

coral reef ecosystems and their ecological and socioeconomic value; and

(11) centrally archiving, managing, and distributing on a public website data sets and coral reef ecosystem assessments, including the data repositories of the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration.

(c) Federal agencies specified

A Federal agency specified in this subsection is one of the following:

- (1) The National Oceanic and Atmospheric Administration.
- (2) The National Park Service.
- (3) The United States Fish and Wildlife Service.
- (4) The Office of Insular Affairs.

(Pub. L. 106-562, title II, §203, as added Pub. L. 117-263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3932.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1), was in the original “this Act” which was translated as reading “this title”, meaning title II of Pub. L. 106-562, to reflect the probable intent of Congress.

The Endangered Species Act of 1973, referred to in subsec. (b)(4), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

PRIOR PROVISIONS

A prior section 6402, Pub. L. 106-562, title II, §203, Dec. 23, 2000, 114 Stat. 2800, related to national coral reef action strategy, prior to repeal by Pub. L. 117-263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6403. National coral reef resilience strategy

(a) In general

The Administrator shall—

- (1) not later than 2 years after December 23, 2022, develop a national coral reef resilience strategy; and
- (2) review and revise the strategy—
 - (A) not less frequently than once every 15 years;
 - (B) not less frequently than once every 5 years, in the case of guidance on best practices under subsection (b)(4); and
 - (C) as appropriate.

(b) Elements

The strategy required by subsection (a) shall include the following:

- (1) A discussion addressing—
 - (A) continuing and emerging threats to the resilience of United States coral reef ecosystems;
 - (B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;
 - (C) the status of management cooperation and integration among Federal reef managers and covered reef managers;
 - (D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, data sets, and maps;

(E) areas of special focus, which may include—

- (i) improving natural coral recruitment;
- (ii) preventing avoidable losses of corals and their habitat;
- (iii) enhancing the resilience of coral populations;
- (iv) supporting a resilience-based management approach;
- (v) developing, coordinating, and implementing watershed management plans;
- (vi) building and sustaining watershed management capacity at the local level;
- (vii) providing data essential for coral reef fisheries management;
- (viii) building capacity for coral reef fisheries management;
- (ix) increasing understanding of coral reef ecosystem services;
- (x) educating the public on the importance of coral reefs, threats and solutions; and
- (xi) evaluating intervention efficacy;

(F) the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and in cooperation with, and with respect for the scientific, technical, and management expertise and responsibilities of, covered reef managers;

(G) science-based adaptive management and restoration efforts; and

(H) management of coral reef emergencies and disasters.

(2) A statement of national goals and objectives designed to guide—

(A) future Federal coral reef management and restoration activities authorized under section 6402 of this title;

(B) conservation and restoration priorities for grants awarded under section 6410 of this title; and

(C) research priorities for the reef research coordination institutes designated under section 6412(b)(1)(B)¹ of this title.

(3) A designation of priority areas for conservation, and priority areas for restoration, to support the review and approval of grants under section 6410(e) of this title.

(4) Technical assistance in the form of general templates for use by covered reef managers and Federal reef managers to guide the development of coral reef action plans under section 6404 of this title, including guidance on the best science-based practices to respond to coral reef emergencies that can be included in coral reef action plans.

(c) Consultations

In developing all elements of the strategy required by subsection (a), the Administrator shall—

(1) consult with the Secretary of the Interior, the Task Force, covered States, and covered Native entities;

(2) consult with the Secretary of Defense, as appropriate;

¹ See References in Text note below.

(3) engage stakeholders, including covered States, coral reef stewardship partnerships, reef research institutes and research centers described in section 6412¹ of this title, and recipients of grants under section 6410 of this title; and

(4) solicit public review and comment regarding scoping and the draft strategy.

(d) Submission to Congress; publication

The Administrator shall—

(1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and

(2) publish the strategy and any such revisions on public websites of—

(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

(B) the Task Force.

(Pub. L. 106–562, title II, §204, as added Pub. L. 117–263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3933.)

Editorial Notes

REFERENCES IN TEXT

Section 6412 of this title, referred to in subsecs. (b)(2)(C) and (c)(3), probably should be a reference to section 6411 of this title which relates to reef research coordination institutes and coral reef research centers. Subsec. (b)(1)(B) of section 6412 of this title probably should be a reference to section 6411(a)(1) of this title which requires the designation of reef research coordination institutes. Section 6412(b) does not contain a par. (1)(B).

PRIOR PROVISIONS

A prior section 6403, Pub. L. 106–562, title II, §204, Dec. 23, 2000, 114 Stat. 2801, related to coral reef conservation program, prior to repeal by Pub. L. 117–263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6404. Coral reef action plans

(a) Plans prepared by Federal reef managers

(1) In general

Not later than 3 years after December 23, 2022, and 2 years after the date of publication of each National Coral Reef Resilience Strategy, each Federal reef manager shall—

(A) prepare a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager; or

(B) in the case of a reef under the jurisdiction of a Federal reef manager for which there is an action plan in effect as of December 23, 2022, update that plan to comply with the requirements of this subsection.

(2) Elements

A plan prepared under paragraph (1) by a Federal reef manager shall include a discussion of the following:

(A) Short- and medium-term coral reef conservation and restoration objectives within the jurisdiction of the manager.

(B) A current adaptive management framework to inform research, monitoring, and assessment needs.

(C) Tools, strategies, and partnerships necessary to identify, monitor, and address pol-

lution, water quality, and other negative impacts to coral reef ecosystems within the jurisdiction of the manager.

(D) The status of efforts to improve coral reef ecosystem management cooperation and integration between Federal reef managers and covered reef managers, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the jurisdiction of the manager.

(E) Estimated budgetary and resource considerations necessary to carry out the plan.

(F) Contingencies for response to and recovery from emergencies and disasters.

(G) In the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and noncash resources used to undertake the actions, and the source of such resources.

(H) Documentation by the Federal reef manager that the plan is consistent with the National Coral Reef Resilience Strategy.

(I) A data management plan to ensure data, assessments, and accompanying information are appropriately preserved, curated, publicly accessible, and broadly reusable.

(3) Submission to Task Force

Each Federal reef manager shall submit a plan prepared under paragraph (1) to the Task Force.

(4) Application of Administrative Procedure Act

Each plan prepared under paragraph (1) shall be subject to the requirements of subchapter II of chapter 5, and chapter 7, of title 5 (commonly known as the “Administrative Procedure Act”).

(b) Plans prepared by covered reef managers

(1) In general

A covered reef manager may elect to prepare, submit to the Task Force, and maintain a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager.

(2) Effective period

A plan prepared under this subsection shall remain in effect for 5 years, or until an updated plan is submitted to the Task Force, whichever occurs first.

(3) Elements

A plan prepared under paragraph (1) by a covered reef manager—

(A) shall contain a discussion of—

(i) short- and medium-term coral reef conservation and restoration objectives within the jurisdiction of the manager;

(ii) estimated budgetary and resource considerations necessary to carry out the plan;

(iii) in the case of an updated plan, annual records of significant management and restoration actions taken under the previous plan, cash and noncash resources used to undertake the actions, and the source of such resources; and