

117TH CONGRESS
2D SESSION

H. R. 7801

To amend the Coastal Zone Management Act of 1972 to allow the Secretary of Commerce to establish a Coastal and Estuarine Resilience and Restoration Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2022

Mr. LEVIN of California (for himself and Mr. MAST) 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 allow the Secretary of Commerce to establish a Coastal and Estuarine Resilience and Restoration 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. COASTAL AND ESTUARINE RESILIENCE AND**
4 **RESTORATION PROGRAM.**

5 Section 307A of the Coastal Zone Management Act
6 of 1972 (16 U.S.C. 1456–1) is amended—

1 (1) by striking the heading and inserting
2 “COASTAL AND ESTUARINE RESILIENCE AND RES-
3 TORATION PROGRAM”;

4 (2) by amending subsection (a) to read as fol-
5 lows:

6 “(a) IN GENERAL.—The Secretary may conduct a
7 Coastal and Estuarine Resilience and Restoration Pro-
8 gram, in cooperation with State, regional, and other units
9 of government and the National Estuarine Research Re-
10 serves, for the purposes of—

11 “(1) protecting important coastal and estuarine
12 areas that—

13 “(A) have significant conservation, recre-
14 ation, coastal access, ecological, historical, or
15 aesthetic value;

16 “(B) are threatened by conversion from
17 their natural, undeveloped, or recreational state
18 to other uses; or

19 “(C) could be managed or restored to ef-
20 fectively conserve, enhance, or restore ecological
21 function or mitigate climate change; or

22 “(2) restoring developed property in vulnerable
23 coastal and estuarine areas to a natural state to re-
24 store ecological function, allow for shoreline migra-
25 tion, and protect coastal communities.”;

1 (3) in subsection (c)—

2 (A) by amending paragraph (7) to read as
3 follows:

4 “(7) Priority shall be given to lands that—

5 “(A) can be effectively managed and pro-
6 tected and that have significant recreation, eco-
7 logical, historical, cultural, aesthetic, or commu-
8 nity protection value;

9 “(B) to the maximum extent practicable,
10 benefit communities that may not have ade-
11 quate resources to prepare for or respond to
12 coastal hazards or to access coastline, including
13 low-income communities; and

14 “(C)(i) are under an imminent threat of
15 conversion to a use that will degrade or other-
16 wise diminish their natural, undeveloped, or rec-
17 reational state;

18 “(ii) serve to mitigate the adverse impacts
19 caused by coastal population growth in the
20 coastal environment;

21 “(iii) are within or adjacent to a national
22 estuarine research reserve designated under sec-
23 tion 315, a national wildlife refuge, or a na-
24 tional estuary program, or are proposed for des-

1 ignation as such a reserve or other such pro-
2 tected area; or

3 “(iv) are under threat due to climate
4 change or may serve to mitigate the adverse ef-
5 fects of climate change, including through the
6 storage of blue carbon, and to facilitate inland
7 migration of coastal ecosystems in response to
8 sea level rise.”; and

9 (B) in paragraph (10), by striking “tri-
10 ennially” and inserting “every 5 years”;

11 (4) in subsection (f)—

12 (A) in paragraph (2)(B), by inserting “for
13 any territory of the United States that is un-
14 able to provide such match,” after “commu-
15 nity,”; and

16 (B) in paragraph (4)—

17 (i) in subparagraph (A)(i), by striking
18 “meets the criteria set forth in section
19 2(b)” and inserting “the goals set forth in
20 subsection (b)”;

21 (ii) by striking subparagraph (B) and
22 redesignating subparagraph (C) as sub-
23 paragraph (B);

24 (iii) in subparagraph (B) (as so reded-
25 ignated), by striking “described in (A)”

1 and inserting “described in subparagraph
2 (A)”;

3 (iv) by inserting at the end the fol-
4 lowing new subparagraph:

5 “(C) The value of ecosystem services that
6 the acquired land provides, including as a buff-
7 er for storm surge, habitat for economically val-
8 uable species, and as blue carbon sink.”;

9 (5) in subsection (g), by striking “15” and in-
10 sserting “20”;

11 (6) in subsection (h), by striking the second
12 sentence; and

13 (7) in subsection (l), by striking “fiscal years
14 2009 through 2013” and inserting “fiscal years
15 2022 through 2026”.

16 **SEC. 2. AMENDMENTS TO NATIONAL ESTUARINE RE-**
17 **SEARCH RESERVE SYSTEM PROGRAM.**

18 (a) DESIGNATION OF ADDITIONAL RESERVES.—Not
19 later than 5 years after the date of enactment of this Act,
20 the Administrator shall designate not less than 5 new na-
21 tional estuarine reserves under section 315 of the Coastal
22 Zone Management Act of 1972 (16 U.S.C. 1461). In mak-
23 ing such designations, the Administrator shall prioritize
24 designations to achieve the following with respect to the
25 National Estuarine Research Reserve System:

1 (1) Full representation of biogeographic re-
2 gions, States, and Territories.

3 (2) The presence of a national estuarine reserve
4 in each coastal State or Territory (as that term is
5 defined in that Act).

6 (b) GUIDELINES FOR TRACKING AND MODELING THE
7 IMPACTS OF CLIMATE CHANGE.—Section 315(c) of the
8 Coastal Zone Management Act of 1972 (16 U.S.C.
9 1461(c)) is amended—

10 (1) by redesignating paragraphs (3) through
11 (5) as paragraphs (4) through (6); and

12 (2) by inserting after paragraph (2) the fol-
13 lowing:

14 “(3) the establishment of coordinated long-term
15 data monitoring and methods throughout the Sys-
16 tem for tracking and modeling the impacts of cli-
17 mate change on estuarine systems, including impacts
18 on lake levels and sea levels;”.

19 (c) LAND ACQUISITION AND CONSTRUCTION.—Sec-
20 tion 315 of the Coastal Zone Management Act of 1972
21 (16 U.S.C. 1461) is amended by striking (g) and adding
22 at the end the following:

23 “(g) LAND ACQUISITION AND CONSTRUCTION.—The
24 Secretary may use funds authorized under section 318 for
25 land acquisition and the construction and renovations of

1 facilities required to meet delivery of System programs
2 and services, or to meet changing needs of program under
3 this title.

4 “(h) REQUIREMENTS FOR USE OF FUNDS.—In using
5 funds under subsection (g), the Secretary shall—

6 “(1) provide science-based information and
7 technical assistance to coastal stakeholders and deci-
8 sionmakers;

9 “(2) leverage the capabilities of nationwide pro-
10 tected area networks to address challenging coastal
11 management issues such as climate change and vul-
12 nerability of coastal ecosystems and communities to
13 coastal hazards;

14 “(3) serve as living laboratories and preferred
15 places for National Oceanic and Atmospheric Ad-
16 ministration research and fellowships on coastal and
17 estuarine systems;

18 “(4) serve as critical sentinel sites for detecting
19 environmental change and developing and dem-
20 onstrating adaptation and mitigation strategies;

21 “(5) identify priority places for land acquisition,
22 especially those lands required to enhance resilience
23 to environmental change; and

24 “(6) engage coastal communities, stakeholders,
25 and the public in education programs to increase sci-

1 entific literacy of coastal environments, and to de-
2 velop and train capable environmental stewards.

3 “(i) SYSTEMWIDE ELEMENTS OF THE NATIONAL ES-
4 TUARINE RESEARCH RESERVE SYSTEM.—The Secretary
5 shall coordinate systemwide programs and activities in the
6 System including—

7 “(1) the centralized management and dissemi-
8 nation of data from System observation and moni-
9 toring networks;

10 “(2) a competitive grant program employing the
11 collaborative research model on coastal research and
12 management priorities to be conducted at research
13 reserve sites focused on the priorities determined by
14 the Secretary; and

15 “(3) establish the Margaret A. Davidson Grad-
16 uate Research Fellowship Program to address key
17 coastal management questions and the coastal re-
18 search and management priorities of the Reserve
19 System and its place-based sites to help scientists
20 and communities understand the coastal challenges
21 that may influence future policy and management
22 strategies.

23 “(j) PLACE-BASED PROGRAM ELEMENTS OF THE
24 NATIONAL ESTUARINE RESEARCH RESERVE SYSTEM.—
25 Each National Estuarine Research Reserve shall establish

1 and maintain place-based program elements that in-
2 clude—

3 “(1) a research, monitoring, and observation
4 network that detects environmental change and in-
5 forms suitable adaptation and mitigation strategies
6 where appropriate, and that supports systemwide ac-
7 tivities stated in subsection (e);

8 “(2) education, outreach, and interpretive pro-
9 grams that communicate the value and changing dy-
10 namics of coastal systems;

11 “(3) stewardship programs that provide science-
12 based tools, habitat management, and restoration
13 and that provide resources and information to in-
14 form coastal management;

15 “(4) coastal training programs that provide
16 technical assistance to coastal communities, resource
17 managers, and coastal decisionmakers; and

18 “(5) the lands and facilities that support such
19 accessible research, monitoring, stewardship, edu-
20 cation, and coastal training activities.

21 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
22 are hereby authorized to be appropriated to the Secretary
23 \$47,000,000 for each of fiscal year 2022 through 2026
24 to provide financial assistance under this section.

1 “(1) DEFINITIONS.—In this section, the following
2 definitions apply:

3 “(1) COLLABORATIVE RESEARCH.—The term
4 ‘collaborative research’ means the engagement of
5 local decisionmakers and stakeholders directly in the
6 research process so that their knowledge and needs
7 will inform research questions, data analysis, and
8 use of the products generated by the research.

9 “(2) SENTINEL SITE.—The term ‘sentinel site’
10 means a site with long-term research and monitoring
11 capability to detect, document, and respond to
12 emerging environmental changes that impact natural
13 and human systems.”.

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