AMENDMENT NO._______ Calendar No._______

Purpose: In the nature of a substitute.


S. 2166

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. WICKER

Viz:

1 Strike all after the enacting clause and insert the following:

2 \section{1. Short Title.}

3 This Act may be cited as the “Regional Ocean Partnership Act”.

6 \section{2. Findings; Sense of Congress; Purposes.}

7 (a) Findings.—Congress makes the following findings:

8 (1) The ocean and coastal waters 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 and coastal 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) Ocean and coastal areas of the United States are managed by State and Federal resource agencies 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.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should seek to support interstate coordination of shared regional priorities relating to the management, conservation, resilience, and restoration of ocean and coastal areas to maximize efficiencies through collaborative regional efforts by Regional Ocean Partnerships, in consulta-
tion with Federal and State agencies, Tribal governments, and local authorities; and

(2) such efforts would enhance existing and effective State coastal management efforts based on shared regional priorities.

(c) PURPOSES.—The purposes of this Act are as follows:

(1) To complement and expand cooperative voluntary efforts intended to manage and restore ocean and coastal areas spanning across multiple State boundaries.

(2) To expand Federal support for monitoring, data management, and restoration activities in ocean and coastal 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, all coastal ecosystems.

(4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared interstate and regional priorities 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 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 (4).

SEC. 3. 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 that term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) INDIAN TRIBE.—The term “Indian Tribe” means an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(b) REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A coastal state may participate in a Regional Ocean Partnership with one or more other coastal states that share a common
ocean or coastal area with the coastal state, without
regard to whether the coastal states are contiguous.

(2) APPLICATION.—The Governor of a coastal
state or the Governors of a group of coastal states
may apply to the Secretary of Commerce, on behalf
of a partnership, for the partnership to receive des-
ignation as a Regional Ocean Partnership if the
partnership—

(A) meets the requirements under para-
graph (3); and

(B) submits an application for such des-
ignation in such manner, in such form, and
containing such information as the Secretary
may require.

(3) REQUIREMENTS.—A partnership is eligible
for designation as a Regional Ocean Partnership by
the Secretary under paragraph (2) if the part-
nership—

(A) is established to coordinate the inter-
state management of coastal resources;

(B) focuses on the environmental issues af-
fecting the ocean and coastal areas of the mem-
bers participating in the partnership;
(C) complements existing State coastal and ocean management efforts 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 (4), as determined by the Secretary.

(4) DESIGNATION OF CERTAIN ENTITIES AS REGIONAL OCEAN PARTNERSHIPS.—Notwithstanding paragraph (2) or (3), 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.

(c) GOVERNING BODIES OF REGIONAL OCEAN PARTNERSHIPS.—

(1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) shall be governed by a governing body.

(2) MEMBERSHIP.—A governing body described in paragraph (1)—

(A) shall be comprised, at a minimum, of voting members from each coastal state participating in the Regional Ocean Partnership, designated by the Governor of the coastal state; and

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

(d) FUNCTIONS.—A Regional Ocean Partnership designated under subsection (b) may perform the following functions:

(1) Promote coordination of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate officials of Federal agencies and State and Tribal governments in developing strategies—
(A) to conserve living resources, increase
valuable habitats, enhance coastal resilience,
and address such other issues related to the
shared ocean or coastal area 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, Tribal governments, and local au-
thorities, develop and implement specific action
plans to carry out coordination goals.

(3) Coordinate and implement priority plans
and projects, and facilitate science, research, mod-
eling, monitoring, data collection, and other activi-
ties that support the goals of the partnership
through the provision of grants and contracts under
subsection (e).

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

(5) Implement outreach programs for public in-
formation, education, and participation to foster
stewardship of the resources of the ocean and coastal 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) Grants and Contracts.—

(1) In general.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency—

(A) provide grants to eligible persons described in paragraph (2) for the purposes described in paragraph (3); and

(B) enter into contracts with such persons for such purposes.

(2) Eligible Persons.—The eligible persons described in this paragraph are the following:

(A) Indian Tribes.
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(B) State and local governments.

(C) Nongovernmental organizations.

(D) Institutions of higher education.

(E) Individuals.

(F) Private entities.

(3) PURPOSES.—The purposes described in this paragraph include any of the following:

(A) Monitoring the water quality and living resources of multi-State ocean and coastal ecosystems and to coastal communities.

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

(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.

(f) REPORTS AND ASSESSMENTS.—

(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, and every 5
years thereafter until 2040, the Administrator, in
coordination with the Regional Ocean Partnerships
designated under subsection (b), shall—

(A) assess the effectiveness of the partner-
ships in supporting regional priorities relating
to the management of common ocean and coastal
areas; and

(B) submit to Congress a report on that
assessment.

(2) REPORT REQUIREMENTS.—The report re-
quired under paragraph (1)(B) shall include the fol-
lowing:

(A) An assessment of the overall status of
the work of the Regional Ocean Partnerships
designated under subsection (b).

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

(C) Such recommendations as the Admin-
istrator may have for the improvement of ef-
forts of the Regional Ocean Partnerships to
support the purposes of this Act.
(D) An assessment of how the efforts of the Regional Ocean Partnerships support or enhance Federal and State efforts in line with the purposes of this Act.

(E) Recommendations for improvements to the collective strategies that support the purposes of this Act in coordination and consultation with all relevant Federal, State, and Tribal entities.

(g) Availability of Federal Funds.—In addition to amounts made available to Regional Ocean Partnerships designated under subsection (b) 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.

(h) 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 designated under subsection (b), 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 (e).

(i) Funding.—
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(1) IN GENERAL.—Of amounts authorized to be appropriated to the National Oceanic and Atmospheric Administration, the Administrator may make the following amounts available to Regional Ocean Partnerships designated under subsection (b) or designated fiscal management entities of such partnerships to carry out activities of the partnerships under this Act:

(A) $10,000,000 for fiscal year 2020.
(B) $10,100,000 for fiscal year 2021.
(C) $10,202,000 for fiscal year 2022.
(D) $10,306,040 for fiscal year 2023.
(E) $10,412,160 for fiscal year 2024.
(F) $10,520,404 for fiscal year 2025.

(2) DISTRIBUTION OF AMOUNTS.—Amounts made available under paragraph (1) shall be divided evenly among the Regional Ocean Partnerships designated under subsection (b).

(3) AVAILABILITY OF AMOUNTS.—Amounts made available under paragraph (1) shall remain available until expended.