

the date of the enactment of this Act [Oct. 17, 1980], the Secretary of Commerce shall issue such regulations as may be necessary or appropriate to administer section 312 of the Coastal Zone Management Act of 1972 (as amended by subsection (a) of this section) [this section].”

§ 1459. Records and audit

(a) Maintenance of records by recipients of grants or financial assistance

Each recipient of a grant under this chapter or of financial assistance under section 1456a of this title, as in effect before November 5, 1990, shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant and of the proceeds of such assistance, the total cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) Access by Secretary and Comptroller General to records, books, etc., of recipients of grants or financial assistance for audit and examination

The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall—

- (1) after any grant is made under this chapter or any financial assistance is provided under section 1456a of this title, as in effect before November 5, 1990; and
- (2) until the expiration of 3 years after—
 - (A) completion of the project, program, or other undertaking for which such grant was made or used, or
 - (B) repayment of the loan or guaranteed indebtedness for which such financial assistance was provided,

have access for purposes of audit and examination to any record, book, document, and paper which belongs to or is used or controlled by, any recipient of the grant funds or any person who entered into any transaction relating to such financial assistance and which is pertinent for purposes of determining if the grant funds or the proceeds of such financial assistance are being, or were, used in accordance with the provisions of this chapter.

(Pub. L. 89-454, title III, §313, formerly §310, as added Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1287; renumbered §313 and amended Pub. L. 94-370, §§7, 11, July 26, 1976, 90 Stat. 1019, 1030; Pub. L. 102-587, title II, §2205(b)(19), Nov. 4, 1992, 106 Stat. 5052.)

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-587, §2205(b)(19)(A), substituted “section 1456a of this title, as in effect before November 5, 1990,” for “section 1456a of this title”.

Subsec. (b)(1). Pub. L. 102-587, §2205(b)(19)(B), substituted “section 1456a of this title, as in effect before November 5, 1990; and” for “section 1456a(d) of this title; and”.

1976—Subsec. (a). Pub. L. 94-370, §11(2), inserted “or of financial assistance under section 1456a of this title” after “grant under this chapter” and “and of the proceeds of such assistance” after “received under the grant”.

Subsec. (b). Pub. L. 94-370, §11(3), inserted provisions limiting duration of authority to 3 years after completion of project or repayment of loan and enlarged scope

of access to include persons who entered into transactions relating to the grant of funds.

§ 1460. Walter B. Jones excellence in coastal zone management awards

(a) Establishment

The Secretary shall, using sums in the Coastal Zone Management Fund established under section 1456a of this title and other amounts available to carry out this chapter (other than amounts appropriated to carry out sections 1454, 1455, 1455a, 1456b, 1456c, and 1461 of this title), implement a program to promote excellence in coastal zone management by identifying and acknowledging outstanding accomplishments in the field.

(b) Annual selection of recipients

The Secretary shall elect annually—

- (1) one individual, other than an employee or officer of the Federal Government, whose contribution to the field of coastal zone management has been the most significant;
- (2) 5 local governments which have made the most progress in developing and implementing the coastal zone management principles embodied in this chapter; and
- (3) up to 10 graduate students whose academic study promises to contribute materially to development of new or improved approaches to coastal zone management.

(c) Solicitation of nominations for local government recipients

In making selections under subsection (b)(2) of this section the Secretary shall solicit nominations from the coastal states, and shall consult with experts in local government planning and land use.

(d) Solicitation of nominations for graduate student recipients

In making selections under subsection (b)(3) of this section the Secretary shall solicit nominations from coastal states and the National Sea Grant College Program.

(e) Funding; types of awards

Using sums in the Coastal Zone Management Fund established under section 1456a of this title and other amounts available to carry out this chapter (other than amounts appropriated to carry out sections 1454, 1455, 1455a, 1456b, 1456c, and 1461 of this title), the Secretary shall establish and execute appropriate awards, to be known as the “Walter B. Jones Awards”, including—

- (1) cash awards in an amount not to exceed \$5,000 each;
- (2) research grants; and
- (3) public ceremonies to acknowledge such awards.

(Pub. L. 89-454, title III, §314, formerly §313, as added Pub. L. 101-508, title VI, §6213, Nov. 5, 1990, 104 Stat. 1388-312; renumbered §314 and amended Pub. L. 102-587, title II, §2205(b)(20), Nov. 4, 1992, 106 Stat. 5052.)

PRIOR PROVISIONS

A prior section 1460, Pub. L. 89-454, title III, §314, formerly §311, as added Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1287; renumbered §314, Pub. L. 94-370, §7, July 26,

1976, 90 Stat. 1019, related to establishment, etc., of Coastal Zone Management Advisory Committee, prior to repeal by Pub. L. 99-272, title VI, §6045(2), Apr. 7, 1986, 100 Stat. 127.

AMENDMENTS

1992—Subsecs. (a), (e). Pub. L. 102-587, §2205(b)(20)(B), (C), after “under section 1456a of this title” inserted “and other amounts available to carry out this chapter (other than amounts appropriated to carry out sections 1454, 1455, 1455a, 1456b, 1456c, and 1461 of this title)”.

§ 1461. National Estuarine Research Reserve System

(a) Establishment of System

There is established the National Estuarine Research Reserve System (hereinafter referred to in this section as the “System”) that consists of—

- (1) each estuarine sanctuary designated under this section as in effect before April 7, 1986; and
- (2) each estuarine area designated as a national estuarine reserve under subsection (b) of this section.

Each estuarine sanctuary referred to in paragraph (1) is hereby designated as a national estuarine reserve.

(b) Designation of national estuarine reserves

After April 7, 1986, the Secretary may designate an estuarine area as a national estuarine reserve if—

- (1) the Governor of the coastal state in which the area is located nominates the area for that designation; and
- (2) the Secretary finds that—
 - (A) the area is a representative estuarine ecosystem that is suitable for long-term research and contributes to the biogeographical and typological balance of the System;
 - (B) the law of the coastal state provides long-term protection for reserve resources to ensure a stable environment for research;
 - (C) designation of the area as a reserve will serve to enhance public awareness and understanding of estuarine areas, and provide suitable opportunities for public education and interpretation; and
 - (D) the coastal state in which the area is located has complied with the requirements of any regulations issued by the Secretary to implement this section.

(c) Estuarine research guidelines

The Secretary shall develop guidelines for the conduct of research within the System that shall include—

- (1) a mechanism for identifying, and establishing priorities among, the coastal management issues that should be addressed through coordinated research within the System;
- (2) the establishment of common research principles and objectives to guide the development of research programs within the System;
- (3) the identification of uniform research methodologies which will ensure comparability of data, the broadest application of research results, and the maximum use of the System for research purposes;
- (4) the establishment of performance standards upon which the effectiveness of the re-

search efforts and the value of reserves within the System in addressing the coastal management issues identified in paragraph (1) may be measured; and

(5) the consideration of additional sources of funds for estuarine research than the funds authorized under this chapter, and strategies for encouraging the use of such funds within the System, with particular emphasis on mechanisms established under subsection (d) of this section.

In developing the guidelines under this section, the Secretary shall consult with prominent members of the estuarine research community.

(d) Promotion and coordination of estuarine research

The Secretary shall take such action as is necessary to promote and coordinate the use of the System for research purposes including—

- (1) requiring that the National Oceanic and Atmospheric Administration, in conducting or supporting estuarine research, give priority consideration to research that uses the System; and
- (2) consulting with other Federal and State agencies to promote use of one or more reserves within the System by such agencies when conducting estuarine research.

(e) Financial assistance

(1) The Secretary may, in accordance with such rules and regulations as the Secretary shall promulgate, make grants—

- (A) to a coastal state—
 - (i) for purposes of acquiring such lands and waters, and any property interests therein, as are necessary to ensure the appropriate long-term management of an area as a national estuarine reserve,
 - (ii) for purposes of operating or managing a national estuarine reserve and constructing appropriate reserve facilities, or
 - (iii) for purposes of conducting educational or interpretive activities; and

(B) to any coastal state or public or private person for purposes of supporting research and monitoring within a national estuarine reserve that are consistent with the research guidelines developed under subsection (c) of this section.

(2) Financial assistance provided under paragraph (1) shall be subject to such terms and conditions as the Secretary considers necessary or appropriate to protect the interests of the United States, including requiring coastal states to execute suitable title documents setting forth the property interest or interests of the United States in any lands and waters acquired in whole or part with such financial assistance.

(3)(A) The amount of the financial assistance provided under paragraph (1)(A)(i) with respect to the acquisition of lands and waters, or interests therein, for any one national estuarine reserve may not exceed an amount equal to 50 percent of the costs of the lands, waters, and interests therein or \$5,000,000, whichever amount is less.

(B) The amount of the financial assistance provided under paragraph (1)(A)(ii) and (iii) and