

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

“(7) Highly accurate, high-resolution remote sensing and other geospatial data play an increasingly important role in decision making and management of the coastal zone and economy, including for—

- “(A) flood and coastal storm surge prediction;
 - “(B) hazard risk and vulnerability assessment;
 - “(C) emergency response and recovery planning;
 - “(D) community resilience to longer range coastal change;
 - “(E) local planning and permitting;
 - “(F) habitat and ecosystem health assessments;
- and
- “(G) landscape change detection.”

DEFINITIONS

Pub. L. 116-223, §3, Dec. 18, 2020, 134 Stat. 1068, provided that: “In this Act [see Short Title of 2020 Amendment note set out under section 1451 of this title]:

“(1) COASTAL REGION.—The term ‘coastal region’ means the area of United States waters extending 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 man-made 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.

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.”

§ 1468. Regional Ocean Partnerships

(a) Definitions

In this section:

(1) Administrator

The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) Coastal State

The term “coastal State” has the meaning given the term “Coastal state”¹ in section 1453 of this title.

(3) Indian Tribe

The term “Indian Tribe” has the meaning given that term in section 5304 of title 25.

(4) Regional Ocean Partnership

The term “Regional Ocean Partnership” means a Regional Ocean Partnership designated under subsection (b).

(b) Regional Ocean Partnerships

(1) In general

A coastal State or Indian Tribe may form a partnership with—

(A) a coastal State that shares a common ocean or coastal area with the coastal State, without regard to whether the coastal States are contiguous; and

(B) States—

(i) that share a common ocean, coastal area, or watershed with the coastal State, without regard to whether the coastal States are contiguous; or

(ii) that would contribute to the priorities of the partnership; and

(C) Indian Tribes.

(2) Requirements

A partnership formed under paragraph (1) may apply for designation as a Regional Ocean Partnership in such time and manner as determined appropriate by the Secretary if the partnership—

(A) is established to coordinate the management of ocean, coastal, and Great Lakes resources among the members of the partnership;

(B) focuses on the environmental issues affecting the ocean, coastal, and Great Lakes areas of the members participating in the partnership;

(C) complements existing coastal and ocean management efforts of States and Indian Tribes on an interstate scale, focusing on shared regional priorities;

(D) does not have a regulatory function; and

(E) is not duplicative of an existing Regional Ocean Partnership designated under paragraph (3), as determined by the Secretary.

(3) Designation of certain entities as Regional Ocean Partnerships

The following entities are designated as Regional Ocean Partnerships:

(A) The Gulf of Mexico Alliance, comprised of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(B) The Northeast Regional Ocean Council, comprised of the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

(C) The Mid-Atlantic Regional Council on the Ocean, comprised of the States of New York, New Jersey, Delaware, Maryland, and Virginia.

(D) The West Coast Ocean Alliance, comprised of the States of California, Oregon, and Washington and the coastal Indian Tribes therein.

(4) Great Lakes

A partnership established under this section for the purposes described in subsection (d) with respect to a Great Lake may be known as a “Regional Coastal Partnership” or a “Regional Great Lakes Partnership”.

(c) Governing bodies of Regional Ocean Partnerships

A Regional Ocean Partnership shall have a governing body that—

(1) shall be comprised, at a minimum, of voting members from each coastal state² partici-

¹ So in original. Probably should be “coastal state” as it appears in section 1453 of this title.

² So in original. Probably should be “coastal State”.

pating in the Regional Ocean Partnership, designated by the Governor of the coastal state;² and

(2) may include such other members as the partnership considers appropriate.

(d) Functions

A Regional Ocean Partnership may perform the following functions:

(1) Promote coordination of the actions of the agencies of governments participating in the partnership with the actions of the appropriate officials of Federal agencies, State governments, and Indian Tribes in developing strategies—

(A) to conserve living resources, increase valuable habitats, enhance coastal resilience and ocean management, promote ecological and economic health, and address such other issues related to the shared ocean, coastal, or Great Lakes areas as are determined to be a shared, regional priority by those states; and

(B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.

(2) In cooperation with appropriate Federal and State agencies, Indian Tribes, and local authorities, develop and implement specific action plans to carry out coordination goals.

(3) Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (f).

(4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.

(5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean, coastal, and Great Lakes areas, as relevant.

(6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.

(7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) Coordination, consultation, and engagement

(1) In general

A Regional Ocean Partnership shall maintain mechanisms for coordination, consultation, and engagement with the following:

(A) The Federal Government.

(B) Indian Tribes.

(C) Nongovernmental entities, including academic organizations, nonprofit organizations, and private sector entities.

(D) Other federally mandated regional entities, including the Regional Fishery Management Councils, the regional associations

of the National Integrated Coastal and Ocean Observation System, and relevant Marine Fisheries Commissions.

(2) Rule of construction

Nothing in paragraph (1)(B) may be construed as affecting any requirement to consult with Indian Tribes under Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian Tribal Governments) or any other applicable law or policy.

(f) Grants and contracts

(1) In general

A Regional Ocean Partnership may, in coordination with existing Federal, State, and Tribal management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency, subject to appropriations for such purpose, provide grants and enter into contracts for the purposes described in paragraph (2).

(2) Purposes

The purposes described in this paragraph include any of the following:

(A) Monitoring the water quality and living resources of multistate ocean and coastal ecosystems and coastal communities.

(B) Researching and addressing the effects of natural and human-induced environmental changes on—

(i) ocean and coastal ecosystems; and

(ii) coastal communities.

(C) Developing and executing cooperative strategies that—

(i) address regional data issues identified by the partnership; and

(ii) will result in more effective management of common ocean and coastal areas.

(g) Report required

(1) In general

Not later than 5 years after December 23, 2022, the Administrator, in coordination with the Regional Ocean Partnerships, shall submit to Congress a report on the partnerships.

(2) Report requirements

The report required by paragraph (1) shall include the following:

(A) An assessment of the overall status of the work of the Regional Ocean Partnerships.

(B) An assessment of the effectiveness of the partnerships in supporting regional priorities relating to the management of common ocean, coastal, and Great Lakes areas.

(C) An assessment of the effectiveness of the strategies that the partnerships are supporting or implementing and the extent to which the priority needs of the regions covered by the partnerships are being met through such strategies.

(D) An assessment of how the efforts of the partnerships support or enhance Federal and State efforts consistent with the purposes of this title.

(E) Such recommendations as the Administrator may have for improving—

(i) efforts of the partnerships to support the purposes of this title; and

(ii) collective strategies that support the purposes of this title in coordination with all relevant Federal and State entities and Indian Tribes.

(F) The distribution of funds from each partnership for each fiscal year covered by the report.

(h) Availability of Federal funds

In addition to amounts made available to the Regional Ocean Partnerships by the Administrator under this section, the head of any other Federal agency may provide grants to, enter into contracts with, or otherwise provide funding to such partnerships, subject to availability of appropriations for such purposes.

(i) Authorities

Nothing in this section establishes any new legal or regulatory authority of the National Oceanic and Atmospheric Administration or of the Regional Ocean Partnerships, other than—

- (1) the authority of the Administrator to provide amounts to the partnerships; and
- (2) the authority of the partnerships to provide grants and enter into contracts under subsection (f).

(j) Authorizations

(1) Regional Ocean Partnerships

There are authorized to be appropriated to the Administrator the following amounts to be made available to the Regional Ocean Partnerships or designated fiscal management entities of such partnerships to carry out activities of such partnerships under this title:

- (A) \$10,100,000 for fiscal year 2023.
- (B) \$10,202,000 for fiscal year 2024.
- (C) \$10,306,040 for fiscal year 2025.
- (D) \$10,412,160 for fiscal year 2026.
- (E) \$10,520,404 for fiscal year 2027.

(2) Distribution of amounts

Amounts made available under this subsection shall be divided evenly among the Regional Ocean Partnerships.

(3) Tribal government participation

There is authorized to be appropriated to the Administrator \$1,000,000 for each of fiscal years 2023 through 2027 to be distributed to Indian Tribes for purposes of participation in or engagement with the Regional Ocean Partnerships.

(Pub. L. 117–263, div. J, title CII, §10202, Dec. 23, 2022, 136 Stat. 3962.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 13175, referred to in subsec. (e)(2), is Ex. Ord. No. 13175, Nov. 6, 2000, 65 F.R. 67249, which is set out as a note under section 5301 of Title 25, Indians.

This title, referred to in subsecs. (g)(2)(D), (E) and (j)(1), means title CII of division J of Pub. L. 117–263, which enacted this section and provisions set out as a note below. For complete classification of title CII to the Code, see Tables.

CODIFICATION

Section was enacted as part of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not as part of the Coastal Zone Management Act of 1972 which comprises this chapter.

Statutory Notes and Related Subsidiaries

FINDINGS; PURPOSES

Pub. L. 117–263, div. J, title CII, §10201, Dec. 23, 2022, 136 Stat. 3961, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) The ocean and coastal waters and the Great Lakes of the United States are foundational to the economy, security, global competitiveness, and well-being of the United States and continuously serve the people of the United States and other countries as an important source of food, energy, economic productivity, recreation, beauty, and enjoyment.

“(2) Over many years, the resource productivity and water quality of the ocean, coastal, and Great Lakes areas of the United States have been diminished by pollution, increasing population demands, economic development, and natural and man-made hazard events, both acute and chronic.

“(3) The ocean, coastal, and Great Lakes areas of the United States are managed by State and Federal resource agencies and Indian Tribes and regulated on an interstate and regional scale by various overlapping Federal authorities, thereby creating a significant need for interstate coordination to enhance regional priorities, including the ecological and economic health of those areas.

“(4) Indian Tribes have unique expertise and knowledge important for the stewardship of the ocean and coastal waters and the Great Lakes of the United States.

“(b) PURPOSES.—The purposes of this title [enacting this section] are as follows:

“(1) To complement and expand cooperative voluntary efforts intended to manage, conserve, and restore ocean, coastal, and Great Lakes areas spanning across multiple State and Indian Tribe jurisdictions.

“(2) To expand Federal support for monitoring, data management, restoration, research, and conservation activities in ocean, coastal, and Great Lakes areas.

“(3) To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, oceans, coastal, and Great Lakes ecosystems.

“(4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared regional priorities among States and Indian Tribes relating to the collaborative management of the large marine ecosystems, thereby reducing duplication of efforts and maximizing opportunities to leverage support in the ocean and coastal regions.

“(5) To empower States to take a lead role in managing oceans, coastal, and Great Lakes areas.

“(6) To incorporate rights of Indian Tribes in the management of oceans, coasts, and Great Lakes resources and provide resources to support Indian Tribe participation in and engagement with Regional Ocean Partnerships.

“(7) To enable Regional Ocean Partnerships, or designated fiscal management entities of such partnerships, to receive Federal funding to conduct the scientific research, conservation, and restoration activities, and priority coordination on shared regional priorities necessary to achieve the purposes described in paragraphs (1) through (6).”

CHAPTER 34—RURAL ENVIRONMENTAL CONSERVATION PROGRAM

§§ 1501 to 1508. Repealed. Pub. L. 104–127, title III, §336(d)(1), Apr. 4, 1996, 110 Stat. 1006

Section 1501, Pub. L. 91–524, title X, §1001, as added Pub. L. 93–86, §1(28), Aug. 10, 1973, 87 Stat. 241; amended Pub. L. 93–125, §1(g)(i), Oct. 18, 1973, 87 Stat. 450; Pub. L. 99–198, title XIII, §1318(b)(2), Dec. 23, 1985, 99 Stat. 1531, related to establishment and purpose of program, contracting and purchasing authority of Secretary, and