

114TH CONGRESS
2D SESSION

H. R. 4607

To amend the Estuary Restoration Act of 2000 to modify requirements that apply to projects carried out under the estuary habitat restoration program established by the Secretary of the Army, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2016

Mr. HUFFMAN (for himself and Mr. DENHAM) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Estuary Restoration Act of 2000 to modify requirements that apply to projects carried out under the estuary habitat restoration program established by the Secretary of the Army, 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. ESTUARY HABITAT RESTORATION.**

4 (a) COST SHARING.—Section 104(d) of the Estuary
5 Restoration Act of 2000 (33 U.S.C. 2903(d)) is amend-
6 ed—

1 (1) in paragraph (3)—

2 (A) by striking “The non-Federal share”
3 and inserting the following:

4 “(A) IN GENERAL.—The non-Federal
5 share”; and

6 (2) by adding at the end the following:

7 “(B) PROVISION OF LAND BY NONGOVERN-
8 MENTAL ORGANIZATIONS.—A nongovernmental
9 organization allowed to serve as a non-Federal
10 interest for a project under subsection (f)(2)
11 may provide lands owned and managed by a le-
12 gally constituted public body (including a feder-
13 ally recognized Indian tribe) for habitat or fish
14 and wildlife conservation if the public body re-
15 sponsible for the lands executes a legally bind-
16 ing agreement with the nongovernmental inter-
17 est under which the public body agrees to—

18 “(i) operate and maintain the project,
19 or allow the nongovernmental organization
20 to operate and maintain the project; and

21 “(ii) retain the land in public owner-
22 ship for uses compatible with the project.”.

23 (b) COOPERATION OF NON-FEDERAL INTERESTS.—
24 Section 104(f) of such Act (33 U.S.C. 2903(f)) is amend-
25 ed—

1 (1) by striking paragraph (1)(B) and inserting
2 the following:

3 “(B) provide for operation, maintenance,
4 and monitoring of the project.”; and

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

6 “(3) PROJECT AGREEMENTS.—For a project
7 carried out under this title, the requirements of sec-
8 tion 103(j)(1) of the Water Resources Development
9 Act of 1986 (33 U.S.C. 2213(j)(1)) may be fulfilled
10 by a nongovernmental organization serving as the
11 non-Federal interest for the project under paragraph
12 (2).”.

13 (c) GUIDELINES FOR PROJECT IMPLEMENTATION.—
14 Section 104 of such Act (33 U.S.C. 2903) is amended by
15 adding at the end the following:

16 “(h) GUIDELINES FOR PROJECT IMPLEMENTA-
17 TION.—

18 “(1) ISSUANCE.—Not later than 180 days after
19 the date of enactment of this subsection, the Sec-
20 retary shall issue guidelines for implementing estu-
21 ary habitat restoration projects under this title.

22 “(2) PURPOSES.—In issuing the guidelines, the
23 Secretary shall make every effort to streamline im-
24 plementation requirements and reduce overhead
25 costs of estuary habitat restoration projects under

1 this title, including by maximizing consistency with
2 the requirements of restoration programs adminis-
3 tered by other Federal agencies, including the Com-
4 munity Restoration Program of the National Oce-
5 anic and Atmospheric Administration and the North
6 American Wetlands Conservation Act grant program
7 of the United States Fish and Wildlife Service.

8 “(3) PUBLIC PARTICIPATION; REVISIONS.—The
9 Secretary shall develop and revise the guidelines
10 through a public process, with the frequency of revi-
11 sion to be determined by the Secretary.”

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