

115TH CONGRESS
1ST SESSION

H. R. 3533

To amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation preparedness and response program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Mr. CARBAJAL (for himself and Mr. CURBELO of Florida) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation preparedness and response program, 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 “Coastal State Climate
5 Preparedness Act of 2017”.

1 **SEC. 2. CLIMATE CHANGE PREPAREDNESS IN THE COAST-**
2 **AL ZONE.**

3 (a) IN GENERAL.—The Coastal Zone Management
4 Act of 1972 (16 U.S.C. 1451 et seq.) is amended by add-
5 ing at the end the following:

6 “CLIMATE CHANGE ADAPTATION PREPAREDNESS AND
7 RESPONSE PROGRAM

8 “SEC. 320. (a) IN GENERAL.—The Secretary shall
9 establish, consistent with the national policies set forth in
10 section 303, a coastal climate change adaptation prepared-
11 ness and response program to—

12 “(1) provide assistance to coastal states to vol-
13 untarily develop coastal climate change adaptation
14 plans, pursuant to approved management programs
15 approved under section 306, to minimize contribu-
16 tions to climate change and to prepare for and re-
17 duce the negative consequences that may result from
18 climate change in the coastal zone; and

19 “(2) provide financial and technical assistance
20 and training to enable coastal states to implement
21 plans developed pursuant to this section through
22 coastal states’ enforceable policies.

23 “(b) CLIMATE CHANGE ADAPTATION PREPARED-
24 NESS GRANTS.—

25 “(1) IN GENERAL.—The Secretary, subject to
26 the availability of appropriations, may make a grant

1 to any coastal state for the purpose of developing cli-
2 mate change adaptation plans pursuant to guidelines
3 issued by the Secretary under paragraph (8).

4 “(2) PLAN CONTENT.—A plan developed with a
5 grant under this subsection shall include the fol-
6 lowing:

7 “(A) Identification of public facilities and
8 public services, working waterfronts, coastal re-
9 sources of national significance, coastal waters,
10 energy facilities, or other land and water uses
11 located in the coastal zone that are likely to be
12 impacted by climate change.

13 “(B) Adaptive management strategies for
14 land use to respond or adapt to changing envi-
15 ronmental conditions, including strategies to
16 protect biodiversity, protect water quality, and
17 establish habitat buffer zones, migration cor-
18 ridors, and climate refugia.

19 “(C) Requirements to initiate and main-
20 tain long-term monitoring of environmental
21 change to assess coastal zone adaptation and to
22 adjust when necessary adaptive management
23 strategies and new planning guidelines to attain
24 the policies under section 303.

1 “(D) Other information considered nec-
2 essary by the Secretary to identify the full
3 range of climate change impacts affecting coast-
4 al communities.

5 “(3) STATE HAZARD MITIGATION PLANS.—
6 Plans developed with a grant under this subsection
7 shall be consistent with State hazard mitigation
8 plans and natural disaster response and recovery
9 programs developed under State or Federal law.

10 “(4) ALLOCATION.—Grants under this sub-
11 section shall be available only to coastal states with
12 management programs approved by the Secretary
13 under section 306 and shall be allocated among such
14 coastal states in a manner consistent with regula-
15 tions promulgated pursuant to section 306(c).

16 “(5) PRIORITY.—In the awarding of grants
17 under this subsection, the Secretary may give pri-
18 ority to any coastal state that has received grant
19 funding to develop program changes pursuant to
20 paragraphs (1), (2), (3), (5), (6), (7), and (8) of sec-
21 tion 309(a).

22 “(6) TECHNICAL ASSISTANCE.—The Secretary
23 may provide technical assistance to a coastal state
24 consistent with section 310 to ensure the timely de-

1 velopment of plans supported by grants awarded
2 under this subsection.

3 “(7) FEDERAL APPROVAL.—In order to be eligi-
4 ble for a grant under subsection (c), a coastal state
5 must have its plan developed under this subsection
6 approved by the Secretary.

7 “(8) GUIDELINES.—Within 180 days after the
8 date of enactment of this section, the Secretary, in
9 consultation with the coastal states, shall issue
10 guidelines for the implementation of the grant pro-
11 gram established under this subsection.

12 “(c) COASTAL ADAPTATION PROJECT GRANTS.—

13 “(1) IN GENERAL.—The Secretary, subject to
14 the availability of appropriations, may make grants
15 to any coastal state that has a climate change adap-
16 tation plan approved under subsection (b)(7), in
17 order to support projects that implement strategies
18 contained within such plans.

19 “(2) PROGRAM REQUIREMENTS.—The Sec-
20 retary, within 90 days after approval of the first
21 plan approved under subsection (b)(7), shall publish
22 in the Federal Register requirements regarding ap-
23 plications, allocations, eligible activities, and all
24 terms and conditions for grants awarded under this
25 subsection. No less than 30 percent, and no more

1 than 50 percent, of the funds appropriated in any
2 fiscal year for grants under this subsection shall be
3 awarded through a merit-based competitive process.

4 “(3) ELIGIBLE ACTIVITIES.—The Secretary
5 may award grants to coastal states to implement
6 projects in the coastal zone to address stress factors
7 in order to improve coastal climate change adapta-
8 tion, including the following:

9 “(A) Activities to address physical disturb-
10 ances within the coastal zone, especially activi-
11 ties related to public facilities and public serv-
12 ices, tourism, sedimentation, ocean acidification,
13 and other factors negatively impacting coastal
14 waters.

15 “(B) Monitoring, control, or eradication of
16 disease organisms and invasive species.

17 “(C) Activities to address the loss, deg-
18 radation, or fragmentation of wildlife habitat
19 through projects to establish or protect marine
20 and terrestrial habitat buffers, wildlife refugia,
21 other wildlife refuges, or networks thereof, pres-
22 ervation of migratory wildlife corridors and
23 other transition zones, and restoration of fish
24 and wildlife habitat.

1 “(D) Projects to reduce, mitigate, or other-
2 wise address likely impacts caused by natural
3 hazards in the coastal zone, including sea level
4 rise, coastal inundation, storm water manage-
5 ment, coastal erosion and subsidence, severe
6 weather events such as cyclonic storms,
7 tsunamis and other seismic threats, and fluc-
8 tuating Great Lakes water levels.

9 “(E) Projects to adapt existing infrastruc-
10 ture, including enhancements to both built and
11 natural environments.

12 “(F) Provision of technical training and
13 assistance to local coastal policy makers to in-
14 crease awareness of science, management, and
15 technology information related to climate
16 change and adaptation strategies.

17 “(4) PROMOTION AND USE OF NATIONAL ESTU-
18 ARINE RESEARCH RESERVES.—The Secretary shall
19 promote and encourage the use of National Estua-
20 rine Research Reserves as sites for pilot or dem-
21 onstration projects carried out with grants awarded
22 under this section.”.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
24 318(a) of the Coastal Zone Management Act of 1972 (16
25 U.S.C. 1464(a)) is amended—

1 (1) by striking “and” after the semicolon at the
2 end of paragraph (1);

3 (2) by striking the period at the end of para-
4 graph (2) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(3) for grants under section 320, such sums
7 as are necessary.”.

8 (c) INTENT OF CONGRESS.—Nothing in this section
9 shall be construed to require any coastal state to amend
10 or modify its approved management program pursuant to
11 section 306(e) of the Coastal Zone Management Act of
12 1972 (16 U.S.C. 1455(e)) or to extend the enforceable
13 policies of a coastal state beyond the coastal zone as iden-
14 tified in the coastal state’s approved management pro-
15 gram.

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