

the threat of future loss or degradation of each type of estuary habitat;

(5) measuring the rate of change for each type of estuary habitat;

(6) selecting a balance of smaller and larger estuary habitat restoration projects; and

(7) ensuring equitable geographic distribution of projects funded under this chapter.

**(e) Public review and comment**

Before the Council adopts a final or revised estuary habitat restoration strategy, the Secretary shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

**(f) Periodic revision**

Using data and information developed through project monitoring and management, and other relevant information, the Council may periodically review and update, as necessary, the estuary habitat restoration strategy.

(Pub. L. 106-457, title I, §106, Nov. 7, 2000, 114 Stat. 1963.)

**§ 2906. Monitoring of estuary habitat restoration projects**

**(a) Under Secretary**

In this section, the term “Under Secretary” means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

**(b) Database of restoration project information**

The Under Secretary, in consultation with the Council, shall develop and maintain an appropriate database of information concerning estuary habitat restoration projects carried out under this chapter, including information on project techniques, project completion, monitoring data, and other relevant information.

**(c) Monitoring data standards**

The Under Secretary, in consultation with the Council, shall develop standard data formats for monitoring projects, along with requirements for types of data collected and frequency of monitoring.

**(d) Coordination of data**

The Under Secretary shall have general data compilation, coordination, and analysis responsibilities to carry out this chapter and in support of the strategy developed under this section, including compilation of information that pertains to estuary habitat restoration projects from other Federal, State, and local sources and that meets the quality control requirements and data standards established under this section.

**(e) Use of existing programs**

The Under Secretary shall use existing programs within the National Oceanic and Atmospheric Administration to create and maintain the database required under this section.

**(f) Public availability**

The Under Secretary shall make the information collected and maintained under this section available to the public.

(Pub. L. 106-457, title I, §107, Nov. 7, 2000, 114 Stat. 1964; Pub. L. 110-114, title V, §5017(e), Nov. 8, 2007, 121 Stat. 1198.)

AMENDMENTS

2007—Subsec. (d). Pub. L. 110-114 substituted “have general data compilation, coordination, and analysis responsibilities to carry out this chapter and in support of the strategy developed under this section, including compilation of” for “compile”.

**§ 2907. Reporting**

**(a) In general**

Not later than September 30, 2008, and every 2 years thereafter, the Secretary, after considering the advice and recommendations of the Council, shall transmit to Congress a report on the results of activities carried out under this chapter.

**(b) Contents of report**

A report under subsection (a) of this section shall include—

(1) data on the number of acres of estuary habitat restored under this chapter, including descriptions of, and partners involved with, projects selected, in progress, and completed under this chapter that comprise those acres;

(2) information from the database established under section 2906(b) of this title related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this chapter; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

(Pub. L. 106-457, title I, §108, Nov. 7, 2000, 114 Stat. 1965; Pub. L. 110-114, title V, §5017(f), Nov. 8, 2007, 121 Stat. 1198.)

AMENDMENTS

2007—Subsec. (a). Pub. L. 110-114 substituted “Not later than September 30, 2008, and every 2 years thereafter” for “At the end of the third and fifth fiscal years following November 7, 2000”.

**§ 2908. Funding**

**(a) Authorization of appropriations**

**(1) Estuary habitat restoration projects**

There is authorized to be appropriated for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) to the Secretary, \$25,000,000 for each of fiscal years 2008 through 2012;

(B) to the Secretary of the Interior (acting through the Director of the United States Fish and Wildlife Service), \$2,500,000 for each of fiscal years 2008 through 2012;

(C) to the Under Secretary for Oceans and Atmosphere of the Department of Commerce, \$2,500,000 for each of fiscal years 2008 through 2012;

(D) to the Administrator of the Environmental Protection Agency, \$2,500,000 for each of fiscal years 2008 through 2012; and