

(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

(iv) contingencies for response to and recovery from emergencies and disasters; and

(B) may contain a discussion of—

(i) 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;

(ii) a current adaptive management framework to inform research, monitoring, and assessment needs;

(iii) tools, strategies, and partnerships necessary to identify, monitor, and address pollution and water quality impacts to coral reef ecosystems within the jurisdiction of the manager; and

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

(c) Technical assistance

The Administrator and the Task Force shall make reasonable efforts to provide technical assistance upon request by a Federal reef manager or covered reef manager developing a coral reef action plan under this section.

(d) Publication

The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on the public website of the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration.

(Pub. L. 106-562, title II, §205, as added Pub. L. 117-263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3935.)

Editorial Notes

REFERENCES IN TEXT

The Administrative Procedure Act, referred to in subsec. (a)(4), is act June 11, 1946, ch. 324, 60 Stat. 237, which was classified to sections 1001 to 1011 of former Title 5, Executive Departments and Government Officers and Employees, and which was repealed and reenacted as subchapter II (§551 et seq.) of chapter 5, and chapter 7 (§701 et seq.), of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378. See Short Title note preceding section 551 of Title 5.

PRIOR PROVISIONS

A prior section 6404, Pub. L. 106-562, title II, §205, Dec. 23, 2000, 114 Stat. 2803, related to creation of a coral reef conservation fund, prior to repeal by Pub. L. 117-263, div. J, title C, §10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6405. Coral reef stewardship partnerships

(a) In general

To further community-based stewardship of coral reefs, coral reef stewardship partnerships for Federal and non-Federal coral reefs may be established in accordance with this section.

(b) Standards and procedures

The Administrator shall develop and adopt—

(1) standards for identifying individual coral reefs and ecologically significant units of coral reefs; and

(2) processes for adjudicating multiple applicants for stewardship of the same coral reef or ecologically significant unit of a reef to ensure no geographic overlap in representation among stewardship partnerships authorized by this section.

(c) Membership for Federal coral reefs

A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant unit of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 6402(c) of this title shall, at a minimum, include the following:

(1) That Federal agency, a representative of which shall serve as chairperson of the coral reef stewardship partnership.

(2) A State or county's resource management agency to the extent that such partnership covers a reef within such States or county's jurisdiction.

(3) A coral reef research center designated under section 6411(b) of this title.

(4) A nongovernmental organization.

(5) A covered Native entity culturally affiliated with the subject reef or ecologically significant unit, if any.

(6) Such other members as the partnership considers appropriate, such as interested stakeholder groups and covered Native entities.

(d) Membership for non-Federal coral reefs

(1) In general

A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 6402(c) of this title shall, at a minimum, include the following:

(A) A State or county's resource management agency or a covered Native entity, a representative of which shall serve as the chairperson of the coral reef stewardship partnership.

(B) A coral reef research center designated under section 6411(b) of this title.

(C) A nongovernmental organization.

(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

(2) Additional members

(A) In general

Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies.

(B) Requests; approval

A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

(i) the representative submits a request to become a member to the chairperson of