

# Calendar No. 508

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1935

[Report No. 114–272]

To require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2015

Ms. BALDWIN (for herself, Mr. KING, Mr. WYDEN, Mr. PETERS, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 8, 2016

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency.

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 “Waterfront Community~~  
5 ~~Revitalization and Resiliency Act of 2015”.~~

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) many communities in the United States  
4 were developed along waterfronts;

5 (2) water proximity and access is a recognized  
6 economic driver;

7 (3) water shortages faced by parts of the  
8 United States underscore the need to manage water  
9 sustainably and restore water quality;

10 (4) interest in waterfront revitalization and de-  
11 velopment has grown, while the circumstances driv-  
12 ing waterfront development have changed;

13 (5) waterfront communities face challenges to  
14 revitalizing and leveraging water resources, such as  
15 outdated development patterns, deteriorated water  
16 infrastructure, industrial contamination of soil and  
17 sediment, and lack of public access to the water-  
18 front, which are often compounded by overarching  
19 economic distress in the community;

20 (6) public investment in waterfront community  
21 development and infrastructure should reflect chang-  
22 ing ecosystem conditions and extreme weather pro-  
23 jections to ensure strategic, resilient investments;

24 (7) individual communities have unique prior-  
25 ities, concerns, and opportunities related to water-  
26 front restoration and community revitalization; and

1           (8) the Secretary of Commerce has unique ex-  
2           pertise in Great Lakes and ocean coastal resiliency  
3           and economic development.

4 **SEC. 3. DEFINITIONS.**

5           In this Act:

6           (1) **RESILIENT WATERFRONT COMMUNITY.**—

7           The term “resilient waterfront community” means a  
8           unit of local government or Indian tribe that is—

9                       (A)(i) bound in part by—

10                               (I) the Great Lakes; or

11                               (II) the ocean; or

12                       (ii) bordered or traversed by a riverfront or  
13           an inland lake;

14                       (B) self-nominated as a resilient water-  
15           front community; and

16                       (C) designated by the Secretary as a resil-  
17           ient waterfront community on the basis of the  
18           development by the community of an eligible re-  
19           siliant waterfront community plan, with eligi-  
20           bility determined by the Secretary after consid-  
21           ering the requirements of subsections (b) and  
22           (c) of section 4.

23           (2) **SECRETARY.**—The term “Secretary” means  
24           the Secretary of Commerce.

1 **SEC. 4. RESILIENT WATERFRONT COMMUNITIES DESIGNA-**  
2 **TION.**

3 (a) DESIGNATION.—

4 (1) IN GENERAL.—Subject to paragraph (2),  
5 the Secretary shall designate resilient waterfront  
6 communities based on the extent to which a commu-  
7 nity meets the criteria described in subsection (b).

8 (2) COLLABORATION.—For inland lake and  
9 riverfront communities, in making the designation  
10 described in paragraph (1) and promulgating criteria  
11 and best practices, the Secretary shall work with the  
12 Administrator of the Environmental Protection  
13 Agency and the heads of other Federal agencies, as  
14 the Secretary determines to be necessary to provide  
15 comparable services to waterfront communities not  
16 located on Great Lakes or ocean coasts.

17 (b) RESILIENT WATERFRONT COMMUNITY PLAN.—

18 A resilient waterfront community plan is a community-  
19 driven vision and plan that is developed—

20 (1) voluntarily at the discretion of the commu-  
21 nity—

22 (A) to respond to local needs; or

23 (B) to take advantage of new water-ori-  
24 ented opportunities;

1           (2) with the leadership of the relevant govern-  
 2           mental entity or Indian tribe with the active partici-  
 3           pation of—

4                   (A) community residents;

5                   (B) utilities; and

6                   (C) interested business and nongovern-  
 7           mental stakeholders;

8           (3) as a new document or by amending or com-  
 9           piling community planning documents, as necessary,  
 10          at the discretion of the Secretary;

11          (4) in consideration of with all applicable State  
 12          and Federal coastal zone management planning re-  
 13          quirements;

14          (5) to address economic competitive strengths;  
 15          and

16          (6) to complement and incorporate the objec-  
 17          tives and recommendations of applicable regional  
 18          economic plans.

19          (c) COMPONENTS OF A RESILIENT WATERFRONT  
 20          COMMUNITY PLAN.—A resilient waterfront community  
 21          plan shall—

22                (1) consider all, or a portion of, the waterfront  
 23                area and adjacent land and water to which the wa-  
 24                terfront is connected ecologically, economically, or  
 25                through local governmental or tribal boundaries; and

1           (2) describe a vision and plan for the commu-  
2           nity to develop as a vital and resilient waterfront  
3           community, integrating consideration of—

4                   (A) the economic opportunities resulting  
5                   from water proximity and access, including—

6                           (i) water-dependent industries;

7                           (ii) water-oriented commerce; and

8                           (iii) recreation and tourism;

9                   (B) the community relationship to the  
10                  water, including—

11                           (i) quality of life;

12                           (ii) public health;

13                           (iii) community heritage; and

14                           (iv) public access, particularly in areas  
15                   in which publicly funded ecosystem res-  
16                   toration is underway;

17                   (C) ecosystem challenges and projections,  
18                   including unresolved and emerging impacts to  
19                   the health and safety of the waterfront and pro-  
20                   jections for extreme weather and water condi-  
21                   tions;

22                   (D) infrastructure needs and opportunities,  
23                   to facilitate strategic and sustainable capital in-  
24                   vestments in—

25                           (i) docks, piers, and harbor facilities;

1 (ii) protection against storm surges,  
2 waves, and flooding;

3 (iii) stormwater, sanitary sewer, and  
4 drinking water systems, including green in-  
5 frastructure and opportunities to control  
6 nonpoint source runoff; and

7 (iv) other community facilities and  
8 private development; and

9 ~~(E)~~ such other factors as are determined  
10 by the Secretary to align with metrics or indica-  
11 tors for resiliency, considering environmental  
12 and economic changes.

13 (d) DURATION.—After the designation of a commu-  
14 nity as a resilient waterfront community under subsection  
15 (a), a resilient waterfront community plan developed in ac-  
16 cordance with subsections (b) and (c) shall be—

17 (1) effective for the 10-year period beginning on  
18 the date on which the Secretary approves the resil-  
19 ient waterfront community plan; and

20 (2) updated by the resilient waterfront commu-  
21 nity and submitted to the Secretary for the approval  
22 of the Secretary before the expiration of the 10-year  
23 period.

1 **SEC. 5. RESILIENT WATERFRONT COMMUNITIES NETWORK.**

2 (a) **IN GENERAL.**—The Secretary shall develop a re-  
3 siliant waterfront communities network to facilitate the  
4 sharing of best practices and technical assistance among  
5 waterfront communities.

6 (b) **PUBLIC RECOGNITION.**—In consultation with  
7 designated resilient waterfront communities, the Secretary  
8 shall provide formal public recognition of the designated  
9 resilient waterfront communities to promote tourism, in-  
10 vestment, or other benefits.

11 **SEC. 6. WATERFRONT COMMUNITY REVITALIZATION**  
12 **GRANT PROGRAM.**

13 (a) **IN GENERAL.**—The Secretary shall establish  
14 within the Department of Commerce a program under  
15 which the Secretary shall provide planning and implemen-  
16 tation grants that leverage other sources of public and pri-  
17 vate investment to assist with the following eligible activi-  
18 ties:

19 (1) The development of resilient waterfront  
20 community plans, including such costs as planning  
21 and feasibility analysis.

22 (2) Implementation of strategic components of  
23 a resilient waterfront community plan, once a plan  
24 has been approved by the Secretary.

25 (b) **ELIGIBLE APPLICANTS.**—

1           (1) LEAD APPLICANTS.—A unit of local govern-  
 2           ment or an Indian tribe shall be eligible to apply as  
 3           a lead applicant for a grant under subsection (a) if  
 4           the unit of local government or Indian tribe is—

5                   (A) bound in part by—

6                           (i) the Great Lakes; or

7                           (ii) the ocean; or

8                   (B) bordered or traversed by a riverfront  
 9           or an inland lake.

10          (2) SUBAWARDS.—Subject to subsection (d)(3),  
 11          a lead applicant may provide a subaward to an eligi-  
 12          ble subawardee for implementation activities de-  
 13          scribed in subsection (d)(2).

14          (c) USE OF PLANNING FUNDS.—

15               (1) IN GENERAL.—Planning funds received  
 16               through a grant under subsection (a) shall be used  
 17               to develop a resilient waterfront community plan.

18               (2) ELIGIBLE PLANNING ACTIVITIES.—In devel-  
 19               oping a resilient waterfront community plan using  
 20               amounts made available under subsection (a), a re-  
 21               silient waterfront community may—

22                   (A) conduct community visioning and out-  
 23           reach;

24                   (B) identify challenges and opportunities;

25                   (C) develop strategies and solutions;

1           ~~(D)~~ prepare plan materials, including text,  
2 maps, design, and preliminary engineering;

3           ~~(E)~~ collaborate across local agencies and  
4 work with regional, State, and Federal agencies  
5 to identify, understand, and develop responses  
6 to changing ecosystem and economic cir-  
7 cumstances; and

8           ~~(F)~~ conduct other planning activities that  
9 the Secretary considers necessary for the devel-  
10 opment of a resilient waterfront community  
11 plan that responds to revitalization and resil-  
12 iency issues confronted by the resilient water-  
13 front community.

14       ~~(d)~~ USE OF IMPLEMENTATION FUNDS.—

15           ~~(1)~~ IN GENERAL.—Implementation funds re-  
16 ceived through a grant under subsection (a)—

17           ~~(A)~~ shall be used to initiate implementa-  
18 tion of a resilient waterfront community plan  
19 and facilitate high-quality development, includ-  
20 ing leveraging local and private sector invest-  
21 ment; and

22           ~~(B)~~ may be used on 1 or more eligible ac-  
23 tivities to address strategic community prior-  
24 ities that are identified in the resilient water-  
25 front community plan.

1           (2) ELIGIBLE IMPLEMENTATION ACTIVITIES.—

2           Grant funds may be used flexibly across 1 or more  
3           eligible implementation costs, such as—

4                   (A) site preparation;

5                   (B) environmental review;

6                   (C) engineering and design;

7                   (D) acquiring easements or land for uses  
8           such as green infrastructure, public amenities,  
9           or assembling development sites;

10                  (E) updates to zoning codes;

11                  (F) construction of—

12                          (i) public waterfront or boating amen-  
13           ities; and

14                          (ii) public spaces;

15                  (G) infrastructure upgrades to improve  
16           coastal resiliency;

17                  (H) economic and community development  
18           marketing and outreach; and

19                  (I) other activities at the discretion of the  
20           Secretary.

21           (3) IMPLEMENTATION SUBAWARDS.—

22                  (A) IN GENERAL.—To assist in imple-  
23           menting eligible implementation activities, a  
24           lead applicant may grant subawards from im-

1           plementation funds to eligible subawardees, in-  
2           cluding—

- 3                   (i) a nonprofit organization;
- 4                   (ii) a public utility;
- 5                   (iii) a private entity;
- 6                   (iv) an institution of higher education;
- 7                   (v) a State government; or
- 8                   (vi) a regional organization.

9           (B) LEAD APPLICANT RESPONSIBILITY.—

10           The lead applicant shall ensure that grant  
11           funds, including funds awarded as a subaward,  
12           are used for the purposes of, and in a manner  
13           consistent with, the waterfront community re-  
14           vitalization grant program.

15           (C) SPECIFICATIONS ON USE OF GRANT FUNDS.—

16           (1) IN GENERAL.—A grant made under this  
17           section shall be not less than \$50,000 or more than  
18           \$1,000,000.

19           (2) LIMITATIONS ON USE.—In accordance with  
20           the grant agreement, a resilient waterfront commu-  
21           nity shall spend no more than \$200,000 of any  
22           grant awarded under this section on planning activi-  
23           ties, with remaining grant award balances reserved  
24           for implementation activities after the approval of

1 the Secretary of an approved resilient waterfront  
2 community plan.

3 ~~(3) MATCHING FUNDS.—~~

4 (A) IN GENERAL.—A resilient waterfront  
5 community receiving a grant under this section  
6 shall provide non-Federal matching funds to-  
7 ward completion of an eligible project in an  
8 amount equal to not less than 25 percent of the  
9 grant amount.

10 (B) NON-FEDERAL MATCH.—Non-Federal  
11 matching funds may be provided by—

12 (i) 1 or more units of local or tribal  
13 government;

14 (ii) a State government;

15 (iii) a nonprofit organization;

16 (iv) a private entity;

17 (v) a foundation;

18 (vi) a public utility; or

19 (vii) a regional organization.

20 (C) IN-KIND MATCH.—The Secretary shall  
21 treat as non-Federal matching funds the value  
22 of in-kind contributions of land or easements  
23 held in perpetuity by the resilient waterfront  
24 community.

1           (4) FUNDING PERIODS.—In establishing obliga-  
2           tion and expenditure periods for grants under this  
3           section, the Secretary shall provide grant periods  
4           that enable funds to be used strategically to match  
5           private or public sector investments in planning and  
6           implementation.

7 **SEC. 7. INTERAGENCY AWARENESS.**

8           (a) INTERAGENCY AWARENESS.—At regular inter-  
9           vals, the Secretary shall provide a list of resilient water-  
10          front communities to the applicable States and the heads  
11          of national and regional offices of interested Federal agen-  
12          cies, including at a minimum—

13                 (1) the Secretary of Transportation;

14                 (2) the Secretary of Agriculture;

15                 (3) the Administrator of the Environmental  
16          Protection Agency;

17                 (4) the Administrator of the Federal Emer-  
18          gency Management Agency;

19                 (5) the Assistant Secretary of the Army for  
20          Civil Works;

21                 (6) the Secretary of the Interior; and

22                 (7) the Secretary of Housing and Urban Devel-  
23          opment.

24           (b) INTERAGENCY COORDINATION.—To encourage  
25          consideration of opportunities for synergistic projects and

1 timelines, the Secretary shall coordinate awareness of des-  
 2 ignated resilient waterfront communities among managers  
 3 of relevant Federal grant and loan programs that fund  
 4 projects or infrastructure that are addressed in a resilient  
 5 waterfront community plan.

6 **SEC. 8. PREFERENTIAL GRANT STATUS FOR FEDERAL**  
 7 **FUNDING.**

8 (a) DEPARTMENT OF COMMERCE GRANT AND LOAN  
 9 PROGRAMS.—The Secretary shall provide to designated  
 10 resilient waterfront communities preferential status in se-  
 11 lect grant and loan programs of the Department of Com-  
 12 merce, including—

13 (1) the National Oceanic and Atmospheric Ad-  
 14 ministration;

15 (2) the Economic Development Administration;  
 16 and

17 (3) other relevant entities under the authority  
 18 of the Secretary.

19 (b) OTHER GRANT AND LOAN PROGRAMS.—Consid-  
 20 ering the integration in resilient waterfront community  
 21 plans of myriad components and project types tradition-  
 22 ally funded through separate agencies and departments  
 23 and the opportunity that resilient waterfront communities  
 24 present for resilient long-term investment, the heads of  
 25 other interested Federal agencies and departments, in-

1 eluding the agency heads described in section 7(a), are en-  
2 couraged to provide designated resilient waterfront com-  
3 munities with preferential status in grant and loan pro-  
4 grams.

5 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to the Sec-  
7 retary to carry out this Act \$50,000,000 for each of fiscal  
8 years 2016 through 2020, to remain available until ex-  
9 pended.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Waterfront Community*  
12 *Revitalization and Resiliency Act of 2015”.*

13 **SEC. 2. FINDINGS.**

14 *Congress finds that—*

15 *(1) many communities in the United States were*  
16 *developed along waterfronts;*

17 *(2) water proximity and access is a recognized*  
18 *economic driver;*

19 *(3) water shortages faced by parts of the United*  
20 *States underscore the need to manage water*  
21 *sustainably and restore water quality;*

22 *(4) interest in waterfront revitalization and de-*  
23 *velopment has grown, while the circumstances driving*  
24 *waterfront development have changed;*

1           (5) *waterfront communities face challenges to re-*  
2 *vitalizing and leveraging water resources, such as out-*  
3 *dated development patterns, deteriorated water infra-*  
4 *structure, industrial contamination of soil and sedi-*  
5 *ment, and lack of public access to the waterfront,*  
6 *which are often compounded by overarching economic*  
7 *distress in the community;*

8           (6) *public investment in waterfront community*  
9 *development and infrastructure should reflect chang-*  
10 *ing ecosystem conditions and extreme weather projec-*  
11 *tions to ensure strategic, resilient investments;*

12           (7) *individual communities have unique prior-*  
13 *ities, concerns, and opportunities related to water-*  
14 *front restoration and community revitalization; and*

15           (8) *the Secretary of Commerce has unique exper-*  
16 *tise in Great Lakes and ocean coastal resiliency and*  
17 *economic development.*

18 **SEC. 3. DEFINITIONS.**

19 *In this Act:*

20           (1) *INDIAN TRIBE.*—*The term “Indian tribe” has*  
21 *the meaning given the term in section 4 of the Indian*  
22 *Self-Determination and Education Assistance Act (25*  
23 *U.S.C. 450b).*

1           (2) *RESILIENT WATERFRONT COMMUNITY.*—*The*  
 2           *term “resilient waterfront community” means a unit*  
 3           *of local government or Indian tribe that is—*

4                   (A)(i) *bound in part by—*

5                           (I) *the Great Lakes; or*

6                           (II) *the ocean; or*

7                   (ii) *bordered or traversed by a riverfront or*  
 8                   *an inland lake;*

9                   (B) *self-nominated as a resilient waterfront*  
 10                   *community; and*

11                   (C) *designated by the Secretary as a resil-*  
 12                   *ient waterfront community on the basis of the*  
 13                   *development by the community of an eligible re-*  
 14                   *silient waterfront community plan, with eligi-*  
 15                   *bility determined by the Secretary after consid-*  
 16                   *ering the requirements of subsections (b) and (c)*  
 17                   *of section 4.*

18           (3) *SECRETARY.*—*The term “Secretary” means*  
 19           *the Secretary of Commerce.*

20 **SEC. 4. RESILIENT WATERFRONT COMMUNITIES DESIGNA-**  
 21 **TION.**

22           (a) *DESIGNATION.*—

23                   (1) *IN GENERAL.*—*Subject to paragraph (2), the*  
 24                   *Secretary shall designate resilient waterfront commu-*

1        *nities based on the extent to which a community*  
 2        *meets the criteria described in subsection (b).*

3            (2) *COLLABORATION.*—*For inland lake and*  
 4        *riverfront communities, in making the designation*  
 5        *described in paragraph (1), the Secretary shall work*  
 6        *with the Administrator of the Environmental Protec-*  
 7        *tion Agency and the heads of other Federal agencies,*  
 8        *as the Secretary determines to be necessary.*

9            (b) *RESILIENT WATERFRONT COMMUNITY PLAN.*—*A*  
 10        *resilient waterfront community plan is a community-driv-*  
 11        *en vision and plan that is developed—*

12            (1) *voluntarily at the discretion of the commu-*  
 13        *nity—*

14            (A) *to respond to local needs; or*

15            (B) *to take advantage of new water-oriented*  
 16        *opportunities;*

17            (2) *with the leadership of the relevant govern-*  
 18        *mental entity or Indian tribe with the active partici-*  
 19        *pation of—*

20            (A) *community residents;*

21            (B) *utilities; and*

22            (C) *interested business and nongovern-*  
 23        *mental stakeholders;*

1           (3) *as a new document or by amending or com-*  
 2           *piling community planning documents, as necessary,*  
 3           *at the discretion of the Secretary;*

4           (4) *in consideration of all applicable State and*  
 5           *Federal coastal zone management planning require-*  
 6           *ments;*

7           (5) *to address economic competitive strengths;*  
 8           *and*

9           (6) *to complement and incorporate the objectives*  
 10          *and recommendations of applicable regional economic*  
 11          *plans.*

12          (c) *COMPONENTS OF A RESILIENT WATERFRONT COM-*  
 13          *MUNITY PLAN.—A resilient waterfront community plan*  
 14          *shall—*

15               (1) *consider all, or a portion of, the waterfront*  
 16               *area and adjacent land and water to which the water-*  
 17               *front is connected ecologically, economically, or*  
 18               *through local governmental or tribal boundaries;*

19               (2) *describe a vision and plan for the community*  
 20               *to develop as a vital and resilient waterfront commu-*  
 21               *nity, integrating consideration of—*

22                       (A) *the economic opportunities resulting*  
 23                       *from water proximity and access, including—*

24                               (i) *water-dependent industries;*

25                               (ii) *water-oriented commerce; and*

1                   (iii) recreation and tourism;

2                   (B) the community relationship to the  
3 water, including—

4                   (i) quality of life;

5                   (ii) public health;

6                   (iii) community heritage; and

7                   (iv) public access, particularly in  
8 areas in which publicly funded ecosystem  
9 restoration is underway;

10                  (C) ecosystem challenges and projections,  
11 including unresolved and emerging impacts to  
12 the health and safety of the waterfront and pro-  
13 jections for extreme weather and water condi-  
14 tions;

15                  (D) infrastructure needs and opportunities,  
16 to facilitate strategic and sustainable capital in-  
17 vestments in—

18                   (i) docks, piers, and harbor facilities;

19                   (ii) protection against storm surges,  
20 waves, and flooding;

21                   (iii) stormwater, sanitary sewer, and  
22 drinking water systems, including green in-  
23 frastructure and opportunities to control  
24 nonpoint source runoff; and

1                   (iv) other community facilities and  
2                   private development; and

3                   (E) such other factors as are determined by  
4                   the Secretary to align with metrics or indicators  
5                   for resiliency, considering environmental and  
6                   economic changes.

7           (d) *DURATION.*—After the designation of a community  
8 as a resilient waterfront community under subsection (a),  
9 a resilient waterfront community plan developed in accord-  
10 ance with subsections (b) and (c) may be—

11                   (1) effective for the 10-year period beginning on  
12                   the date on which the Secretary approves the resilient  
13                   waterfront community plan; and

14                   (2) updated by the resilient waterfront commu-  
15                   nity and submitted to the Secretary for the approval  
16                   of the Secretary before the expiration of the 10-year  
17                   period.

18 **SEC. 5. RESILIENT WATERFRONT COMMUNITIES NETWORK.**

19           (a) *IN GENERAL.*—The Secretary shall develop and  
20 maintain a resilient waterfront communities network to fa-  
21 cilitate the sharing of best practices among waterfront com-  
22 munities.

23           (b) *PUBLIC RECOGNITION.*—In consultation with des-  
24 igned resilient waterfront communities, the Secretary  
25 shall provide formal public recognition of the designated re-

1 *silient waterfront communities to promote tourism, invest-*  
 2 *ment, or other benefits.*

3 **SEC. 6. WATERFRONT COMMUNITY REVITALIZATION AC-**  
 4 **TIVITIES.**

5 *(a) IN GENERAL.—To support a community in*  
 6 *leveraging other sources of public and private investment,*  
 7 *the Secretary may use existing authority to support—*

8 *(1) the development of a resilient waterfront*  
 9 *community plan, including planning and feasibility*  
 10 *analysis; and*

11 *(2) the implementation of strategic components*  
 12 *of a resilient waterfront community plan after the re-*  
 13 *silient waterfront community plan has been approved*  
 14 *by the Secretary.*

15 *(b) NON-FEDERAL PARTNERS.—*

16 *(1) LEAD NON-FEDERAL PARTNERS.—A unit of*  
 17 *local government or an Indian tribe shall be eligible*  
 18 *to be considered as a lead non-Federal partner if the*  
 19 *unit of local government or Indian tribe is—*

20 *(A) bound in part by—*

21 *(i) the Great Lakes; or*

22 *(ii) the ocean; or*

23 *(B) bordered or traversed by a riverfront or*  
 24 *an inland lake.*

1           (2) *NON-FEDERAL IMPLEMENTATION PART-*  
2           *NERS.—Subject to subsection (d)(3), a lead non-Fed-*  
3           *eral partner may contract with an eligible non-Fed-*  
4           *eral implementation partner for implementation ac-*  
5           *tivities described in subsection (d)(2).*

6           (c) *PLANNING ACTIVITIES.—*

7           (1) *IN GENERAL.—Technical assistance may be*  
8           *provided for the development of a resilient waterfront*  
9           *community plan.*

10          (2) *ELIGIBLE PLANNING ACTIVITIES.—In devel-*  
11          *oping a resilient waterfront community plan, a resil-*  
12          *ient waterfront community may—*

13                (A) *conduct community visioning and out-*  
14                *reach;*

15                (B) *identify challenges and opportunities;*

16                (C) *develop strategies and solutions;*

17                (D) *prepare plan materials, including text,*  
18                *maps, design, and preliminary engineering;*

19                (E) *collaborate across local agencies and*  
20                *work with regional, State, and Federal agencies*  
21                *to identify, understand, and develop responses to*  
22                *changing ecosystem and economic circumstances;*  
23                *and*

24                (F) *conduct other planning activities that*  
25                *the Secretary considers necessary for the develop-*

1           *ment of a resilient waterfront community plan*  
2           *that responds to revitalization and resiliency*  
3           *issues confronted by the resilient waterfront com-*  
4           *munity.*

5           *(d) IMPLEMENTATION ACTIVITIES.—*

6           (1) *IN GENERAL.—Implementation assistance*  
7           *may be provided—*

8                   (A) *to initiate implementation of a resilient*  
9                   *waterfront community plan and facilitate high-*  
10                  *quality development, including leveraging local*  
11                  *and private sector investment; and*

12                  (B) *to address strategic community prior-*  
13                  *ities that are identified in the resilient water-*  
14                  *front community plan.*

15           (2) *ASSISTANCE.—Assistance may be provided to*  
16           *advance implementation activities, such as—*

17                   (A) *site preparation;*

18                   (B) *environmental review;*

19                   (C) *engineering and design;*

20                   (D) *acquiring easements or land for uses*  
21                  *such as green infrastructure, public amenities, or*  
22                  *assembling development sites;*

23                   (E) *updates to zoning codes;*

24                   (F) *construction of—*

- 1                   (i) public waterfront or boating amen-  
 2                   ities; and  
 3                   (ii) public spaces;  
 4                   (G) infrastructure upgrades to improve  
 5                   coastal resiliency;  
 6                   (H) economic and community development  
 7                   marketing and outreach; and  
 8                   (I) other activities at the discretion of the  
 9                   Secretary.

10                   (3) IMPLEMENTATION PARTNERS.—

11                   (A) IN GENERAL.—To assist in the comple-  
 12                   tion of implementation activities, a lead non-  
 13                   Federal partner may contract or otherwise col-  
 14                   laborate with a non-Federal implementation  
 15                   partner, including—

- 16                   (i) a nonprofit organization;  
 17                   (ii) a public utility;  
 18                   (iii) a private entity;  
 19                   (iv) an institution of higher education;  
 20                   (v) a State government; or  
 21                   (vi) a regional organization.

22                   (B) LEAD NON-FEDERAL PARTNER RESPON-  
 23                   SIBILITY.—The lead non-Federal partner shall  
 24                   ensure that assistance and resources received by  
 25                   the lead non-Federal partner to advance the re-

1            *resilient waterfront community plan of the lead*  
2            *non-Federal partner and for related activities*  
3            *are used for the purposes of, and in a manner*  
4            *consistent with, any initiative advanced by the*  
5            *Secretary for the purpose of promoting water-*  
6            *front community revitalization and resiliency.*

7            *(e) USE OF NON-FEDERAL RESOURCES.—*

8                    *(1) IN GENERAL.—A resilient waterfront commu-*  
9                    *nity receiving assistance under this section shall pro-*  
10                   *vide non-Federal funds toward completion of plan-*  
11                   *ning or implementation activities.*

12                   *(2) NON-FEDERAL RESOURCES.—Non-Federal*  
13                   *funds may be provided by—*

14                            *(A) 1 or more units of local or tribal gov-*  
15                            *ernment;*

16                            *(B) a State government;*

17                            *(C) a nonprofit organization;*

18                            *(D) a private entity;*

19                            *(E) a foundation;*

20                            *(F) a public utility; or*

21                            *(G) a regional organization.*

22            **SEC. 7. INTERAGENCY AWARENESS.**

23            *At regular intervals, the Secretary shall provide a list*  
24            *of resilient waterfront communities to the applicable States*

1 *and the heads of national and regional offices of interested*  
2 *Federal agencies, including at a minimum—*

3 *(1) the Secretary of Transportation;*

4 *(2) the Secretary of Agriculture;*

5 *(3) the Administrator of the Environmental Pro-*  
6 *tection Agency;*

7 *(4) the Administrator of the Federal Emergency*  
8 *Management Agency;*

9 *(5) the Assistant Secretary of the Army for Civil*  
10 *Works*

11 *(6) the Secretary of the Interior; and*

12 *(7) the Secretary of Housing and Urban Devel-*  
13 *opment.*

14 **SEC. 8. NO NEW REGULATORY AUTHORITY.**

15 *Nothing in this Act may be construed as establishing*  
16 *new authority for any Federal agency.*



Calendar No. 508

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1935**

[Report No. 114-272]

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## **A BILL**

To require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency.

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JUNE 8, 2016

Reported with an amendment