

(h) Public participation

Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

(i) Advice

The Council shall consult with persons with recognized scientific expertise in estuary or estuary habitat restoration, representatives of State agencies, local or regional government agencies, and nongovernmental organizations with expertise in estuary or estuary habitat restoration, and representatives of Indian tribes, agricultural interests, fishing interests, and other estuary users—

(1) to assist the Council in the development of the estuary habitat restoration strategy to be developed under section 2905 of this title; and

(2) to provide advice and recommendations to the Council on proposed estuary habitat restoration projects, including advice on the scientific merit, technical merit, and feasibility of a project.

(Pub. L. 106-457, title I, §105, Nov. 7, 2000, 114 Stat. 1962; Pub. L. 110-114, title V, §5017(d), Nov. 8, 2007, 121 Stat. 1198.)

AMENDMENTS

2007—Subsec. (b)(6) to (8). Pub. L. 110-114 added pars. (6) to (8).

§ 2905. Estuary habitat restoration strategy**(a) In general**

Not later than 1 year after November 7, 2000, the Council,¹ shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(b) Goal

The goal of the strategy shall be the restoration of 1,000,000 acres of estuary habitat by the year 2010.

(c) Integration of estuary habitat restoration plans, programs, and partnerships

In developing the estuary habitat restoration strategy, the Council shall—

(1) conduct a review of estuary management or habitat restoration plans and Federal programs established under other laws that authorize funding for estuary habitat restoration activities; and

(2) ensure that the estuary habitat restoration strategy is developed in a manner that is consistent with the estuary management or habitat restoration plans.

(d) Elements of the strategy

The estuary habitat restoration strategy shall include proposals, methods, and guidance on—

(1) maximizing the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects and the use of Federal resources to encourage

increased private sector involvement in estuary habitat restoration activities;

(2) ensuring that the estuary habitat restoration strategy will be implemented in a manner that is consistent with the estuary management or habitat restoration plans;

(3) promoting estuary habitat restoration projects to—

(A) provide healthy ecosystems in order to support—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed; and

(ii) fish and shellfish, including commercial and recreational fisheries;

(B) improve surface and ground water quality and quantity, and flood control;

(C) provide outdoor recreation; and

(D) address other areas of concern that the Council determines to be appropriate for consideration;

(4) addressing the estimated historic losses, estimated current rate of loss, and extent of 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

¹ So in original. The comma probably should not appear.