

114TH CONGRESS
2D SESSION

H. R. 4738

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2016

Mr. RUPPERSBERGER (for himself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Digital Coast Act of
3 2016”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The Digital Coast is a model approach for
7 effective Federal partnerships with State and local
8 government, nongovernmental organizations, and the
9 private sector.

10 (2) Access to current, accurate, uniform, and
11 standards-based geospatial information, tools, and
12 training to characterize the United States coastal re-
13 gion is critical for public safety and for the environ-
14 ment, infrastructure, and economy of the United
15 States.

16 (3) More than half of all people of the United
17 States (153,000,000) currently live on or near a
18 coast and an additional 12,000,000 are expected in
19 the next decade.

20 (4) Coastal counties in the United States aver-
21 age 300 persons per square mile, compared with the
22 national average of 98.

23 (5) On a typical day, more than 1,540 permits
24 for construction of single-family homes are issued in
25 coastal counties, combined with other commercial,

1 retail, and institutional construction to support this
2 population.

3 (6) Over half of the economic productivity of
4 the United States is located within coastal regions.

5 (7) Highly accurate, high-resolution remote
6 sensing and other geospatial data play an increas-
7 ingly important role in decisionmaking and manage-
8 ment of the coastal zone and economy, including
9 for—

10 (A) flood and coastal storm surge pre-
11 diction;

12 (B) hazard risk and vulnerability assess-
13 ment;

14 (C) emergency response and recovery plan-
15 ning;

16 (D) community resilience to longer range
17 coastal change;

18 (E) local planning and permitting;

19 (F) habitat and ecosystem health assess-
20 ments; and

21 (G) landscape change detection.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

24 (1) COASTAL REGION.—The term “coastal re-
25 gion” means the area of United States waters ex-

tending inland from the shoreline to include coastal watersheds and seaward to the territorial sea.

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

(3) FEDERAL GEOGRAPHIC DATA COMMITTEE.—The term “Federal Geographic Data Committee” means the interagency committee that promotes the coordinated development, use, sharing, and dissemination of geospatial data on a national basis.

(4) REMOTE SENSING AND OTHER GEOSPATIAL.—The term “remote sensing and other geospatial” means collecting, storing, retrieving, or disseminating graphical or digital data depicting natural or manmade physical features, phenomena, or boundaries of the Earth and any information related thereto, including surveys, maps, charts, satellite and airborne remote sensing data, images, LiDAR, and services performed by professionals such as surveyors, photogrammetrists, hydrographers, geodesists, cartographers, and other such services.

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of Commerce, acting through the Ad-
3 ministrator of the National Oceanic and Atmos-
4 pheric Administration.

5 **SEC. 4. ESTABLISHMENT OF THE DIGITAL COAST.**

6 (a) ESTABLISHMENT.—

7 (1) IN GENERAL.—The Secretary shall establish
8 a program for the provision of an enabling platform
9 that integrates geospatial data, decision-support
10 tools, training, and best practices to address coastal
11 management issues and needs. Under the program,
12 the Secretary shall strive to enhance resilient com-
13 munities, ecosystem values, and coastal economic
14 growth and development by helping communities ad-
15 dress their issues, needs, and challenges through
16 cost-effective and participatory solutions.

17 (2) DESIGNATION.—The program established
18 under paragraph (1) shall be known as the “Digital
19 Coast” (in this section referred to as the “pro-
20 gram”).

21 (b) PROGRAM REQUIREMENTS.—In carrying out the
22 program, the Secretary shall ensure that the program pro-
23 vides data integration, tool development, training, docu-
24 mentation, dissemination, and archive by—

1 (1) making data and resulting integrated prod-
2 ucts developed under this section readily accessible
3 via the Digital Coast Internet website of the Na-
4 tional Oceanic and Atmospheric Administration, the
5 GeoPlatform.gov and data.gov Internet websites, and
6 such other information distribution technologies as
7 the Secretary considers appropriate;

8 (2) developing decision-support tools that use
9 and display resulting integrated data and provide
10 training on use of such tools;

11 (3) documenting such data to Federal Geo-
12 graphic Data Committee standards; and

13 (4) archiving all raw data acquired under this
14 Act at the appropriate National Oceanic and Atmos-
15 pheric Administration data center or such other
16 Federal data center as the Secretary considers ap-
17 propriate.

18 (c) COORDINATION.—The Secretary shall coordinate
19 the activities carried out under the program to optimize
20 data collection, sharing and integration, and to minimize
21 duplication by—

22 (1) consulting with coastal managers and deci-
23 sionmakers concerning coastal issues, and sharing
24 information and best practices, as the Secretary con-
25 siders appropriate, with—

1 (A) coastal States;

2 (B) local governments; and

3 (C) representatives of academia, the pri-
4 vate sector, and nongovernmental organizations;

5 (2) consulting with other Federal agencies, in-
6 cluding interagency committees, on relevant Federal
7 activities, including activities carried out under the
8 Ocean and Coastal Mapping Integration Act (33
9 U.S.C. 3501 et seq.), the Coastal Zone Management
10 Act of 1972 (16 U.S.C. 1451 et seq.), the Integrated
11 Coastal and Ocean Observation System Act of 2009
12 (33 U.S.C. 3601 et seq.), and the Hydrographic
13 Services Improvement Act of 1998 (33 U.S.C. 892
14 et seq.);

15 (3) participating, pursuant to section 216 of the
16 E-Government Act of 2002 (Public Law 107–347;
17 44 U.S.C. 3501 note), in the establishment of such
18 standards and common protocols as the Secretary
19 considers necessary to assure the interoperability of
20 remote sensing and other geospatial data with all
21 users of such information within—

22 (A) the National Oceanic and Atmospheric
23 Administration;

24 (B) other Federal agencies;

25 (C) State and local government; and

1 (D) the private sector; and

2 (4) coordinating with, seeking assistance and
3 cooperation of, and providing liaison to the Federal
4 Geographic Data Committee pursuant to Office of
5 Management and Budget Circular A–16 and Execu-
6 tive Order 12906 of April 14, 1994 (59 Fed. Reg.
7 17671), as amended by Executive Order 13286 of
8 March 5, 2003 (68 Fed. Reg. 10619).

9 (d) FILLING NEEDS AND GAPS.—In carrying out the
10 program, the Secretary shall—

11 (1) maximize the use of remote sensing and
12 other geospatial data collection activities conducted
13 for other purposes and under other authorities;

14 (2) focus on filling data needs and gaps for
15 coastal management issues, including with respect to
16 areas that, as of the date of the enactment of this
17 Act, were underserved by coastal data and the areas
18 of the Arctic that are under the jurisdiction of the
19 United States;

20 (3) pursuant to the Ocean and Coastal Map-
21 ping Integration Act (33 U.S.C. 3501 et seq.), sup-
22 port continue improvement in existing efforts to co-
23 ordinate the acquisition and integration of key data
24 sets needed for coastal management and other pur-
25 poses, including—

- 1 (A) coastal elevation data;
- 2 (B) land use and land cover data;
- 3 (C) socioeconomic and human use data;
- 4 (D) critical infrastructure data;
- 5 (E) structures data;
- 6 (F) living resources and habitat data;
- 7 (G) cadastral data; and
- 8 (H) aerial imagery; and

9 (4) integrate the priority supporting data set
10 forth under paragraph (3) with other available data
11 for the benefit of the broadest measure of coastal re-
12 source management constituents and applications.

13 (e) FINANCIAL AGREEMENTS AND CONTRACTS.—

14 (1) IN GENERAL.—In carrying out the program,
15 the Secretary—

16 (A) may enter into financial agreements to
17 carry out the program, including—

18 (i) support to non-Federal entities
19 that participate in implementing the pro-
20 gram;

21 (ii) grants, cooperative agreements,
22 interagency agreements, contracts, or any
23 other agreement on a reimbursable or non-
24 reimbursable basis, with other Federal,

1 tribal, State, and local governmental and
2 nongovernmental entities; and

3 (iii) registration fees in support of
4 training, workshops, and conferences that
5 advance the purposes of the program; and

6 (B) shall enter into such contracts with
7 private sector entities for such products and
8 services as the Secretary determines may be
9 necessary to collect, process, and provide re-
10 mote sensing and other geospatial data and
11 products for purposes of the program.

12 (2) SURVEY AND MAPPING.—Contracts entered
13 into under paragraph (1)(B) shall be considered
14 “surveying and mapping” services as such term is
15 used in and as such contracts are awarded by the
16 Secretary in accordance with the selection proce-
17 dures in chapter 11 of title 40, United States Code.

18 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to the Secretary such sums
20 as may be necessary to carry out the program in each of
21 fiscal years 2017 through 2021.

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