

Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the activities carried out under this subsection and activities proposed to be carried out under this subsection.

(b) Demonstration project

(1) Removal of submerged oil

The Commandant of the Coast Guard, in conjunction with the Under Secretary of Commerce for Oceans and Atmosphere, shall conduct a demonstration project for the purpose of developing and demonstrating technologies and management practices to remove submerged oil from the Delaware River and other navigable waters.

(2) Funding

There is authorized to be appropriated to the Commandant of the Coast Guard \$2,000,000 for each of fiscal years 2006 through 2010 to carry out this subsection.

(Pub. L. 101-380, title VII, §7002, as added Pub. L. 109-241, title VI, §605(a)(2), July 11, 2006, 120 Stat. 555.)

CHAPTER 41—NATIONAL COASTAL MONITORING

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§ 2801. Purposes

The purposes of this chapter are to—

- (1) establish a comprehensive national program for consistent monitoring of the Nation's coastal ecosystems;
- (2) establish long-term water quality assessment and monitoring programs for high priority coastal waters that will enhance the ability of Federal, State, and local authorities to develop and implement effective remedial programs for those waters;
- (3) establish a system for reviewing and evaluating the scientific, analytical, and technological means that are available for monitoring the environmental quality of coastal ecosystems;
- (4) establish methods for identifying uniform indicators of coastal ecosystem quality;
- (5) provide for periodic, comprehensive reports to Congress concerning the quality of the Nation's coastal ecosystems;
- (6) establish a coastal environment information program to distribute coastal monitoring information;
- (7) provide state¹ programs authorized under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) with information necessary to design land use plans and coastal zone regulations that will contribute to the protection of coastal ecosystems; and
- (8) provide certain water pollution control programs authorized under the Federal Water

Pollution Control Act (33 U.S.C. 1251 et seq.) with information necessary to design and implement effective coastal water pollution controls.

(Pub. L. 92-532, title V, §501, as added Pub. L. 102-567, title V, §501, Oct. 29, 1992, 106 Stat. 4293.)

REFERENCES IN TEXT

The Coastal Zone Management Act of 1972, referred to in par. (7), is title III of Pub. L. 89-454 as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (§1451 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

The Federal Water Pollution Control Act, referred to in par. (8), is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of this title and Tables.

SHORT TITLE

Title V of Pub. L. 92-532, which comprises this chapter, is popularly known as the "National Coastal Monitoring Act".

§ 2802. Definitions

For the purposes of this chapter, the term—

- (1) "Administrator" means the Administrator of the Environmental Protection Agency;
- (2) "coastal ecosystem" means a system of interacting biological, chemical, and physical components throughout the water column, water surface, and benthic environment of coastal waters;
- (3) "coastal water quality" means the physical, chemical and biological parameters that relate to the health and integrity of coastal ecosystems;
- (4) "coastal water quality monitoring" means a continuing program of measurement, analysis, and synthesis to identify and quantify coastal water quality conditions and trends to provide a technical basis for decisionmaking;
- (5) "coastal waters" means waters of the Great Lakes, including their connecting waters and those portions of rivers, streams, and other bodies of water having unimpaired connection with the open sea up to the head of tidal influence, including wetlands, intertidal areas, bays, harbors, and lagoons, including waters of the territorial sea of the United States and the contiguous zone¹; and
- (6) "Under Secretary" means Under Secretary of Commerce for Oceans and Atmosphere.

(Pub. L. 92-532, title V, §502, as added Pub. L. 102-567, title V, §501, Oct. 29, 1992, 106 Stat. 4294.)

TERRITORIAL SEA AND CONTIGUOUS ZONE OF UNITED STATES

For extension of territorial sea and contiguous zone of United States, see Proc. No. 5928 and Proc. No. 7219, respectively, set out as notes under section 1331 of Title 43, Public Lands.

¹ So in original. Probably should be capitalized.

¹ So in original. The closing quotation marks preceding the semicolon probably should not appear.

§ 2803. Comprehensive Coastal Water Quality Monitoring Program

(a) Authority; joint implementation

(1) The Administrator and the Under Secretary, in conjunction with other Federal, State, and local authorities, shall jointly develop and implement a program for the long-term collection, assimilation, and analysis of scientific data designed to measure the environmental quality of the Nation's coastal ecosystems pursuant to this section. Monitoring conducted pursuant to this section shall be coordinated with relevant monitoring programs conducted by the Administrator, Under Secretary, and other Federal, State, and local authorities.

(2) Primary leadership for the monitoring program activities conducted by the Environmental Protection Agency pursuant to this section shall be located at the Environmental Research Laboratory in Narragansett, Rhode Island.

(b) Program elements

The Comprehensive Coastal Water Quality Monitoring Program shall include, but not be limited to—

(1) identification and analysis of the status of environmental quality in the Nation's coastal ecosystems, including but not limited to, assessment of—

(A) ambient water quality, including contaminant levels in relation to criteria and standards issued pursuant to title III or¹ the Federal Water Pollution Control Act (33 U.S.C. 1311 et seq.);

(B) benthic environmental quality, including analysis of contaminant levels in sediments in relation to criteria and standards issued pursuant to title III of the Federal Water Pollution Control Act (33 U.S.C. 1311 et seq.); and

(C) health and quality of living resources.²

(2) identification of sources of environmental degradation affecting the Nation's coastal ecosystems;

(3) assessment of the impact of governmental programs and management strategies and measures designed to abate or prevent the environmental degradation of the Nation's coastal ecosystems;

(4) assessment of the accumulation of floatables along coastal shorelines;

(5) analysis of expected short-term and long-term trends in the environmental quality of the Nation's coastal ecosystems; and

(6) the development and implementation of intensive coastal water quality monitoring programs in accordance with subsection (d) of this section.

(c) Monitoring guidelines and protocols

(1) Guidelines

Not later than 18 months after October 29, 1992, the Administrator and the Under Secretary shall jointly issue coastal water quality monitoring guidelines to assist in the development and implementation of coastal water quality monitoring programs. The guidelines shall—

(A) provide an appropriate degree of uniformity among the coastal water quality monitoring methods and data while preserving the flexibility of monitoring programs to address specific needs;

(B) establish scientifically valid monitoring methods that will—

(i) provide simplified methods to survey and assess the water quality and ecological health of coastal waters;

(ii) identify and quantify through more intensive efforts the severity of existing or anticipated problems in selected coastal waters;

(iii) identify and quantify sources of pollution that cause or contribute to those problems, including point and nonpoint sources; and

(iv) evaluate over time the effectiveness of efforts to reduce or eliminate pollution from those sources;

(C) provide for data compatibility to enable data to be efficiently stored and shared by various users; and

(D) identify appropriate physical, chemical, and biological indicators of the health and quality of coastal ecosystems.

(2) Technical protocols

Guidelines issued under paragraph (1) shall include protocols for—

(A) designing statistically valid coastal water quality monitoring networks and monitoring surveys, including assessment of the accumulation of floatables.²

(B) sampling and analysis, including appropriate physical and chemical parameters, living resource parameters, and sediment analysis techniques; and

(C) quality control, quality assessment, and data consistency and management.

(3) Periodic review

The Administrator and the Under Secretary shall periodically review the guidelines and protocols issued under this subsection to evaluate their effectiveness, the degree to which they continue to answer program objectives and provide an appropriate degree of uniformity while taking local conditions into account, and any need to modify or supplement them with new guidelines and protocols, as needed.

(4) Discharge permit data

The Administrator or a State permitting authority shall ensure that compliance monitoring conducted pursuant to section 402(a)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1342(a)(2)) for permits for discharges to coastal waters is consistent with the guidelines issued under this subsection. Any modifications of discharge permits necessary to implement this subsection shall be deemed to be minor modifications of such permit. Nothing in this subsection requires dischargers to conduct monitoring other than compliance monitoring pursuant to permits under section 402(a)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1342(a)(2)).

¹ So in original. Probably should be "of".

² So in original. The period probably should be a semicolon.