “(2) The Secretary may enter into contracts or other
16 arrangements with other Federal agencies and any other
17 qualified person for the purposes of carrying out this sec-
18 tion.”.

19 **SEC. 12. REVIEW OF PERFORMANCE.**

20 Section 312 (16 U.S.C. 1458) is amended by striking
21 “SEC. 312.” and all that follows through subsection (a)
22 and inserting the following:

23 “SEC. 312. (a) REVIEW.—No less than every 5 years,
24 the Secretary shall conduct a review of the performance
25 of a coastal State’s management program. Each review

1 shall include a written evaluation with an assessment and
2 detailed findings concerning the extent to which the State
3 has implemented and enforced the program approved by
4 the Secretary, met any outcome indicators established by
5 the Secretary under section 18 of the Coastal Resources
6 Conservation Act of 2001, and adhered to the terms of
7 any grant, loan, or cooperative agreement funded under
8 this title.”.

9 **SEC. 13. AMENDMENTS RELATING TO WALTER B. JONES**
10 **AWARDS FOR EXCELLENCE IN COASTAL**
11 **ZONE MANAGEMENT.**

12 Section 314 (16 U.S.C. 1460) is amended—

13 (1) by amending subsection (a) to read as fol-
14 lows:

15 “(a) **AUTHORIZATION OF PROGRAM.**—(1) The Sec-
16 retary may implement a program to promote excellence
17 in coastal zone management by identifying and making
18 awards acknowledging outstanding accomplishments in
19 the field of coastal zone management. An award under this
20 section shall be known as a ‘Walter B. Jones Award’.

21 “(2) Awards under this section may include, subject
22 to the availability of appropriations—

23 “(A) cash awards of not more than \$5,000
24 each;

25 “(B) research grants; and

1 “(C) public ceremonies to acknowledge accom-
 2 plishments in the field of coastal zone manage-
 3 ment.”;

4 (2) in subsection (b) in the matter preceding
 5 paragraph (1), by striking “shall elect annually” and
 6 inserting “may select annually for an award under
 7 this section”; and

8 (3) by repealing subsection (e).

9 **SEC. 14. NATIONAL ESTUARINE RESERVE SYSTEM.**

10 Section 315 (16 U.S.C. 1461) is amended to read as
 11 follows:

12 “NATIONAL ESTUARINE RESERVES

13 “SEC. 315. (a) ESTABLISHMENT OF THE SYSTEM.—

14 “(1) IN GENERAL.—There is established the
 15 National Estuarine Reserve System. The System
 16 shall consist of—

17 “(A) each component of the National Estu-
 18 arine Research Reserve System established by
 19 this section, as in effect immediately before the
 20 enactment of the Coastal Community Conserva-
 21 tion Act of 2001; and

22 “(B) each national estuarine reserve des-
 23 ignated under this section.

24 “(2) PURPOSE.—The purpose of the System
 25 and of each reserve is to improve the understanding,

1 stewardship, and management of coastal and estua-
2 rine resources.

3 “(3) DESIGNATION OF EXISTING SANCTUARIES
4 AS RESERVES.—Each component of the National Es-
5 tuarine Research Reserve System referred to in
6 paragraph (1)(A) is hereby designated as a national
7 estuarine reserve.

8 “(b) DESIGNATION OF NATIONAL ESTUARINE RE-
9 SERVES.—The Secretary may designate an area as a na-
10 tional estuarine reserve if—

11 “(1) the area—

12 “(A) includes any part or all of an estuary
13 and any island, transitional area, and upland
14 in, adjoining, or adjacent to the estuary; and

15 “(B) constitutes to the extent feasible a
16 natural unit;

17 “(2) the Government of the coastal State in
18 which the area is located nominates the area for that
19 designation; and

20 “(3) the Secretary finds that—

21 “(A) the area is a representative estuarine
22 ecosystem that is suitable for long-term re-
23 search and contributes to the biogeographical
24 and typological balance of the System;

1 “(B) the law of the coastal State provides
2 long-term protection for reserve resources to en-
3 sure a stable environment for research, edu-
4 cation, and resource stewardship; and

5 “(C) designation of the area as a reserve
6 will serve to enhance public awareness and un-
7 derstanding of coastal and estuarine resources,
8 and provide suitable opportunities for edu-
9 cation, interpretation, training, and demonstra-
10 tion projects to improve management of coastal
11 and estuarine resources.

12 “(c) COASTAL AND ESTUARINE RESEARCH, EDU-
13 CATION, AND RESOURCE STEWARDSHIP GUIDELINES.—

14 “(1) IN GENERAL.—The Secretary shall develop
15 guidelines for the conduct of research, education,
16 and resource stewardship within the System that
17 shall include—

18 “(A) a mechanism for identifying, and es-
19 tablishing priorities among, the coastal and es-
20 tuarine management issues that should be ad-
21 dressed through coordinated research, edu-
22 cation, and resource stewardship within the
23 System;

24 “(B) the establishment of common prin-
25 ciples and objectives to guide the development

1 of research, education, and resource steward-
2 ship programs within the System;

3 “(C) the identification of uniform research
4 methodologies which will ensure comparability
5 of data, the broadest application of research re-
6 sults, and the maximum use of the System for
7 research purposes;

8 “(D) the establishment of performance
9 standards upon which the effectiveness of the
10 research, education, and resource stewardship
11 efforts and the value of reserves within the Sys-
12 tem in addressing the coastal and estuarine
13 management issues identified in subparagraph
14 (A) may be measured; and

15 “(E) the consideration of sources of funds
16 for coastal and estuarine research, education,
17 and resource stewardship in addition to the
18 funds authorized under this title, and strategies
19 for encouraging the use of such funds within
20 the System, with particular emphasis on mecha-
21 nisms established under subsection (d).

22 “(2) CONSULTATION.—In developing the guide-
23 lines under this section, the Secretary shall consult
24 with State representatives and prominent members

1 of the coastal and estuarine research, education, and
2 resource stewardship community.

3 “(d) PROMOTION AND COORDINATION OF COASTAL
4 AND ESTUARINE RESEARCH, EDUCATION, AND RE-
5 SOURCE STEWARDSHIP.—

6 “(1) IN GENERAL.—The Secretary shall take
7 such actions as are necessary to promote and coordi-
8 nate the use of the System for coastal and estuarine
9 research, education, and resource stewardship pur-
10 poses.

11 “(2) REQUIRED ACTIONS.—Actions under this
12 subsection shall include the following:

13 “(A) Requiring that research, education,
14 and resource stewardship activities adminis-
15 tered or supported by the Secretary and relat-
16 ing to coastal and estuarine resources give pri-
17 ority consideration to activities that use the
18 System.

19 “(B) Consulting with other Federal and
20 State agencies to promote use of one or more
21 reserves within the System by such agencies
22 when conducting coastal and estuarine research,
23 education, and resource stewardship activities.

24 “(C) Establishing partnerships with other
25 Federal and State coastal and estuarine man-

1 agement programs to coordinate and collaborate
2 on coastal and estuarine research, education,
3 and resource stewardship.

4 “(e) FINANCIAL ASSISTANCE.—

5 “(1) IN GENERAL.—The Secretary may, in ac-
6 cordance with such rules and regulations as the Sec-
7 retary shall promulgate, make grants—

8 “(A) to a coastal State—

9 “(i) for purposes of acquiring such
10 lands and waters, and any property inter-
11 ests therein, as are necessary to ensure the
12 appropriate long-term management of an
13 area as a reserve and constructing appro-
14 priate reserve facilities;

15 “(ii) for purposes of operating or
16 managing a reserve; or

17 “(iii) for purposes of conducting re-
18 source stewardship, educational, or inter-
19 pretive activities at a reserve; and

20 “(B) to any coastal State or public or pri-
21 vate person for purposes of—

22 “(i) supporting research and moni-
23 toring within a reserve that are consistent
24 with the research guidelines developed
25 under subsection (c); or

1 “(ii) conducting educational, interpre-
2 tive, or training activities for a reserve that
3 are consistent with the education guide-
4 lines developed under subsection (c).

5 “(2) TERMS AND CONDITIONS.—Financial as-
6 sistance provided under paragraph (1) shall be sub-
7 ject to such terms and conditions as the Secretary
8 considers necessary or appropriate to protect the in-
9 terests of the United States, including requiring
10 coastal States to execute suitable title documents
11 setting forth the property interest or interests of the
12 United States in any lands and waters acquired in
13 whole or part with such financial assistance.

14 “(3) AMOUNT OF ASSISTANCE.—(A) The
15 amount of the financial assistance provided under
16 paragraph (1)(A)(i) with respect to the acquisition
17 of lands and waters, or interests therein, for any one
18 national estuarine reserve may not exceed an
19 amount equal to 50 percent of the costs of the lands,
20 waters, and interests therein.

21 “(B)(i) Except as provided in clause (ii), the
22 amount of the financial assistance provided under
23 paragraph (1)(A)(ii) and paragraph (1)(B) may not
24 exceed 70 percent in fiscal year 2003, 65 percent in
25 fiscal year 2004, 60 percent in fiscal year 2005, 55

1 percent in fiscal year 2006, and 50 percent in fiscal
2 year 2007 and thereafter, of the costs incurred to
3 achieve the purposes described in those paragraphs
4 with respect to a reserve.

5 “(ii) The amount of financial assistance pro-
6 vided for education and interpretive activities under
7 paragraph (1)(A)(iii) or research and monitoring ac-
8 tivities under paragraph (1)(B) may be up to 100
9 percent of any costs for activities that service the
10 System as a whole, including System-wide moni-
11 toring equipment acquisition, data management, and
12 data synthesis; administration and synthesis of Sys-
13 tem-wide research programs; and graduate research
14 fellowship programs.

15 “(C) Notwithstanding subparagraphs (A) and
16 (B), financial assistance under this subsection pro-
17 vided from amounts recovered as a result of damage
18 to natural resources located in the coastal zone may
19 be used to pay 100 percent of the costs of activities
20 carried out with the assistance.

21 “(4) DONATIONS.—(A) The Secretary may—

22 “(i) enter into cooperative agreements or
23 contracts with any nonprofit organization estab-
24 lished to benefit a reserve, authorizing the orga-
25 nization to solicit donations to carry out

1 projects, other than general administration of
2 the reserve or the System, that are consistent
3 with the purpose of the reserve and the System;
4 and

5 “(ii) accept donations of funds and services
6 for use in carrying out projects, other than gen-
7 eral administration of a reserve or the System,
8 that are consistent with the purpose of the re-
9 serve and the System.

10 “(B) Donations accepted under this paragraph
11 shall be considered as a gift or bequest to or for the
12 use of the United States for carrying out this sec-
13 tion.

14 “(f) EVALUATION OF SYSTEM PERFORMANCE.—

15 “(1) IN GENERAL.—The Secretary shall peri-
16 odically evaluate the operation and management of
17 each reserve, including coordination with State pro-
18 grams established under section 306, education and
19 interpretive activities, and the research being con-
20 ducted within the reserve.

21 “(2) SUSPENSION OF FINANCIAL ASSIST-
22 ANCE.—If evaluation under paragraph (1) reveals
23 that the operation and management of the reserve is
24 deficient, or that the research, education, or resource
25 stewardship being conducted within the reserve is

1 not consistent with the guidelines developed under
2 subsection (c), the Secretary may suspend the eligi-
3 bility of that reserve for financial assistance under
4 subsection (e) until the deficiency or inconsistency
5 is remedied.

6 “(3) WITHDRAWAL OF DESIGNATION.—The
7 Secretary may withdraw the designation of an estua-
8 rine area as a reserve if evaluation under paragraph
9 (1) reveals that—

10 “(A) the basis for any one or more of the
11 findings made under subsection (b)(3) regard-
12 ing that area no longer exists;

13 “(B) a substantial portion of the research,
14 education, or resource stewardship conducted
15 within the area, over a period of years, has not
16 been consistent with the guidelines developed
17 under subsection (c); or

18 “(C) the coastal State in which the area is
19 located has not complied with the requirements
20 of any guidelines developed under subsection
21 (c).

22 “(g) REPORT.—Every 2 years the Secretary shall re-
23 port to the Committee on Resources of the House of Rep-
24 resentatives and the Committee on Commerce, Science,
25 and Transportation of the Senate information regarding—

1 “(1) the designation of new reserves;

2 “(2) the expansion of existing reserves;

3 “(3) the status of the research, education, and
4 resource stewardship program being conducted with-
5 in the System; and

6 “(4) a summary of the evaluations made under
7 subsection (f).

8 “(h) DEFINITIONS.—In this section:

9 “(1) RESERVE.—The term ‘reserve’ means a
10 component of the National Estuarine Reserve des-
11 ignated under subsection (a)(3) or (b).

12 “(2) SYSTEM.—The term ‘System’ means the
13 National Estuarine Reserve System established by
14 this section.”.

15 **SEC. 15. REPORTS.**

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

17 (1) in subsection (a)—

18 (A) by striking “to the President for trans-
19 mittal”; and

20 (B) in clause (10) by striking “and an
21 evaluation of the effectiveness of financial as-
22 sistance under section 308 in dealing with such
23 consequences”; and

24 (2) by amending subsection (c) to read as fol-
25 lows:

1 “(c) STATE OF THE COAST REPORT.—Not less than
 2 24 months after the date of the enactment of this sub-
 3 section, and not less than every 24 months thereafter, the
 4 Secretary shall provide a coastal status report to the Con-
 5 gress that includes the following:

6 “(1) An assessment of the ecological status and
 7 trends of United States marine resources.

8 “(2) An identification and analysis of the
 9 changes in those status and trends since the pre-
 10 vious report.

11 “(3) An identification and assessment of Gov-
 12 ernment performance measures that track the status
 13 and trends of United States marine resources.

14 “(4) An evaluation of the adequacy of marine
 15 resource monitoring and assessment programs.”.

16 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 318 (16 U.S.C. 1464) is amended—

18 (1) in subsection (a) by striking paragraphs (1)
 19 and (2) and inserting the following:

20 “(1) for grants under section 306—

21 “(A) \$70,000,000 for fiscal year 2003;

22 “(B) \$71,000,000 for fiscal year 2004;

23 “(C) \$72,000,000 for fiscal year 2005;

24 “(D) \$73,000,000 for fiscal year 2006;

25 and

1 “(E) \$74,000,000 for fiscal year 2007;
2 “(2) for grants under section 306A—
3 “(A) \$30,000,000 for fiscal year 2003;
4 “(B) \$35,000,000 for fiscal year 2004;
5 “(C) \$40,000,000 for fiscal year 2005;
6 “(D) \$45,000,000 for fiscal year 2006;
7 and
8 “(E) \$50,000,000 for fiscal year 2007;
9 “(3) to carry out section 310—
10 “(A) \$28,000,000 for fiscal year 2003;
11 “(B) \$29,000,000 for fiscal year 2004; and
12 “(C) \$30,000,000 for each of fiscal years
13 2005 through 2007;
14 “(4) for expenses incidental to the administra-
15 tion of this title and for awards under section 314,
16 \$6,500,000 for each of fiscal years 2003, 2004,
17 2005, 2006, and 2007; and
18 “(5) for grants under section 315—
19 “(A) \$35,000,000 for fiscal year 2003;
20 “(B) \$36,000,000 for fiscal year 2004;
21 “(C) \$37,000,000 for fiscal year 2005;
22 “(D) \$38,000,000 for fiscal year 2006;
23 and
24 “(E) \$39,000,000 for fiscal year 2007”;

1 (2) in subsection (b), by striking “or 309” and
2 inserting “or 306A”;

3 (3) in subsection (c)—

4 (A) in the first sentence by striking “dur-
5 ing the fiscal year, or during the second fiscal
6 year after the fiscal year, for which” and insert-
7 ing “within 3 years”; and

8 (B) in the second sentence by striking
9 “under the section for such reverted amount
10 was originally made available.” and inserting
11 “to States under this title.”; and

12 (4) by adding at the end thereof the following:

13 “(d) RESTRICTION ON USE OF AMOUNTS FOR PRO-
14 GRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Except
15 for funds appropriated under subsection (a)(3), amounts
16 appropriated under this section shall be available only for
17 grants to States and shall not be available for other pro-
18 gram, administrative, or overhead costs of the National
19 Oceanic and Atmospheric Administration or the Depart-
20 ment of Commerce.

21 “(e) FUNDING OF COASTAL NONPOINT POLLUTION
22 CONTROL PROGRAMS.—The Secretary shall ensure that of
23 the funds provided under paragraphs (1) and (2) of sub-
24 section (a), no less than \$10,000,000 or 14 percent,
25 whichever is greater, is expended to implement State

1 coastal nonpoint pollution control programs as submitted,
 2 or, upon approval, as approved under section 6217(c) of
 3 the Coastal Zone Reauthorization Amendments of 1990
 4 (16 U.S.C. 1455b(c)).

5 “(f) LIMITATION ON GRANTS FOR ACQUISITION AND
 6 CONSTRUCTION FOR RESERVES.—The Secretary shall en-
 7 sure that of the funds provided under paragraph (5) of
 8 subsection (a), no more than \$15,000,000 is used for as-
 9 sistance under section 315(e)(1)(A)(i).”.

10 **SEC. 17. TECHNICAL CORRECTIONS.**

11 The Coastal Zone Management Act of 1972 is
 12 amended—

13 (1) in section 304(5) (16 U.S.C. 1453(5)) by
 14 striking the semicolon and inserting a colon;

15 (2) in section 306(a), as redesignated by this
 16 Act, in paragraph (10)(A) by inserting a comma
 17 after “development”;

18 (3) by striking “coastal state” each place it ap-
 19 pears and inserting “coastal State”;

20 (4) by striking “coastal states” each place it
 21 appears and inserting “coastal States”;

22 (5) by striking “coastal state’s” each place it
 23 appears and inserting “coastal State’s”;

24 (6) by striking the term “state” each place it
 25 appears in reference to a State of the United States

1 (other than in the term “coastal state”) and insert-
 2 ing “State”;

3 (7) by striking the term “states” each place it
 4 appears in reference to States of the United States
 5 (other than in the term “coastal states”) and insert-
 6 ing “States”; and

7 (8) by striking the term “state’s” each place it
 8 appears in reference to a State of the United States
 9 (other than in the term “coastal state’s”) and in-
 10 serting “State’s”.

11 **SEC. 18. COASTAL ZONE MANAGEMENT OUTCOME INDICA-**
 12 **TORS AND MONITORING AND PERFORMANCE**
 13 **EVALUATION SYSTEM.**

14 (a) IN GENERAL.—The Secretary of Commerce
 15 shall—

16 (1) by not later than 1 year after the date of
 17 enactment of this Act, submit to the Committee on
 18 Resources of the House of Representatives a com-
 19 mon set of measurable outcome indicators to evalu-
 20 ate the effectiveness of State coastal zone manage-
 21 ment programs in the achievement of the national
 22 policy declared in section 303 of the Coastal Zone
 23 Management Act of 1972 (16 U.S.C. 1452); and

24 (2) by not later than 3 years after such date,
 25 establish a national coastal zone management out-

1 come monitoring and performance evaluation system
2 using the common set of indicators prepared under
3 paragraph (1).

4 (b) CONSULTATION.—

5 (1) IN GENERAL.—In preparing each report
6 under subsection (a), the Secretary shall consult
7 with and provide a copy of the draft report to each
8 coastal State, through the Governor of the State or
9 the head of the State agency designated by such
10 Governor pursuant to section 306(d)(6) of the
11 Coastal Zone Management Act of 1972 (16 U.S.C.
12 1455(d)(6)).

13 (2) STATE COMMENTS.—The Secretary shall in-
14 clude in each final report any comments on the draft
15 report received from such a Governor or the head of
16 such a State agency.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—To carry
18 out this section there are authorized to be appropriated
19 to the Secretary of Commerce \$1,000,000 for each of fis-
20 cal years 2003, 2004, 2005, and 2006.

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