

107TH CONGRESS  
1ST SESSION

# H. R. 897

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2001

Mr. SAXTON introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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 Community  
5 Conservation Act of 2001”.

6 **SEC. 2. AMENDMENT OF COASTAL ZONE MANAGEMENT ACT**  
7 **OF 1972.**

8 Except as otherwise expressly provided, whenever in  
9 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-  
 2 sion, the reference shall be considered to be made to a  
 3 section or other provision of the Coastal Zone Manage-  
 4 ment Act of 1972 (16 U.S.C. 1451 et seq.).

5 **TITLE I—REAUTHORIZATION**  
 6 **AND AMENDMENT OF COAST-**  
 7 **AL ZONE MANAGEMENT ACT**  
 8 **OF 1972, GENERALLY**

9 **SEC. 101. COASTAL COMMUNITY CONSERVATION GRANTS.**

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

13 “COASTAL COMMUNITY CONSERVATION GRANTS

14 “SEC. 306A. (a)(1) The Secretary may make grants  
 15 to any coastal State for the purpose of assisting local com-  
 16 munities to carry out eligible coastal community conserva-  
 17 tion projects.

18 “(2) Grants under this section shall be allocated to  
 19 coastal States in the same manner in which grants under  
 20 section 306 are allocated under subsection (c) of that sec-  
 21 tion.

22 “(3) A project shall be an eligible coastal community  
 23 conservation project under this section if it—

24 “(A) is submitted to the Secretary by the State  
 25 agency designated by the Governor pursuant to sec-  
 26 tion 306(d)(6);

1 “(B) would be carried out in the coastal zone;

2 “(C) would achieve at least one of the coastal  
3 zone management objectives specified in section  
4 303(2);

5 “(D) would achieve at least one of the objec-  
6 tives listed in subsection (b); and

7 “(E) is designed and carried out in conjunction  
8 with a qualified local entity.”.

9 (b) OBJECTIVES.—Section 306A(b) (16 U.S.C.  
10 1455a(b)) is amended—

11 (1) by striking the matter preceding paragraph  
12 (1) and inserting the following:

13 “(b) The objectives referred to in subsection  
14 (a)(3)(D) are the following:”;

15 (2) in paragraph (2) by inserting “or historic”  
16 after “urban”; and

17 (3) by striking paragraph (4) and inserting the  
18 following:

19 “(4) The preservation, restoration, enhance-  
20 ment, or creation of coastal habitats.

21 “(5) The preparation of plans that promote  
22 coastal community revitalization and the goal stated  
23 in section 303(1).

24 “(6) Coordination and implementation of coast-  
25 al nonpoint pollution control program components

1 and activities that reduce the causes and impacts of  
2 polluted runoff on coastal waters and habitat.”.

3 (c) USE.—Section 306A(c)(2) (16 U.S.C.  
4 1455a(c)(2)) is amended by striking “and” after the semi-  
5 colon at the end of subparagraph (D), striking the period  
6 at the end of subparagraph (E) and inserting a semicolon,  
7 and adding at the end the following:

8 “(F) purchase and distribution of cultch mate-  
9 rial;

10 “(G) work, resources, or technical support nec-  
11 essary to restore, enhance, or create coastal habitat  
12 or to prepare plans that promote coastal community  
13 revitalization and the goal stated in section 303(1);  
14 and

15 “(H) the coordination and implementation of a  
16 coastal nonpoint pollution control program.”.

17 (d) MISCELLANEOUS PROVISIONS.—Section 306A  
18 (16 U.S.C. 1455a) is amended by striking subsections (d),  
19 (e), and (f) and inserting the following:

20 “(d)(1) As a condition of providing a grant under this  
21 section to a coastal State, the Secretary shall require the  
22 coastal State to provide matching funds according to the  
23 ratio of Federal-to-State contributions that applies under  
24 section 306(a).

1       “(2) If the Secretary finds that a State or qualified  
2 local entity is not undertaking the actions it committed  
3 to under the terms of a grant under this section, the Sec-  
4 retary shall suspend the State or qualified local entity’s  
5 eligibility for further funding under this section for at  
6 least 1 year.

7       “(e)(1) With the approval of the Secretary, a coastal  
8 State may allocate to any qualified local entity amounts  
9 received by the State as a grant under this section.

10       “(2) A coastal State shall ensure that amounts allo-  
11 cated by the State under paragraph (1) are used by the  
12 qualified local entity in furtherance of the State’s ap-  
13 proved management program.

14       “(f) The Secretary shall assist eligible coastal States  
15 and qualified local entities in those States in identifying  
16 and obtaining from other Federal agencies technical and  
17 financial assistance in achieving the objectives set forth  
18 in subsection (b).

19       “(g) For purposes of this section:

20               “(1) The term ‘qualified local entity’ means—

21                       “(A) any local government;

22                       “(B) any areawide agency referred to in  
23 section 204(a)(1) of the Demonstration Cities  
24 and Metropolitan Development Act of 1966 (42  
25 U.S.C. 3334(a)(1));

1 “(C) any regional agency;

2 “(D) any interstate agency; and

3 “(E) any reserve established under section  
4 315.

5 “(2) The term ‘eligible coastal State’ means a  
6 coastal State that for any fiscal year for which a  
7 grant is applied for under this section—

8 “(A) has a management program approved  
9 under section 306; and

10 “(B) is considered by the Secretary to be  
11 making satisfactory progress in activities de-  
12 signed to result in significant improvement in  
13 achieving the coastal management objectives  
14 specified in section 302(2).

15 “(3) The term ‘urban or historic waterfront and  
16 port’ means any developed area that is densely popu-  
17 lated or historically significant and is being used for,  
18 or has been used for, residential, recreational, com-  
19 mercial, shipping, or industrial purposes.

20 “(4) The term ‘coastal nonpoint pollution con-  
21 trol program’ means a program under section  
22 6217(b) of the Coastal Zone Act Reauthorization  
23 Amendments of 1990 (16 U.S.C. 1455b(b)).”.

24 (e) CONFORMING AMENDMENT.—Section 303(2) (16  
25 U.S.C. 1452(2)) is amended in the matter preceding sub-

1 paragraph (A) by striking “the states” in the first line  
 2 and inserting “State and local entities”.

3 **SEC. 102. COASTAL ZONE MANAGEMENT FUND.**

4 (a) IN GENERAL.—Section 308 (16 U.S.C. 1456a)  
 5 is amended—

6 (1) in subsection (a) by striking paragraph (2)  
 7 and inserting the following:

8 “(2) Loan repayments made pursuant to this  
 9 subsection—

10 “(A) shall be retained by the Secretary and de-  
 11 posited into the Coastal Zone Management Fund es-  
 12 tablished under subsection (b); and

13 “(B) subject to amounts provided in appropria-  
 14 tion Acts, shall be available to the Secretary for pur-  
 15 poses of this title and transferred to the Operations,  
 16 Research and Facilities account to offset the costs of  
 17 implementing this title.”; and

18 (2) in subsection (b)—

19 (A) by striking paragraphs (2) and (3);  
 20 and

21 (B) by striking “(b)(1)” and inserting  
 22 “(b)”.

23 (b) CONFORMING AMENDMENT.—Section 2(b)(2) of  
 24 the Coastal Zone Protection Act of 1996 (Public Law  
 25 104–150; 110 Stat. 1380) is repealed.

1 **SEC. 103. AMENDMENTS RELATING TO COASTAL ZONE EN-**  
2 **HANCEMENT GRANTS.**

3 Section 309 (16 U.S.C. 1456b) is amended—

4 (1) in subsection (a) by adding at the end the  
5 following:

6 “(10) The development of a coordinated process  
7 among State agencies to regulate and issue permits  
8 for aquaculture facilities in the coastal zone.

9 “(11) Addressing any issue that is identified by  
10 a coastal State, in consultation with the Secretary  
11 and relevant qualified local entities (as that term is  
12 defined in section 306A), to be a significant emerg-  
13 ing coastal issue.”; and

14 (2) by striking subsections (c) through (g) and  
15 inserting the following:

16 “(c) As a condition of providing a grant under this  
17 section to a coastal State, the Secretary shall require the  
18 State to provide matching funds according to a 1-to-1  
19 ratio of Federal-to-State contributions.

20 “(d) Grants under this section shall be allocated to  
21 coastal States in the same manner in which grants under  
22 section 306 are allocated under subsection (c) of that sec-  
23 tion.

24 “(e) If the Secretary finds that a coastal State is not  
25 taking actions committed to by the State under the terms  
26 of a grant to the State under this section, the Secretary



1 shall suspend the eligibility of the State for further fund-  
 2 ing under this section for at least one year.”.

3 **SEC. 104. AMENDMENTS RELATING TO WALTER B. JONES**  
 4 **AWARDS FOR EXCELLENCE IN COASTAL**  
 5 **ZONE MANAGEMENT.**

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

7 (1) by amending subsection (a) to read as fol-  
 8 lows:

9 “(a)(1) The Secretary may implement a program to  
 10 promote excellence in coastal zone management by identi-  
 11 fying and making awards acknowledging outstanding ac-  
 12 complishments in the field of coastal zone management.  
 13 An award under this section shall be known as a ‘Walter  
 14 B. Jones Award’.

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

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

19 “(B) research grants; and

20 “(C) public ceremonies to acknowledge accom-  
 21 plishments in the field of coastal zone manage-  
 22 ment.”;

23 (2) in subsection (b) in the matter preceding  
 24 paragraph (1), by striking “shall elect annually” and

1        inserting “may select annually for an award under  
2        this section”; and

3            (3) by repealing subsection (e).

4    **SEC. 105. REPORTS.**

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

6            (1) by striking “to the President for trans-  
7        mittal”; and

8            (2) by striking clause (10) and redesignating  
9        clauses (11), (12), and (13) in order as clauses (10),  
10       (11), and (12).

11   **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

12        (a) IN GENERAL.—Section 318(a)(1) (16 U.S.C.  
13   1464(a)(1)) is amended to read as follows:

14            “(1) for grants under sections 306 and 309, for  
15        expenses incidental to the administration of this  
16        title, and for awards under section 314, such sums  
17        as may be necessary for each of fiscal years 2002,  
18        2003, 2004, 2005, and 2006;”.

19        (b) REVERSION OF GRANTS; PURCHASES FROM GOV-  
20        ERNMENT.—Section 318 (16 U.S.C. 1464) is amended by  
21        striking subsection (c) and inserting the following:

22            “(c) The amount of any grant, or portion of a grant,  
23        made to a State under any section of this title that is not  
24        obligated by the State within 3 years after the date it is  
25        first authorized to be obligated by the State shall revert

1 to the Secretary. The Secretary shall add such reverted  
2 amount to the funds available for grants to States under  
3 this title.

4 “(d) Federal funds allocated under this title may be  
5 used by grantees to purchase Federal products and serv-  
6 ices not otherwise available.

7 “(e) Of the amounts appropriated under subsection  
8 (a), no less than 10 percent and no more than 15 percent  
9 may be used to carry out section 309.”.

10 (c) SET-ASIDE FOR PROGRAM IMPLEMENTATION.—  
11 Section 318 (16 U.S.C. 1464) is further amended by add-  
12 ing at the end the following:

13 “(f) Of amounts available each fiscal year for grants  
14 under section 306A, \$10,000,000, or 35 percent, which-  
15 ever is less, shall be for grants for eligible coastal commu-  
16 nity conservation projects that would achieve the objective  
17 set forth in section 306A(b)(6).”.

18 (d) RESTRICTION ON USE OF AMOUNTS FOR PRO-  
19 GRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Section  
20 318 (16 U.S.C. 1464) is further amended by adding at  
21 the end the following:

22 “(g) Except for funds appropriated under paragraph  
23 (4) of subsection (a), amounts appropriated under this  
24 section shall be available only for grants to States and  
25 shall not be available for other program, administrative,

1 or overhead costs of the National Oceanic and Atmos-  
2 pheric Administration or the Department of Commerce.”.

3 **SEC. 107. TECHNICAL CORRECTIONS.**

4 The Coastal Zone Management Act of 1972 is  
5 amended—

6 (1) in section 302(f) (16 U.S.C. 1451(f)) by  
7 striking the semicolon at the end and inserting a pe-  
8 riod;

9 (2) in section 303(2) (16 U.S.C. 1452(2))—

10 (A) in subparagraph (B) by striking the  
11 period at the end and inserting a comma; and

12 (B) in subparagraph (J) by striking “agen-  
13 cies and State and wildlife” and inserting “and  
14 wildlife management”;

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

17 (4) in section 306(d)(10)(A) (16 U.S.C.  
18 1455(d)(10)(A)) by inserting a comma after “devel-  
19 opment”;

20 (5) by striking “coastal state” each place it ap-  
21 pears and inserting “coastal State”;

22 (6) by striking “coastal states” each place it  
23 appears and inserting “coastal States”;

24 (7) by striking “coastal state’s” each place it  
25 appears and inserting “coastal State’s”;

1 (8) by striking the term “state” each place it  
 2 appears in reference to a State of the United States  
 3 (other than in the term “coastal state”) and insert-  
 4 ing “State”;

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

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

13 **SEC. 108. COASTAL ZONE MANAGEMENT OUTCOME INDICA-**  
 14 **TORS AND MONITORING AND PERFORMANCE**  
 15 **EVALUATION SYSTEM.**

16 (a) IN GENERAL.—The Secretary of Commerce  
 17 shall—

18 (1) by not later than 24 months after the first  
 19 date amounts are available to carry out this section,  
 20 submit to the Committee on Resources of the House  
 21 of Representatives a common set of measurable out-  
 22 come indicators to evaluate the effectiveness of State  
 23 coastal zone management programs in the achieve-  
 24 ment of the coastal management objectives specified  
 25 in section 303(2)(A) through (J) of the Coastal

1       Zone Management Act of 1972 (16 U.S.C.  
2       1452(2)(A)–(J)); and

3           (2) by not later than 48 months after such  
4       date, establish a national coastal zone management  
5       outcome monitoring and performance evaluation sys-  
6       tem using the common set of indicators prepared  
7       under paragraph (1).

8       (b) CONSULTATION.—

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

17          (2) STATE COMMENTS.—The Secretary shall in-  
18      clude in each final report any State comments on  
19      the draft report.

20      (c) AUTHORIZATION OF APPROPRIATIONS.—To carry  
21      out this section there are authorized to be appropriated  
22      to the Secretary of Commerce \$1,000,000 for each of fis-  
23      cal years 2002 and 2003.

1     **TITLE II—NATIONAL COASTAL**  
2                     **RESERVES**

3     **SEC. 201. POLICIES.**

4             (a) DECLARATION OF POLICY.—Section 303 of the  
5     Coastal Zone Management Act of 1972 (16 U.S.C. 1452)  
6     is amended by striking “and” after the semicolon in para-  
7     graph (5), by striking the period at the end of paragraph  
8     (6) and inserting a semicolon, and by adding at the end  
9     the following:

10            “(7) to use Federal, State, and community  
11            partnerships developed through the system estab-  
12            lished by section 315 to improve the understanding,  
13            stewardship, and management of coastal areas; and

14            “(8) to encourage the development, application,  
15            and transfer to local, State, and Federal resources  
16            managers of innovative coastal and estuarine re-  
17            sources management technologies and techniques  
18            that promote the long-term conservation of coastal  
19            and estuarine resources.”.

20     **SEC. 202. NATIONAL COASTAL RESERVE SYSTEM.**

21            Section 315 of such Act (16 U.S.C. 1461(b)) is  
22     amended to read as follows:

23            “NATIONAL COASTAL RESERVE SYSTEM

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

1           “(1) IN GENERAL.—There is established the  
 2       National Coastal Reserve System. The System shall  
 3       consist of—

4           “(A) each estuarine sanctuary designated  
 5       under this section as in effect before April 7,  
 6       1986; and

7           “(B) each estuarine area designated as a  
 8       national coastal reserve under subsection (b).

9           “(2) PURPOSE.—The purpose of the System  
 10      and of each reserve is to improve the understanding,  
 11      stewardship, and management of coastal and estua-  
 12      rine resources.

13          “(3) DESIGNATION OF EXISTING SANCTUARIES  
 14      AS RESERVES.—Each estuarine sanctuary referred  
 15      to in paragraph (1)(A) is hereby designated as a na-  
 16      tional coastal reserve.

17          “(b) DESIGNATION OF NATIONAL COASTAL RE-  
 18      SERVES.—The Secretary may designate an estuarine area  
 19      as a national coastal reserve if—

20           “(1) the Government of the coastal State in  
 21      which the area is located nominates the area for that  
 22      designation; and

23           “(2) the Secretary finds that—

24           “(A) the estuarine area is a representative  
 25      estuarine ecosystem that is suitable for long-



1 term research and contributes to the biogeo-  
 2 graphical and typological balance of the System;

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

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

14 “(D) the coastal State in which the area is  
 15 located has complied with the requirements of  
 16 any regulations issued by the Secretary to im-  
 17 plement this section.

18 “(c) ESTUARINE RESEARCH, EDUCATION, AND RE-  
 19 SOURCE STEWARDSHIP GUIDELINES.—

20 “(1) IN GENERAL.—The Secretary shall develop  
 21 guidelines for the conduct of research, education,  
 22 and resource stewardship within the System that  
 23 shall include—

24 “(A) a mechanism for identifying, and es-  
 25 tablishing priorities among, the coastal and es-

1            tuarine management issues that should be ad-  
2            dressed through coordinated research, edu-  
3            cation, and resource stewardship within the  
4            System;

5                 “(B) the establishment of common prin-  
6                 ciples and objectives to guide the development  
7                 of research, education, and resource steward-  
8                 ship programs within the System;

9                 “(C) the identification of uniform research  
10                methodologies which will ensure comparability  
11                of data, the broadest application of research re-  
12                sults, and the maximum use of the System for  
13                research purposes;

14                “(D) the establishment of performance  
15                standards upon which the effectiveness of the  
16                research, education, and resource stewardship  
17                efforts and the value of reserves within the Sys-  
18                tem in addressing the coastal and estuarine  
19                management issues identified in subparagraph  
20                (A) may be measured; and

21                “(E) the consideration of sources of funds  
22                for estuarine research, education, and resource  
23                stewardship in addition to the funds authorized  
24                under this title, and strategies for encouraging  
25                the use of such funds within the System, with

1 particular emphasis on mechanisms established  
2 under subsection (d).

3 “(2) CONSULTATION.—In developing the guide-  
4 lines under this section, the Secretary shall consult  
5 with prominent members of the coastal and estua-  
6 rine research, education, and resource stewardship  
7 community.

8 “(d) PROMOTION AND COORDINATION OF ESTUA-  
9 RINE RESEARCH, EDUCATION, AND RESOURCE STEWARD-  
10 SHIP.—

11 “(1) IN GENERAL.—The Secretary shall take  
12 such actions as are necessary to promote and coordi-  
13 nate the use of the System for coastal and estuarine  
14 research, education, and resource stewardship pur-  
15 poses.

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

18 “(A) Requiring that research, education,  
19 and resource stewardship activities adminis-  
20 tered or supported by the Secretary and relat-  
21 ing to coastal and estuarine resources give pri-  
22 ority consideration to activities that use the  
23 System.

24 “(B) Consulting with other Federal and  
25 State agencies to promote use of one or more

1 reserves within the System by such agencies  
2 when conducting coastal and estuarine research,  
3 education, and resource stewardship activities.

4 “(C) Establishing partnerships with other  
5 Federal and State coastal and estuarine man-  
6 agement programs to coordinate and collaborate  
7 on estuarine research, education, and resource  
8 stewardship.

9 “(e) FINANCIAL ASSISTANCE.—

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

13 “(A) to a coastal State—

14 “(i) for purposes of acquiring such  
15 lands and waters, and any property inter-  
16 ests therein, as are necessary to ensure the  
17 appropriate long-term management of an  
18 area as a reserve and constructing appro-  
19 priate reserve facilities;

20 “(ii) for purposes of operating or  
21 managing a reserve; or

22 “(iii) for purposes of conducting re-  
23 source stewardship, educational, or inter-  
24 pretive activities at a reserve; and

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

3 “(i) supporting research and moni-  
4 toring within a reserve that are consistent  
5 with the research guidelines developed  
6 under subsection (c); or

7 “(ii) conducting educational, interpre-  
8 tive, or training activities for a reserve that  
9 are consistent with the education guide-  
10 lines developed under subsection (c).

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

20 “(3) AMOUNT OF ASSISTANCE.—(A) The  
21 amount of the financial assistance provided under  
22 paragraph (1)(A)(i) with respect to the acquisition  
23 of lands and waters, or interests therein, for any one  
24 national estuarine reserve may not exceed an

1 amount equal to 50 percent of the costs of the lands,  
2 waters, and interests therein.

3 “(B)(i) Except as provided in clause (ii), the  
4 amount of the financial assistance provided under  
5 paragraph (1)(A)(ii) and paragraph (1)(B) may not  
6 exceed 50 percent of the costs incurred to achieve  
7 the purposes described in those paragraphs with re-  
8 spect to a reserve.

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

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

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

1 “(i) enter into cooperative agreements or  
2 contracts, with, or make grants to, any non-  
3 profit organization established to benefit a re-  
4 serve, authorizing the organization to solicit do-  
5 nations to carry out projects, other than general  
6 administration of the reserve or the System,  
7 that are consistent with the purpose of the re-  
8 serve and the System; and

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

14 “(B) Donations accepted under this paragraph  
15 shall be considered as a gift or bequest to or for the  
16 use of the United States for carrying out this sec-  
17 tion.

18 “(f) EVALUATION OF SYSTEM PERFORMANCE.—

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

1           “(2) SUSPENSION OF FINANCIAL ASSIST-  
2       ANCE.—If evaluation under paragraph (1) reveals  
3       that the operation and management of the reserve is  
4       deficient, or that the research, education, or resource  
5       stewardship being conducted within the reserve is  
6       not consistent with the guidelines developed under  
7       subsection (c), the Secretary may suspend the eligi-  
8       bility of that reserve for financial assistance under  
9       subsection (e) until the deficiency or inconsistency is  
10      remedied.

11          “(3) WITHDRAWAL OF DESIGNATION.—The  
12      Secretary may withdraw the designation of an estua-  
13      rine area as a reserve if evaluation under paragraph  
14      (1) reveals that—

15               “(A) the basis for any one or more of the  
16              findings made under subsection (b)(2) regard-  
17              ing that area no longer exists; or

18               “(B) a substantial portion of the research,  
19              education, or resource stewardship conducted  
20              within the area, over a period of years, has not  
21              been consistent with the guidelines developed  
22              under subsection (c).

23          “(g) REPORT.—Every 2 years the Secretary shall re-  
24      port to the Committee on Resources of the House of Rep-



1 representatives and the Committee on Commerce, Science,  
2 and Transportation of the Senate information regarding—

3 “(1) the designation of new reserves;

4 “(2) the expansion of existing reserves;

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

8 “(4) a summary of the evaluations made under  
9 subsection (f).

10 “(h) DEFINITIONS.—In this section:

11 “(1) ESTUARINE AREA.—The term ‘estuarine  
12 area’ means a coastal protected area, which may in-  
13 clude any part or all of an estuary and any island,  
14 transitional area, and upland in, adjoining, or adja-  
15 cent to the estuary, that constitutes to the extent  
16 feasible a natural unit, to provide long-term opportu-  
17 nities for conducting scientific studies and edu-  
18 cational and training programs that improve the un-  
19 derstanding, stewardship, and management of estu-  
20 aries.

21 “(2) RESERVE.—The term ‘reserve’ means a  
22 National Coastal Reserve designated under sub-  
23 section (a)(3) or (b).

1           “(3) SYSTEM.—The term ‘System’ means the  
2       National Coastal Reserve System established by this  
3       Act.”.

4   **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

5       Section 318(a) of such Act (16 U.S.C. 1464(a)) is  
6       amended by striking paragraph (2) and inserting the fol-  
7       lowing:

8           “(2) for grants under section 315, such sums  
9       as may be necessary for fiscal years 2004, 2005, and  
10      2006; and

11          “(3) for grants for construction projects at re-  
12      serves designated under section 315 and land acqui-  
13      sition directly related to such construction, such  
14      sums as may be necessary for each of fiscal years  
15      2002, 2003, 2004, 2005, and 2006.”.

16   **SEC. 204. CONFORMING AMENDMENT.**

17      Section 304(8) of such Act (16 U.S.C. 1453(8)) is  
18      amended to read as follows:

19          “(8) The terms ‘national coastal reserve’ and ‘re-  
20      serve’ mean an area that is designated as a national coast-  
21      al reserve under section 315.”.

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