

117TH CONGRESS
1ST SESSION

H. R. 3817

To allow coastal States to participate in regional ocean partnerships with one or more other coastal States that share a common ocean or coastal area with the coastal State to conserve living resources, expand and protect 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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2021

Mr. CRIST (for himself, Mr. PALAZZO, Mr. LOWENTHAL, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To allow coastal States to participate in regional ocean partnerships with one or more other coastal States that share a common ocean or coastal area with the coastal State to conserve living resources, expand and protect 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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Regional Ocean Part-
3 nership Act of 2021”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The ocean and coastal waters of the United
8 States are foundational to the economy, security,
9 global competitiveness, and well-being of the United
10 States and continuously serve the people of the
11 United States and other countries as an important
12 source of food, energy, economic productivity, recre-
13 ation, culture, beauty, and enjoyment.

14 (2) Over many years, the resource productivity
15 and water quality of the ocean and coastal areas of
16 the United States have been diminished by pollution,
17 increasing population demands, economic develop-
18 ment, and natural and man-made hazard events,
19 both acute and chronic.

20 (3) Ocean and coastal areas of the United
21 States are managed by State and Federal resource
22 agencies and regulated on an interstate and regional
23 scale by various overlapping Federal authorities,
24 thereby creating a significant need for interstate co-
25 ordination to enhance regional priorities, including
26 the ecological and economic health of those areas.

1 (4) Tribes and Indigenous communities have
2 unique expertise and knowledge important for the
3 stewardship of our ocean and coastal waters.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the United States should seek to support
7 interstate coordination of shared regional priorities
8 relating to the management, conservation, resilience,
9 and restoration of ocean and coastal areas to maxi-
10 mize efficiencies through collaborative regional ef-
11 forts by regional ocean partnerships, in consultation
12 with Federal and State agencies, Tribal govern-
13 ments, and local authorities;

14 (2) such efforts would enhance existing and ef-
15 fective State coastal management efforts based on
16 shared regional priorities; and

17 (3) regional ocean partnerships should either
18 directly include representation from Tribal govern-
19 ments or have dedicated consultation with such gov-
20 ernments.

21 (c) PURPOSES.—The purposes of this subtitle are as
22 follows:

23 (1) To complement and expand cooperative vol-
24 untary efforts intended to manage and restore ocean

1 and coastal areas spanning across multiple State
2 boundaries.

3 (2) To expand Federal support for monitoring,
4 data management, and restoration activities in ocean
5 and coastal areas.

6 (3) To commit the United States to a com-
7 prehensive cooperative program to achieve improved
8 water quality in, and improvements in the produc-
9 tivity of living resources of, all coastal ecosystems.

10 (4) To authorize regional ocean partnerships as
11 intergovernmental coordinators for shared interstate
12 and regional priorities relating to the collaborative
13 management of the large marine ecosystems, thereby
14 reducing duplication of efforts and maximizing op-
15 portunities to leverage support in the ocean and
16 coastal regions.

17 (5) To empower States and Tribes to take a
18 lead role in managing oceans and coasts.

19 (6) To incorporate Tribal interests in the man-
20 agement of our oceans and coasts and provide fund-
21 ing to support Tribal and Indigenous ocean and
22 coastal resiliency activities in coordination with re-
23 gional ocean partnerships.

24 (7) To enable regional ocean partnerships, or
25 designated fiscal management entities of such part-

1 nerships, to receive Federal funding to conduct the
2 scientific research, conservation and restoration ac-
3 tivities, and priority coordination on shared regional
4 priorities necessary to achieve the purposes described
5 in paragraphs (1) through (4).

6 **SEC. 3. REGIONAL OCEAN PARTNERSHIPS.**

7 (a) DEFINITIONS.—In this Act—

8 (1) the term “coastal State” has the meaning
9 given that term in section 304 of the Coastal Zone
10 Management Act of 1972 (16 U.S.C. 1453); and

11 (2) the term “Indian Tribe” has the meaning
12 given such term in section 4 of the Indian Self-De-
13 termination and Education Assistance Act (25
14 U.S.C. 5304).

15 (b) REGIONAL OCEAN PARTNERSHIPS.—

16 (1) IN GENERAL.—A coastal State may partici-
17 pate in a regional ocean partnership with one or
18 more other coastal States that share a common
19 ocean or coastal area with the coastal State, without
20 regard to whether the coastal States are contiguous.

21 (2) APPLICATION.—The Governor of a coastal
22 State, or the Governors of a group of coastal states
23 may apply to the Secretary of Commerce on behalf
24 of a partnership of such States, for the partnership

1 to receive designation as a regional ocean partner-
2 ship if the partnership—

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

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

9 (3) REQUIREMENTS.—A partnership is eligible
10 for designation as a regional ocean partnership by
11 the Secretary under paragraph (2) if the partner-
12 ship—

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

15 (B) focuses on the environmental issues af-
16 fecting the ocean and coastal areas of the mem-
17 bers participating in the partnership;

18 (C) complements existing State coastal and
19 ocean management efforts on an interstate
20 scale, focusing on shared regional priorities;

21 (D) does not have a regulatory function;
22 and

23 (E) is not duplicative of an existing re-
24 gional ocean partnership designated under
25 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.

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

3 (A) shall be comprised, at a minimum, of
4 voting members from each coastal State partici-
5 pating in the regional ocean partnership, des-
6 ignated by the Governor of the coastal State;
7 and

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

10 (d) FUNCTIONS.—A regional ocean partnership des-
11 ignated under subsection (b) may perform the following
12 functions:

13 (1) Promote coordination of the actions of the
14 agencies of coastal states participating in the part-
15 nership with the actions of the appropriate officials
16 of Federal agencies and State and Tribal govern-
17 ments in developing strategies—

18 (A) to conserve living resources, expand
19 and protect valuable habitats, enhance coastal
20 resilience, and address such other issues related
21 to the shared ocean or coastal area as are de-
22 termined to be a shared, regional priority by
23 those States; and

1 (B) to manage regional data portals and
2 develop associated data products for purposes
3 that support the priorities of the partnership.

4 (2) In cooperation with appropriate Federal and
5 State agencies, Tribal governments, and local au-
6 thorities, develop and implement specific action
7 plans to carry out coordination goals.

8 (3) Coordinate and implement priority plans
9 and projects, and facilitate science, research, mod-
10 eling, monitoring, data collection, management and
11 sharing, and other activities that support the goals
12 of the partnership through the provision of grants
13 and contracts under subsection (f).

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

18 (5) Implement engagement programs for public
19 information, education, and participation to foster
20 stewardship of the resources of the ocean and coast-
21 al areas, as relevant.

22 (6) Develop and make available, through publi-
23 cations, technical assistance, and other appropriate
24 means, information pertaining to cross-jurisdictional

1 issues being addressed through the coordinated ac-
2 tivities of the partnership.

3 (7) Serve as a liaison with, and provide infor-
4 mation to, international and foreign counterparts, as
5 appropriate on priority issues for the partnership.

6 (e) CONSULTATION AND ENGAGEMENT.—A regional
7 ocean partnership designated under subsection (b) shall
8 maintain mechanisms for consultation with Federal and
9 Tribal governments as well as engagement with non-
10 governmental entities, including academic organizations,
11 nonprofit organizations, and businesses.

12 (f) GRANTS AND CONTRACTS.—

13 (1) IN GENERAL.—A regional ocean partnership
14 designated under subsection (b) may, in coordination
15 with existing Federal and State management pro-
16 grams, from amounts made available to the partner-
17 ship by the Administrator or the head of another
18 Federal agency—

19 (A) provide grants to eligible persons de-
20 scribed in paragraph (2) for the purposes de-
21 scribed in paragraph (3); and

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

24 (2) ELIGIBLE PERSONS.—The eligible persons
25 described in this paragraph (1)(A) are the following:

1 (A) Indian Tribes.

2 (B) State and local governments.

3 (C) Nongovernmental organizations.

4 (D) Institutions of higher education.

5 (E) Individuals.

6 (F) Private entities.

7 (3) PURPOSES.—The purposes described in
8 paragraph (1)(A) include any of the following:

9 (A) Monitoring the water quality and living
10 resources of multi-State ocean and coastal eco-
11 systems and to coastal communities.

12 (B) Conducting research and development
13 with respect to human-induced environmental
14 changes to—

15 (i) ocean and coastal ecosystems; and

16 (ii) coastal communities.

17 (C) Developing and executing cooperative
18 strategies that—

19 (i) address regional data issues identi-
20 fied by the partnership; and

21 (ii) will result in more effective man-
22 agement of common ocean and coastal
23 areas.

24 (g) REPORTS AND ASSESSMENTS.—

1 (1) IN GENERAL.—Not later than 5 years after
2 the date of the enactment of this Act, and every 5
3 years thereafter until 2040, the Administrator, in
4 coordination with the regional ocean partnerships
5 designated under subsection (b), shall—

6 (A) assess the effectiveness of the partner-
7 ships in supporting regional priorities relating
8 to the management of common ocean and coast-
9 al areas; and

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

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

15 (A) An assessment of the overall status of
16 the work of the regional ocean partnerships des-
17 ignated under subsection (b).

18 (B) An assessment of the effectiveness of
19 the strategies that the regional ocean partner-
20 ships are supporting or implementing and the
21 extent to which the priority needs of the regions
22 covered by such partnerships are being met
23 through such strategies.

24 (C) Such recommendations as the Admin-
25 istrator may have for the improvement of ef-

1 forts of the regional ocean partnerships to sup-
2 port the purposes of this Act.

3 (D) An assessment of how the efforts of
4 the regional ocean partnerships support or en-
5 hance Federal and State efforts in line with the
6 purposes of this Act.

7 (E) Recommendations for improvements to
8 the collective strategies that support the pur-
9 poses of this Act in coordination and consulta-
10 tion with all relevant Federal, State, and Tribal
11 entities.

12 (h) AVAILABILITY OF FEDERAL FUNDS.—In addition
13 to amounts made available to regional ocean partnerships
14 designated under subsection (b) by the Administrator
15 under this section, the head of any other Federal agency
16 may provide grants to, enter into contracts with, or other-
17 wise provide funding to such partnerships.

18 (i) AUTHORITIES.—Nothing in this section estab-
19 lishes any new legal or regulatory authority of the Na-
20 tional Oceanic and Atmospheric Administration or of the
21 regional ocean partnerships designated under subsection
22 (b), other than—

23 (1) the authority of the Administrator to pro-
24 vide amounts to the partnerships; and

1 (2) the authority of the partnerships to provide
2 grants and enter into contracts under subsection (e).

3 (j) FUNDING.—

4 (1) REGIONAL OCEAN PARTNERSHIPS.—There
5 are authorized to be appropriated to the National
6 Oceanic and Atmospheric Administration the fol-
7 lowing amounts for regional ocean partnerships des-
8 ignated under subsection (b) or designated fiscal
9 management entities of such partnerships to carry
10 out activities of the partnerships under this Act:

11 (A) \$10,100,000 for fiscal year 2022.

12 (B) \$10,202,000 for fiscal year 2023.

13 (C) \$10,306,040 for fiscal year 2024.

14 (D) \$10,412,160 for fiscal year 2025.

15 (E) \$10,520,404 for fiscal year 2026.

16 (2) DISTRIBUTION OF AMOUNTS.—Amounts
17 made available under paragraph (1) shall be divided
18 evenly among the regional ocean partnerships des-
19 ignated under subsection (b).

20 (3) TRIBAL CONSULTATION.—There are author-
21 ized to be appropriated \$1,000,000 for each fiscal
22 year 2021 through 2025 to the National Oceanic
23 and Atmospheric Administration for Indian Tribes
24 and Indigenous communities to be distributed for

- 1 purposes of participation in or engagement with the
- 2 regional ocean partnerships.

