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§ 1451. Congressional findings

The Congress finds that—

(a) There is a national interest in the effective management, beneficial use, protection, and development of the coastal zone.

(b) The coastal zone is rich in a variety of natural, commercial, recreational, ecological, industrial, and esthetic resources of immediate and potential value to the present and future well-being of the Nation.

(c) The increasing and competing demands upon the lands and waters of our coastal zone occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuels, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources, have resulted in the loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use, and shoreline erosion.

(d) The habitat areas of the coastal zone, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations.

(e) Important ecological, cultural, historic, and esthetic values in the coastal zone which are essential to the well-being of all citizens are being irretrievably damaged or lost.

(f) New and expanding demands for food, energy, minerals, defense needs, recreation, waste disposal, transportation, and industrial activities in the Great Lakes, territorial sea, exclusive economic zone, and Outer Continental Shelf are placing stress on these areas and are creating the need for resolution of serious conflicts among important and competing uses and values in coastal and ocean waters;¹

(g) Special natural and scenic characteristics are being damaged by ill-planned development that threatens these values.

(h) In light of competing demands and the urgent need to protect and to give high priority to natural systems in the coastal zone, present state and local institutional arrangements for planning and regulating land and water uses in such areas are inadequate.

(i) The key to more effective protection and use of the land and water resources of the coastal zone is to encourage the states to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with Federal and local governments and other vitally affected interests, in developing land and water use programs for the coastal zone, including unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

(j) The national objective of attaining a greater degree of energy self-sufficiency would be advanced by providing Federal financial assistance to meet state and local needs resulting from new or expanded energy activity in or affecting the coastal zone.

(k) Land uses in the coastal zone, and the uses of adjacent lands which drain into the coastal zone, may significantly affect the quality of coastal waters and habitats, and efforts to control coastal water pollution from land use activities must be improved.

(l) Because global warming may result in a substantial sea level rise with serious adverse effects in the coastal zone, coastal states must anticipate and plan for such an occurrence.

(m) Because of their proximity to and reliance upon the ocean and its resources, the coastal states have substantial and significant interests in the protection, management, and development of the resources of the exclusive economic zone that can only be served by the active participation of coastal states in all Federal programs affecting such resources and, wherever appropriate, by the development of state ocean resource plans as part of their federally approved coastal zone management programs.

(Pub. L. 89-454, title III, §302, as added Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280; amended Pub. L. 94-370, §2, July 26, 1976, 90 Stat. 1013; Pub. L. 96-464, §2, Oct. 17, 1980, 94 Stat. 2060; Pub. L. 101-508, title VI, §6203(a), Nov. 5, 1990, 104 Stat. 1388-300.)

AMENDMENTS

1990—Subsec. (d). Pub. L. 101-508, §6203(a)(1), inserted “habitat areas of the” before “coastal zone”.

Subsec. (f). Pub. L. 101-508, §6203(a)(2), inserted “exclusive economic zone,” after “territorial sea.”

Subsecs. (k) to (m). Pub. L. 101-508, §6203(a)(3), added subsecs. (k) to (m).

1980—Subsecs. (f) to (j). Pub. L. 96-464, §2(1), (2), added subsec. (f) and redesignated former subsecs. (f) to (i) as (g) to (j), respectively.

1976—Subsec. (b). Pub. L. 94-370, §2(1), inserted “ecological,” after “recreational.”

Subsec. (i). Pub. L. 94-370, §2(3), added subsec. (i).

SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111-11, title XII, §12501, Mar. 30, 2009, 123 Stat. 1442, provided that: “This Act [probably should be “sub-title”, meaning subtitle E (§§12501, 12502) of title XII of Pub. L. 111-11, enacting section 1456-1 of this title] may be cited as the ‘Coastal and Estuarine Land Conservation Program Act’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-456, title I, §101, Dec. 10, 2004, 118 Stat. 3630, provided that: “This title [enacting and amending provisions set out as notes under this section] may be cited as the ‘Harmful Algal Bloom and Hypoxia Amendments Act of 2004’.”

¹ So in original. The semicolon probably should be a period.

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-150, §1, June 3, 1996, 110 Stat. 1380, provided that: "This Act [enacting section 1465 of this title, amending sections 1454, 1455a, 1456a, 1456b, 1461, and 1464 of this title, and enacting provisions set out as a note under section 1454 of this title] may be cited as the 'Coastal Zone Protection Act of 1996'."

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-508, title VI, §6201, Nov. 5, 1990, 104 Stat. 1388-299, provided that: "This subtitle [subtitle C (§§6201-6217) of title VI of Pub. L. 101-508, enacting sections 1455b, 1456c, and 1460 of this title, amending this section and sections 1452 to 1456b, 1458, 1461, and 1464 of this title, and enacting provisions set out as notes under this section and section 1455 of this title] may be cited as the 'Coastal Zone Act Reauthorization Amendments of 1990'."

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-272, title VI, §6041, Apr. 7, 1986, 100 Stat. 124, provided that: "This subtitle [subtitle D (§§6041-6047) of title VI of Pub. L. 99-272, amending sections 1455, 1455a, 1456a, 1458, 1461, and 1464 of this title, repealing sections 1456c and 1460 of this title, and repealing provisions set out as a note under this section] may be cited as the 'Coastal Zone Management Reauthorization Act of 1985'."

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-464, §1, Oct. 17, 1980, 94 Stat. 2060, provided: "That this Act [enacting sections 1455a and 1463a of this title, amending this section and sections 1452, 1453, 1455, 1456a, 1456b, 1458, 1461, 1462, and 1464 of this title, and enacting provisions set out as notes under sections 1455, 1458, and 1463a of this title] may be cited as the 'Coastal Zone Management Improvement Act of 1980'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-370, §1, July 26, 1976, 90 Stat. 1013, provided: "That this Act [enacting section 1511a of Title 15, Commerce and Trade, and sections 1456a to 1456c of this title, amending this section, sections 1453 to 1456 and 1457 to 1464 of this title, and section 5316 of Title 5, Government Organization and Employees, and enacting provisions set out as notes under section 1511a of Title 15 and section 1462 of this title] may be cited as the 'Coastal Zone Management Act Amendments of 1976'."

SHORT TITLE

Pub. L. 89-454, title III, §301, as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, provided that: "This title [enacting this chapter] may be cited as the 'Coastal Zone Management Act of 1972'."

HYPOXIA ASSESSMENT

Pub. L. 110-114, title V, §5022, Nov. 8, 2007, 121 Stat. 1203, provided that: "The Secretary [of the Army] may participate with Federal, State, and local agencies, non-Federal and nonprofit entities, regional researchers, and other interested parties to assess hypoxia in the Gulf of Mexico."

HARMFUL ALGAL BLOOMS AND HYPOXIA RESEARCH AND CONTROL

Pub. L. 108-456, title I, §102, Dec. 10, 2004, 118 Stat. 3630, provided in part that: "In developing the assessments, reports, and plans under the amendments made by this title [see Short Title of 2004 Amendment note above], the Task Force [Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia] shall consult with the coastal States, Indian tribes, local governments, appropriate industries (including fisheries, agriculture, and fertilizer), academic institutions, and nongovernmental organizations with expertise in coastal zone science and management."

Pub. L. 105-383, title VI, Nov. 13, 1998, 112 Stat. 3447, as amended by Pub. L. 108-456, title I, §§102-105, Dec. 10,

2004, 118 Stat. 3630-3633; Pub. L. 110-161, div. B, title V, §528, Dec. 26, 2007, 121 Stat. 1930, provided that:

"SEC. 601. SHORT TITLE.

"This title may be cited as the 'Harmful Algal Bloom and Hypoxia Research and Control Act of 1998'."

"SEC. 602. FINDINGS.

"The Congress finds that—

"(1) the recent outbreak of the harmful microbe *Pfiesteria piscicida* in the coastal waters of the United States is one example of potentially harmful algal blooms composed of naturally occurring species that reproduce explosively and that are increasing in frequency and intensity in the Nation's coastal waters;

"(2) other recent occurrences of harmful algal blooms include red tides in the Gulf of Mexico and the Southeast; brown tides in New York and Texas; ciguatera fish poisoning in Hawaii, Florida, Puerto Rico, and the United States Virgin Islands; and shellfish poisonings in the Gulf of Maine, the Pacific Northwest, and the Gulf of Alaska;

"(3) in certain cases, harmful algal blooms have resulted in fish kills, the deaths of numerous endangered West Indian manatees, beach and shellfish bed closures, threats to public health and safety, and concern among the public about the safety of seafood;

"(4) according to some scientists, the factors causing or contributing to harmful algal blooms may include excessive nutrients in coastal waters, other forms of pollution, the transfer of harmful species through ship ballast water, and ocean currents;

"(5) harmful algal blooms may have been responsible for an estimated \$1,000,000,000 in economic losses during the past decade;

"(6) harmful algal blooms and blooms of non-toxic algal species may lead to other damaging marine conditions such as hypoxia (reduced oxygen concentrations), which are harmful or fatal to fish, shellfish, and benthic organisms;

"(7) according to the National Oceanic and Atmospheric Administration in the Department of Commerce, 53 percent of United States estuaries experience hypoxia for at least part of the year and a 7,000 square mile area in the Gulf of Mexico off Louisiana and Texas suffers from hypoxia;

"(8) according to some scientists, a factor believed to cause hypoxia is excessive nutrient loading into coastal waters;

"(9) there is a need to identify more workable and effective actions to reduce nutrient loadings to coastal waters;

"(10) the National Oceanic and Atmospheric Administration, through its ongoing research, education, grant, and coastal resource management programs, possesses a full range of capabilities necessary to support a near and long-term comprehensive effort to prevent, reduce, and control harmful algal blooms and hypoxia;

"(11) funding for the research and related programs of the National Oceanic and Atmospheric Administration will aid in improving the Nation's understanding and capabilities for addressing the human and environmental costs associated with harmful algal blooms and hypoxia; and

"(12) other Federal agencies such as the Environmental Protection Agency, the Department of Agriculture, and the National Science Foundation, along with the States, Indian tribes, and local governments, conduct important work related to the prevention, reduction, and control of harmful algal blooms and hypoxia.

"SEC. 603. ASSESSMENTS.

"(a) ESTABLISHMENT OF INTER-AGENCY TASK FORCE.—The President, through the Committee on Environment and Natural Resources of the National Science and Technology Council, shall establish an Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia (hereinafter referred to as the 'Task Force'). The Task

Force shall consist of the following representatives from—

- “(1) the Department of Commerce (who shall serve as Chairman of the Task Force);
- “(2) the Environmental Protection Agency;
- “(3) the Department of Agriculture;
- “(4) the Department of the Interior;
- “(5) the Department of the Navy;
- “(6) the Department of Health and Human Services;
- “(7) the National Science Foundation;
- “(8) the National Aeronautics and Space Administration;
- “(9) the Food and Drug Administration;
- “(10) the Office of Science and Technology Policy;
- “(11) the Council on Environmental Quality; and
- “(12) such other Federal agencies as the President considers appropriate.

“(b) ASSESSMENT OF HARMFUL ALGAL BLOOMS.—

“(1) Not later than 12 months after the date of the enactment of this title [Nov. 13, 1998], the Task Force, in cooperation with the coastal States, Indian tribes, and local governments, industry (including agricultural organizations), academic institutions, and non-governmental organizations with expertise in coastal zone management, shall complete and submit to the Congress an assessment which examines the ecological and economic consequences of harmful algal blooms, alternatives for reducing, mitigating, and controlling harmful algal blooms, and the social and economic costs and benefits of such alternatives.

“(2) The assessment shall—

“(A) identify alternatives for preventing unnecessary duplication of effort among Federal agencies and departments with respect to harmful algal blooms; and

“(B) provide for Federal cooperation and coordination with and assistance to the coastal States, Indian tribes, and local governments in the prevention, reduction, management, mitigation, and control of harmful algal blooms and their environmental and public health impacts.

“(c) ASSESSMENT OF HYPOXIA.—

“(1) Not later than 12 months after the date of the enactment of this title [Nov. 13, 1998], the Task Force, in cooperation with the States, Indian tribes, local governments, industry, agricultural, academic institutions, and non-governmental organizations with expertise in watershed and coastal zone management, shall complete and submit to the Congress an assessment which examines the ecological and economic consequences of hypoxia in United States coastal waters, alternatives for reducing, mitigating, and controlling hypoxia, and the social and economic costs and benefits of such alternatives.

“(2) The assessment shall—

“(A) establish needs, priorities, and guidelines for a peer-reviewed, inter-agency research program on the causes, characteristics, and impacts of hypoxia;

“(B) identify alternatives for preventing unnecessary duplication of effort among Federal agencies and departments with respect to hypoxia; and

“(C) provide for Federal cooperation and coordination with and assistance to the States, Indian tribes, and local governments in the prevention, reduction, management, mitigation, and control of hypoxia and its environmental impacts.

“(d) REPORT TO CONGRESS ON HARMFUL ALGAL BLOOM IMPACTS.—

“(1) DEVELOPMENT.—Not later than 12 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 [Dec. 10, 2004], the President, in consultation with the chief executive officers of the States, shall develop and submit to the Congress a report that describes and evaluates the effectiveness of measures described in paragraph (2) that may be utilized to protect environmental and public health from impacts of harmful algal blooms. In developing the report, the President shall consult with the Task Force, the coastal States, Indian tribes, local governments, appropriate industries (in-

cluding fisheries, agriculture, and fertilizer), academic institutions, and nongovernmental organizations with expertise in coastal zone science and management, and also consider the scientific assessments developed under this Act.

“(2) REQUIREMENTS.—The report shall—

“(A) review techniques for prediction of the onset, course, and impacts of harmful algal blooms including evaluation of their accuracy and utility in protecting environmental and public health and provisions for their development;

“(B) identify innovative research and development methods for the prevention, control, and mitigation of harmful algal blooms and provisions for their development; and

“(C) include incentive-based partnership approaches regarding subparagraphs (A) and (B) where practicable.

“(3) PUBLICATION AND OPPORTUNITY FOR COMMENT.—At least 90 days before submitting the report to the Congress, the President shall cause a summary of the proposed plan to be published in the Federal Register for a public comment period of not less than 60 days.

“(4) FEDERAL ASSISTANCE.—The Secretary of Commerce, in coordination with the Task Force and to the extent of funds available, shall provide for Federal cooperation with and assistance to the coastal States, Indian tribes, and local governments regarding the measures described in paragraph (2), as requested.

“(e) LOCAL AND REGIONAL SCIENTIFIC ASSESSMENTS.—

“(1) IN GENERAL.—The Secretary of Commerce, in coordination with the Task Force and appropriate State, Indian tribe, and local governments, to the extent of funds available, shall provide for local and regional scientific assessments of hypoxia and harmful algal blooms, as requested by States, Indian tribes, and local governments, or for affected areas as identified by the Secretary. If the Secretary receives multiple requests, the Secretary shall ensure, to the extent practicable, that assessments under this subsection cover geographically and ecologically diverse locations with significant ecological and economic impacts from hypoxia or harmful algal blooms. The Secretary shall establish a procedure for reviewing requests for local and regional assessments. The Secretary shall ensure, through consultation with Sea Grant Programs, that the findings of the assessments are communicated to the appropriate State, Indian tribe, and local governments, and to the general public.

“(2) PURPOSE.—Local and regional assessments shall examine—

“(A) the causes and ecological consequences, and the economic cost, of hypoxia or harmful algal blooms in that area;

“(B) potential methods to prevent, control, and mitigate hypoxia or harmful algal blooms in that area and the potential ecological and economic costs and benefits of such methods; and

“(C) other topics the Task Force considers appropriate.

“(f) SCIENTIFIC ASSESSMENT OF FRESHWATER HARMFUL ALGAL BLOOMS.—(1) Not later than 24 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 [Dec. 10, 2004] the Task Force shall complete and submit to Congress a scientific assessment of current knowledge about harmful algal blooms in freshwater, such as the Great Lakes and upper reaches of estuaries, including a research plan for coordinating Federal efforts to better understand freshwater harmful algal blooms.

“(2) The freshwater harmful algal bloom scientific assessment shall—

“(A) examine the causes and ecological consequences, and the economic costs, of harmful algal blooms with significant effects on freshwater, including estimations of the frequency and occurrence of significant events;

“(B) establish priorities and guidelines for a competitive, peer-reviewed, merit-based interagency re-

search program, as part of the Ecology and Oceanography of Harmful Algal Blooms (ECOHAB) project, to better understand the causes, characteristics, and impacts of harmful algal blooms in freshwater locations; and

“(C) identify ways to improve coordination and to prevent unnecessary duplication of effort among Federal agencies and departments with respect to research on harmful algal blooms in freshwater locations.

“(g) SCIENTIFIC ASSESSMENTS OF HYPOXIA.—(1) Not less than once every 5 years the Task Force shall complete and submit to the Congress a scientific assessment of hypoxia in United States coastal waters including the Great Lakes. The first such assessment shall be completed not less than 24 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 [Dec. 10, 2004].

“(2) The assessments under this subsection shall—

“(A) examine the causes and ecological consequences, and the economic costs, of hypoxia;

“(B) describe the potential ecological and economic costs and benefits of possible policy and management actions for preventing, controlling, and mitigating hypoxia;

“(C) evaluate progress made by, and the needs of, Federal research programs on the causes, characteristics, and impacts of hypoxia, including recommendations of how to eliminate significant gaps in hypoxia modeling and monitoring data; and

“(D) identify ways to improve coordination and to prevent unnecessary duplication of effort among Federal agencies and departments with respect to research on hypoxia.

“(h) SCIENTIFIC ASSESSMENTS OF HARMFUL ALGAL BLOOMS.—(1) Not less than once every 5 years the Task Force shall complete and submit to Congress a scientific assessment of harmful algal blooms in United States coastal waters. The first such assessment shall be completed not later than 24 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 [Dec. 10, 2004] and shall consider only marine harmful algal blooms. All subsequent assessments shall examine both marine and freshwater harmful algal blooms, including those in the Great Lakes and upper reaches of estuaries.

“(2) The assessments under this subsection shall—

“(A) examine the causes and ecological consequences, and economic costs, of harmful algal blooms;

“(B) describe the potential ecological and economic costs and benefits of possible actions for preventing, controlling, and mitigating harmful algal blooms;

“(C) evaluate progress made by, and the needs of, Federal research programs on the causes, characteristics, and impacts of harmful algal blooms; and

“(D) identify ways to improve coordination and to prevent unnecessary duplication of effort among Federal agencies and departments with respect to research on harmful algal blooms.

“(i) NATIONAL SCIENTIFIC RESEARCH, DEVELOPMENT, DEMONSTRATION, AND TECHNOLOGY TRANSFER PLAN ON REDUCING IMPACTS FROM HARMFUL ALGAL BLOOMS.—(1) Not later than 12 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 [Dec. 10, 2004], the Task Force shall develop and submit to Congress a plan providing for a comprehensive and coordinated national research program to develop and demonstrate prevention, control, and mitigation methods to reduce the impacts of harmful algal blooms on coastal ecosystems (including the Great Lakes), public health, and the economy.

“(2) The plan shall—

“(A) establish priorities and guidelines for a competitive, peer reviewed, merit based interagency research, development, demonstration, and technology transfer program on methods for the prevention, control, and mitigation of harmful algal blooms;

“(B) identify ways to improve coordination and to prevent unnecessary duplication of effort among Fed-

eral agencies and departments with respect to the actions described in paragraph (1); and

“(C) include to the maximum extent practicable diverse institutions, including Historically Black Colleges and Universities and those serving large proportions of Hispanics, Native Americans, Asian Pacific Americans, and other underrepresented populations.

“(3) The Secretary of Commerce, in conjunction with other appropriate Federal agencies, shall establish a research, development, demonstration, and technology transfer program that meets the priorities and guidelines established under paragraph (2)(A). The Secretary shall ensure, through consultation with Sea Grant Programs, that the results and findings of the program are communicated to State, Indian tribe, and local governments, and to the general public.

“SEC. 604. NORTHERN GULF OF MEXICO HYPOXIA.

“(a) ASSESSMENT REPORT.—Not later than May 30, 1999, the Task Force shall complete and submit to Congress and the President an integrated assessment of hypoxia in the northern Gulf of Mexico that examines: the distribution, dynamics, and causes; ecological and economic consequences; sources and loads of nutrients transported by the Mississippi River to the Gulf of Mexico; effects of reducing nutrient loads; methods for reducing nutrient loads; and the social and economic costs and benefits of such methods.

“(b) SUBMISSION OF A PLAN.—No later than March 30, 2000, the President, in conjunction with the chief executive officers of the States, shall develop and submit to Congress a plan, based on the integrated assessment submitted under subsection (a), for reducing, mitigating, and controlling hypoxia in the northern Gulf of Mexico. In developing such plan, the President shall consult with State, Indian tribe, and local governments, academic, agricultural, industry, and environmental groups and representatives. Such plan shall include incentive-based partnership approaches. The plan shall also include the social and economic costs and benefits of the measures for reducing, mitigating, and controlling hypoxia. At least 90 days before the President submits such plan to the Congress, a summary of the proposed plan shall be published in the Federal Register for a public comment period of not less than 60 days.

“SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary of Commerce for research, education, and monitoring activities related to the prevention, reduction, and control of harmful algal blooms and hypoxia, \$15,000,000 for fiscal year 1999, \$18,250,000 for fiscal year 2000, \$19,000,000 for fiscal year 2001, \$23,500,000 for fiscal year 2005, \$24,500,000 for fiscal year 2006, \$25,000,000 for fiscal year 2007, and \$30,000,000 for each of fiscal years 2008 through 2010, to remain available until expended. The Secretary shall consult with the States on a regular basis regarding the development and implementation of the activities authorized under this section. Of such amounts for each fiscal year—

“(1) \$1,500,000 for fiscal year 1999, \$1,500,000 for fiscal year 2000, \$2,000,000 for fiscal year 2001, and \$2,500,000 for each of fiscal years 2005 through 2010 may be used to enable the National Oceanic and Atmospheric Administration to carry out research and assessment activities, including procurement of necessary research equipment, at research laboratories of the National Ocean Service and the National Marine Fisheries Service;

“(2) \$4,000,000 for fiscal year 1999, \$5,500,000 for fiscal year 2000, \$5,500,000 for fiscal year 2001, and \$6,500,000, of which \$1,000,000 shall be used for the research program described in section 603(f)(2)(B), for each of fiscal years 2005 through 2010 may be used to carry out the Ecology and Oceanography of Harmful Algal Blooms (ECOHAB) project under the Coastal Ocean Program established under section 201(c) of Public Law 102-567 [106 Stat. 4280];

“(3) \$1,000,000 for fiscal year 1999, \$2,000,000 for fiscal year 2000, \$2,000,000 for fiscal year 2001, and \$3,000,000

for each of fiscal years 2005 through 2010 may be used by the National Ocean Service of the National Oceanic and Atmospheric Administration to carry out a peer-reviewed research project on management measures that can be taken to prevent, reduce, control, and mitigate harmful algal blooms and to carry out section 603(d);

“(4) \$5,500,000 for each of the fiscal years 1999, 2000, 2001, and \$6,000,000 for each of fiscal years 2005 through 2010 may be used to carry out Federal and State annual monitoring and analysis activities for harmful algal blooms administered by the National Ocean Service of the National Oceanic and Atmospheric Administration;

“(5) \$3,000,000 for fiscal year 1999, \$3,750,000 for fiscal year 2000, \$4,000,000 for fiscal year 2001, \$4,000,000 for fiscal year 2005, \$5,000,000 for fiscal year 2006, \$5,500,000 for fiscal year 2007, and \$6,000,000 for each of fiscal years 2008 through 2010 may be used for activities related to research and monitoring on hypoxia by the National Ocean Service and the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration; and

“(6) \$1,500,000 for each of fiscal years 2005 through 2010 to carry out section 603(e).

“SEC. 606. PROTECTION OF STATES’ RIGHTS.

“(a) Nothing in this title shall be interpreted to adversely affect existing State regulatory or enforcement power which has been granted to any State through the Clean Water Act [33 U.S.C. 1251 et seq.] or Coastal Zone Management Act of 1972 [16 U.S.C. 1451 et seq.].

“(b) Nothing in this title shall be interpreted to expand the regulatory or enforcement power of the Federal Government which has been delegated to any State through the Clean Water Act or Coastal Zone Management Act of 1972.”

FINDINGS AND PURPOSE OF COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS OF 1990

Pub. L. 101-508, title VI, §6202, Nov. 5, 1990, 104 Stat. 1388-299, provided that:

“(a) FINDINGS.—Congress finds and declares the following:

“(1) Our oceans, coastal waters, and estuaries constitute a unique resource. The condition of the water quality in and around the coastal areas is significantly declining. Growing human pressures on the coastal ecosystem will continue to degrade this resource until adequate actions and policies are implemented.

“(2) Almost one-half of our total population now lives in coastal areas. By 2010, the coastal population will have grown from 80,000,000 in 1960 to 127,000,000 people, an increase of approximately 60 percent, and population density in coastal counties will be among the highest in the Nation.

“(3) Marine resources contribute to the Nation’s economic stability. Commercial and recreational fishery activities support an industry with an estimated value of \$12,000,000,000 a year.

“(4) Wetlands play a vital role in sustaining the coastal economy and environment. Wetlands support and nourish fishery and marine resources. They also protect the Nation’s shores from storm and wave damage. Coastal wetlands contribute an estimated \$5,000,000,000 to the production of fish and shellfish in the United States coastal waters. Yet, 50 percent of the Nation’s coastal wetlands have been destroyed, and more are likely to decline in the near future.

“(5) Nonpoint source pollution is increasingly recognized as a significant factor in coastal water degradation. In urban areas, storm water and combined sewer overflow are linked to major coastal problems, and in rural areas, run-off from agricultural activities may add to coastal pollution.

“(6) Coastal planning and development control measures are essential to protect coastal water quality, which is subject to continued ongoing stresses. Currently, not enough is being done to manage and protect our coastal resources.

“(7) Global warming results from the accumulation of man-made gases, released into the atmosphere from such activities as the burning of fossil fuels, deforestation, and the production of chlorofluorocarbons, which trap solar heat in the atmosphere and raise temperatures worldwide. Global warming could result in significant global sea level rise by 2050 resulting from ocean expansion, the melting of snow and ice, and the gradual melting of the polar ice cap. Sea level rise will result in the loss of natural resources such as beaches, dunes, estuaries, and wetlands, and will contribute to the salinization of drinking water supplies. Sea level rise will also result in damage to properties, infrastructures, and public works. There is a growing need to plan for sea level rise.

“(8) There is a clear link between coastal water quality and land use activities along the shore. State management programs under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) are among the best tools for protecting coastal resources and must play a larger role, particularly in improving coastal zone water quality.

“(9) All coastal States should have coastal zone management programs in place that conform to the Coastal Zone Management Act of 1972, as amended by this Act.

“(b) PURPOSE.—It is the purpose of Congress in this subtitle [see Short Title of 1990 Amendment note above] to enhance the effectiveness of the Coastal Zone Management Act of 1972 [16 U.S.C. 1451 et seq.] by increasing our understanding of the coastal environment and expanding the ability of State coastal zone management programs to address coastal environmental problems.”

ESTABLISHMENT OF POSITIONS AND FIXING OF COMPENSATION BY SECRETARY OF COMMERCE; APPOINTMENTS

Pub. L. 94-370, §15(c), July 26, 1976, 90 Stat. 1032, related to establishment and compensation of four new positions without regard to the provisions of chapter 51 of Title 5, Government Organization and Employees, prior to repeal by Pub. L. 99-272, title VI, §6045(3), Apr. 7, 1986, 100 Stat. 127.

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

EXECUTIVE ORDER NO. 13554

Ex. Ord. No. 13554, Oct. 5, 2010, 75 F.R. 62313, which established the Gulf Coast Ecosystem Restoration Task Force, was revoked, concurrent with the termination of the Task Force, by Ex. Ord. No. 13626, §6(d), Sept. 10, 2012, 77 F.R. 56752, set out as a note under section 1321 of Title 33, Navigation and Navigable Waters.

§ 1452. Congressional declaration of policy

The Congress finds and declares that it is the national policy—

(1) to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation’s coastal zone for this and succeeding generations;

(2) to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and esthetic values as well as the needs for compatible economic development, which programs should at least provide for—