

complete and submit to Congress and the President an interim integrated assessment.

(2) Finalized integrated assessment

Not later than 3 years after June 16, 2022, the Task Force shall finalize, and submit to Congress and the President, the interim integrated assessment required by paragraph (1).

(3) Contents of integrated assessment

The integrated assessment required by paragraphs (1) and (2) shall examine the causes, consequences, and potential approaches to reduce harmful algal blooms and hypoxia in South Florida, and the status of, and gaps within, current harmful algal bloom and hypoxia research, monitoring, management, prevention, response, and control activities that directly affect the region by—

- (A) Federal agencies;
- (B) State agencies;
- (C) regional research consortia;
- (D) academia;
- (E) private industry;
- (F) nongovernmental organizations; and
- (G) Indian tribes (as defined in section 5304 of title 25).

(c) Action plan

(1) In general

Not later than 3 years and 180 days after June 16, 2022, the Task Force shall develop and submit to Congress a plan, based on the integrated assessment under subsection (b), for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida.

(2) Contents

The plan submitted under paragraph (1) shall—

- (A) address the monitoring needs identified in the integrated assessment under subsection (b);
- (B) develop a timeline and budgetary requirements for deployment of future assets;
- (C) identify requirements for the development and verification of South Florida harmful algal bloom and hypoxia models, including—
 - (i) all assumptions built into the models; and
 - (ii) data quality methods used to ensure the best available data are utilized; and
- (D) propose a plan to implement a remote monitoring network and early warning system for alerting local communities in the region to harmful algal bloom risks that may impact human health.

(3) Requirements

In developing the action plan, the Task Force shall—

- (A) consult with the State of Florida, and affected local and tribal governments;
- (B) consult with representatives from regional academic, agricultural, industry, and other stakeholder groups;
- (C) ensure that the plan complements and does not duplicate activities conducted by other Federal or State agencies, including the South Florida Ecosystem Restoration Task Force;

(D) identify critical research for reducing, mitigating, and controlling harmful algal bloom events and their effects;

(E) evaluate cost-effective, incentive-based partnership approaches;

(F) ensure that the plan is technically sound and cost-effective;

(G) utilize existing research, assessments, reports, and program activities;

(H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress; and

(I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.

(Pub. L. 105-383, title VI, § 605, as added Pub. L. 117-144, § 2(a)(2), June 16, 2022, 136 Stat. 1266.)

Editorial Notes

PRIOR PROVISIONS

A prior section 605 of Pub. L. 105-383 was renumbered section 606 and is classified to section 4005 of this title.

§ 4005. Great Lakes hypoxia and harmful algal blooms

(a) Integrated assessment

Not later than 18 months after June 30, 2014, the Task Force, in accordance with the authority under section 4001 of this title, shall complete and submit to the Congress and the President an integrated assessment that examines the causes, consequences, and approaches to reduce hypoxia and harmful algal blooms in the Great Lakes, including the status of and gaps within current research, monitoring, management, prevention, response, and control activities by—

- (1) Federal agencies;
- (2) State agencies;
- (3) regional research consortia;
- (4) academia;
- (5) private industry; and
- (6) nongovernmental organizations.

(b) Plan

(1) In general

Not later than 2 years after June 30, 2014, the Task Force shall develop and submit to the Congress a plan, based on the integrated assessment under subsection (a), for reducing, mitigating, and controlling hypoxia and harmful algal blooms in the Great Lakes.

(2) Contents

The plan shall—

- (A) address the monitoring needs identified in the integrated assessment under subsection (a);
- (B) develop a timeline and budgetary requirements for deployment of future assets;
- (C) identify requirements for the development and verification of Great Lakes hypoxia and harmful algal bloom models, including—
 - (i) all assumptions built into the models; and
 - (ii) data quality methods used to ensure the best available data are utilized; and

(D) describe efforts to improve the assessment of the impacts of hypoxia and harmful algal blooms by—

(i) characterizing current and past biological conditions in ecosystems affected by hypoxia and harmful algal blooms; and

(ii) quantifying effects, including economic effects, at the population and community levels.

(3) Requirements

In developing the plan, the Task Force shall—

(A) coordinate with State and local governments;

(B) consult with representatives from academic, agricultural, industry, and other stakeholder groups, including relevant Canadian agencies;

(C) ensure that the plan complements and does not duplicate activities conducted by other Federal or State agencies;

(D) identify critical research for reducing, mitigating, and controlling hypoxia events and their effects;

(E) evaluate cost-effective, incentive-based partnership approaches;

(F) ensure that the plan is technically sound and cost effective;

(G) utilize existing research, assessments, reports, and program activities;

(H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress; and

(I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.

(Pub. L. 105-383, title VI, § 606, formerly § 605, Nov. 13, 1998, 112 Stat. 3449; Pub. L. 108-456, title I, § 105, Dec. 10, 2004, 118 Stat. 3633; Pub. L. 110-161, div. B, title V, § 528, Dec. 26, 2007, 121 Stat. 1930; Pub. L. 113-124, § 8, June 30, 2014, 128 Stat. 1384; renumbered § 606, Pub. L. 117-144, § 2(a)(1), June 16, 2022, 136 Stat. 1266.)

Editorial Notes

CODIFICATION

Section was formerly set out in a note under section 1451 of Title 16, Conservation.

PRIOR PROVISIONS

A prior section 606 of Pub. L. 105-383 was renumbered section 607 and is classified to section 4006 of this title.

AMENDMENTS

2014—Pub. L. 113-124 amended section generally. Prior to amendment, section authorized appropriations for research, education, and monitoring activities related to the prevention, reduction, and control of harmful algal blooms and hypoxia for fiscal years 1999 to 2010.

2007—Pub. L. 110-161, § 528(1), substituted “\$30,000,000 for each of fiscal years 2008 through 2010” for “\$25,500,000 for fiscal year 2008” in introductory provisions.

Pars. (1) to (4). Pub. L. 110-161, § 528(2), substituted “2010” for “2008”.

Par. (5). Pub. L. 110-161, § 528(3), substituted “each of fiscal years 2008 through 2010” for “fiscal year 2008”.

Par. (6). Pub. L. 110-161, § 528(2), substituted “2010” for “2008”.

2004—Pub. L. 108-456, § 105(1), (2), in introductory provisions, struck out “and” after “2000,” and inserted “\$23,500,000 for fiscal year 2005, \$24,500,000 for fiscal year 2006, \$25,000,000 for fiscal year 2007, and \$25,500,000 for fiscal year 2008,” after “2001.”

Par. (1). Pub. L. 108-456, § 105(1), (3), struck out “and” after “2000,” and inserted “,” and \$2,500,000 for each of fiscal years 2005 through 2008” after “2001”.

Par. (2). Pub. L. 108-456, § 105(1), (4), struck out “and” after “2000,” and inserted “,” and \$6,500,000, of which \$1,000,000 shall be used for the research program described in section 603(f)(2)(B), for each of fiscal years 2005 through 2008” after “2001”.

Par. (3). Pub. L. 108-456, § 105(1), (5), (6), struck out “and” after “2000,” and substituted “2001, and \$3,000,000 for each of fiscal years 2005 through 2008” for “2001” and “blooms and to carry out section 603(d);” for “blooms;”.

Par. (4). Pub. L. 108-456, § 105(7), substituted “2001, and \$6,000,000 for each of fiscal years 2005 through 2008” for “and 2001”.

Par. (5). Pub. L. 108-456, § 105(1), (9), struck out “and” after “2000,” and substituted “2001, \$4,000,000 for fiscal year 2005, \$5,000,000 for fiscal year 2006, \$5,500,000 for fiscal year 2007, and \$6,000,000 for fiscal year 2008” for “2001”.

Par. (6). Pub. L. 108-456, § 105(8), (10), (11), added par. (6).

§ 4006. Protection of States’ rights

(a) Nothing in this chapter shall be interpreted to adversely affect existing State regulatory or enforcement power which has been granted to any State through the Clean Water Act [33 U.S.C. 1251 et seq.] or Coastal Zone Management Act of 1972 [16 U.S.C. 1451 et seq.].

(b) Nothing in this chapter shall be interpreted to expand the regulatory or enforcement power of the Federal Government which has been delegated to any State through the Clean Water Act or Coastal Zone Management Act of 1972.

(Pub. L. 105-383, title VI, § 607, formerly § 606, Nov. 13, 1998, 112 Stat. 3450; renumbered § 607, Pub. L. 117-144, § 2(a)(1), June 16, 2022, 136 Stat. 1266.)

Editorial Notes

REFERENCES IN TEXT

The Clean Water Act, referred to in text, is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 816, also known as the Federal Water Pollution Control Act, which is classified generally to chapter 26 (§1251 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of this title and Tables.

The Coastal Zone Management Act of 1972, referred to in text, is title III of Pub. L. 89-454, as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, which is classified generally to chapter 33 (§1451 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

CODIFICATION

Section was formerly set out in a note under section 1451 of Title 16, Conservation.

PRIOR PROVISIONS

A prior section 607 of Pub. L. 105-383 was renumbered section 608 and is classified to section 4007 of this title.