

§ 2803a. Ocean and coastal resiliency**(a) In general**

The Secretary shall conduct studies to determine the feasibility of carrying out Corps of Engineers projects in coastal zones to enhance ocean and coastal ecosystem resiliency.

(b) Study

In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors and other chief executive officers of the coastal states, nonprofit organizations, Indian tribes, and other interested parties;

(2) identify Corps of Engineers projects in coastal zones for enhancing ocean and coastal ecosystem resiliency based on an assessment of the need and opportunities for, and feasibility of, the projects;

(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and the beneficial reuse of dredged materials;

(4) to the maximum extent practicable, use any existing Corps of Engineers plans and data; and

(5) not later than 365 days after initial appropriations for this section, and every five years thereafter subject to the availability of appropriations, complete a study authorized under subsection (a).

(c) Disposition**(1) In general**

The Secretary may carry out a project identified in the study pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(A) Section 2330(a)–(d) of this title.

(B) Section 2309a(a)–(g) and (i) of this title.

(C) Section 426g(a)–(b) and (c)(1) of this title.

(D) Section 2326(a)–(f) of this title.

(2) Report

For each project that does not meet the criteria under paragraph (1), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 2282d of this title.

(d) Requests for projects

The Secretary may carry out a project for a coastal state under this section only at the request of the Governor or chief executive officer of the coastal state, as appropriate.

(e) Definition

In this section, the terms “coastal zone” and “coastal state” have the meanings given such terms in section 1453 of title 16, as in effect on June 10, 2014.

(Pub. L. 113–121, title IV, § 4014, June 10, 2014, 128 Stat. 1321; Pub. L. 114–322, title I, § 1183(a), Dec. 16, 2016, 130 Stat. 1678.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of title V of Pub. L. 92–532, popularly known as the National Coastal Monitoring Act, which comprises this chapter.

AMENDMENTS

2016—Subsec. (b)(1). Pub. L. 114–322, § 1183(a)(1), inserted “Indian tribes,” after “nonprofit organizations,”.

Subsec. (b)(3) to (5). Pub. L. 114–322, § 1183(a)(2), (3), added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113–121, set out as a note under section 2201 of this title.

§ 2804. Report to Congress

On September 30 of each other year beginning in 1993, the Administrator and the Under Secretary shall jointly submit to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Merchant Marine and Fisheries and the Committee on Public Works and Transportation of the House of Representatives a report describing the condition of the Nation’s coastal ecosystems, including the following:

(1) an assessment of the status and health of the Nation’s coastal ecosystems;

(2) an evaluation of environmental trends in coastal ecosystems;

(3) identification of sources of environmental¹ degradation affecting coastal ecosystems;

(4) an assessment of the extent to which floatables degrade coastal ecosystems, including trends in the accumulation of floatables and the threat posed by floatables to aquatic life;

(5) an assessment of the impact of government programs designed to abate the degradation of coastal ecosystems;²

(6) an evaluation of the adequacy of monitoring programs and identification of any additional program elements which may be needed; and

(7) a summary of monitoring results in areas monitored under subsection³ 2803(d) of this title.

(Pub. L. 92–532, title V, § 504, as added Pub. L. 102–567, title V, § 501, Oct. 29, 1992, 106 Stat. 4299.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress.

¹ So in original. Probably should be “environmental”.

² So in original. Probably should be a semicolon.

³ So in original. Probably should be “section”.