

Calendar No. 203

117TH CONGRESS
1ST SESSION

S. 66

To require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2021

Mr. RUBIO (for himself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 17, 2021

Reported by Ms. CANTWELL, without amendment

A BILL

To require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “South Florida Clean
5 Coastal Waters Act of 2021”.

1 **SEC. 2. SOUTH FLORIDA HARMFUL ALGAL BLOOMS AND**
 2 **HYPOXIA ASSESSMENT AND ACTION PLAN.**

3 (a) IN GENERAL.—The Harmful Algal Bloom and
 4 Hypoxia Research and Control Act of 1998 (Public Law
 5 105–383; 33 U.S.C. 4001 et seq.) is amended—

6 (1) by redesignating sections 605 through 609
 7 as sections 606 through 610, respectively; and

8 (2) by inserting after section 604 the following:

9 **“SEC. 605. SOUTH FLORIDA HARMFUL ALGAL BLOOMS AND**
 10 **HYPOXIA.**

11 “(a) SOUTH FLORIDA.—In this section, the term
 12 ‘South Florida’ means—

13 “(1) all lands and waters within the administra-
 14 tive boundaries of the South Florida Water Manage-
 15 ment District;

16 “(2) regional coastal waters, including Biscayne
 17 Bay, the Caloosahatchee Estuary, Florida Bay, In-
 18 dian River Lagoon, and St. Lucie River Estuary;
 19 and

20 “(3) the Florida Reef Tract.

21 “(b) INTEGRATED ASSESSMENT.—

22 “(1) INTERIM INTEGRATED ASSESSMENT.—Not
 23 later than 540 days after the date of enactment of
 24 the South Florida Clean Coastal Waters Act of
 25 2021, the Task Force, in accordance with the au-
 26 thority under section 603, shall complete and submit

1 to Congress and the President an interim integrated
2 assessment.

3 “(2) FINALIZED INTEGRATED ASSESSMENT.—
4 Not later than 3 years after the date of enactment
5 of the South Florida Clean Coastal Waters Act of
6 2021, the Task Force shall finalize, and submit to
7 Congress and the President, the interim integrated
8 assessment required by paragraph (1).

9 “(3) CONTENTS OF INTEGRATED ASSESS-
10 MENT.—The integrated assessment required by
11 paragraphs (1) and (2) shall examine the causes,
12 consequences, and potential approaches to reduce
13 harmful algal blooms and hypoxia in South Florida,
14 and the status of, and gaps within, current harmful
15 algal bloom and hypoxia research, monitoring, man-
16 agement, prevention, response, and control activities
17 that directly affect the region by—

18 “(A) Federal agencies;

19 “(B) State agencies;

20 “(C) regional research consortia;

21 “(D) academia;

22 “(E) private industry;

23 “(F) nongovernmental organizations; and

1 “(G) Indian tribes (as defined in section 4
2 of the Indian Self-Determination and Education
3 Assistance Act (25 U.S.C. 5304)).

4 “(c) ACTION PLAN.—

5 “(1) IN GENERAL.—Not later than 3 years and
6 180 days after the date of the enactment of the
7 South Florida Clean Coastal Waters Act of 2021,
8 the Task Force shall develop and submit to Con-
9 gress a plan, based on the integrated assessment
10 under subsection (b), for reducing, mitigating, and
11 controlling harmful algal blooms and hypoxia in
12 South Florida.

13 “(2) CONTENTS.—The plan submitted under
14 paragraph (1) shall—

15 “(A) address the monitoring needs identi-
16 fied in the integrated assessment under sub-
17 section (b);

18 “(B) develop a timeline and budgetary re-
19 quirements for deployment of future assets;

20 “(C) identify requirements for the develop-
21 ment and verification of South Florida harmful
22 algal bloom and hypoxia models, including—

23 “(i) all assumptions built into the
24 models; and

1 “(ii) data quality methods used to en-
2 sure the best available data are utilized;
3 and

4 “(D) propose a plan to implement a re-
5 mote monitoring network and early warning
6 system for alerting local communities in the re-
7 gion to harmful algal bloom risks that may im-
8 pact human health.

9 “(3) REQUIREMENTS.—In developing the action
10 plan, the Task Force shall—

11 “(A) consult with the State of Florida, and
12 affected local and tribal governments;

13 “(B) consult with representatives from re-
14 gional academic, agricultural, industry, and
15 other stakeholder groups;

16 “(C) ensure that the plan complements
17 and does not duplicate activities conducted by
18 other Federal or State agencies, including the
19 South Florida Ecosystem Restoration Task
20 Force;

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

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

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

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

5 “(H) publish a summary of the proposed
6 plan in the Federal Register at least 180 days
7 prior to submitting the completed plan to Con-
8 gress; and

9 “(I) after submitting the completed plan to
10 Congress, provide biennial progress reports on
11 the activities toward achieving the objectives of
12 the plan.”.

13 (b) CLERICAL AMENDMENT AND CORRECTION.—The
14 table of contents in section 2 of the Coast Guard Author-
15 ization Act of 1998 (Public Law 105–383) is amended by
16 striking the items relating to title VI and inserting the
17 following new items:

“TITLE VI—HARMFUL ALGAL BLOOMS AND HYPOXIA

“Sec. 601. Short title.

“Sec. 602. Findings.

“Sec. 603. Assessments.

“Sec. 603A. National Harmful Algal Bloom and Hypoxia Program.

“Sec. 603B. Comprehensive research plan and action strategy.

“Sec. 604. Northern Gulf of Mexico hypoxia.

“Sec. 605. South Florida harmful algal blooms and hypoxia.

“Sec. 606. Great Lakes hypoxia and harmful algal blooms.

“Sec. 607. Protection of States’ rights.

“Sec. 608. Effect on other Federal authority.

“Sec. 609. Definitions.

“Sec. 610. Authorization of appropriations.”.

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