(1) coordinate with—

(A) State coastal management and planning officials;

(B) tribal resource management officials; and

(C) water management and watershed officials from both coastal States and noncoastal States with water sources that drain into water bodies affected by harmful algal blooms and hypoxia; and

(2) consult with—

(A) public health officials;

(B) emergency management officials;

(C) science and technology development institutions;

(D) economists;

(E) industries and businesses affected by marine and freshwater harmful algal blooms and hypoxia;

(F) scientists with expertise concerning harmful algal blooms or hypoxia from academic or research institutions; and

(G) other stakeholders.

(e) Federal Register

The Under Secretary shall publish the Action Strategy in the Federal Register.

(f) Periodic revision

The Under Secretary, in coordination and consultation with the individuals and entities under subsection (d), shall periodically review and revise the Action Strategy prepared under this section, as necessary.

(Pub. L. 105–383, title VI, § 603B, as added Pub. L. 113–124, § 5, June 30, 2014, 128 Stat. 1382.)

§ 4004. Northern Gulf of Mexico hypoxia

(a) Initial progress reports

Beginning not later than 12 months after June 30, 2014, and biennially thereafter, the Administrator, through the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, shall submit a progress report to the appropriate congressional committees and the President that describes the progress made by activities directed by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force and carried out or funded by the Environmental Protection Agency and other State and Federal partners toward attainment of the goals of the Gulf Hypoxia Action Plan 2008.

(b) Contents

Each report required under this section shall—

(1) assess the progress made toward nutrient load reductions, the response of the hypoxic zone and water quality throughout the Mississippi/Atchafalaya River Basin, and the economic and social effects;

(2) evaluate lessons learned; and

(3) recommend appropriate actions to continue to implement or, if necessary, revise the strategy set forth in the Gulf Hypoxia Action Plan 2008.

(Pub. L. 105–383, title VI, § 604, Nov. 13, 1998, 112 Stat. 3449; Pub. L. 113–124, § 7, June 30, 2014, 128 Stat. 1384.)

CODIFICATION

Section was formerly set out in a note under section 1451 of Title 16, Conservation.

AMENDMENTS

2014—Pub. L. 113–124 amended section generally. Prior to amendment, section required the Task Force to submit an integrated assessment of hypoxia in the northern Gulf of Mexico and develop a plan for reducing, mitigating, and controlling such hypoxia.

§ 4005. Great Lakes hypoxia and harmful algal blooms

(a) Integrated assessment

Not later than 18 months after June 30, 2014, the Task Force, in accordance with the authority under section 4001 of this title, shall complete and submit to the Congress and the President an integrated assessment that examines the causes, consequences, and approaches to reduce hypoxia and harmful algal blooms in the Great Lakes, including the status of and gaps within current research, monitoring, management, prevention, response, and control activities by—

(1) Federal agencies;

(2) State agencies;

(3) regional research consortia;

(4) academia;

(5) private industry; and

(6) nongovernmental organizations.

(b) Plan

(1) In general

Not later than 2 years after June 30, 2014, the Task Force shall develop and submit to the Congress a plan, based on the integrated assessment under subsection (a), for reducing, mitigating, and controlling hypoxia and harmful algal blooms in the Great Lakes.

(2) Contents

The plan shall—

(A) address the monitoring needs identified in the integrated assessment under subsection (a);

(B) develop a timeline and budgetary requirements for deployment of future assets;

(C) identify requirements for the development and verification of Great Lakes hypoxia and harmful algal bloom models, including—

(i) all assumptions built into the models; and

(ii) data quality methods used to ensure the best available data are utilized; and

(D) describe efforts to improve the assessment of the impacts of hypoxia and harmful algal blooms by—

(i) characterizing current and past biological conditions in ecosystems affected by hypoxia and harmful algal blooms; and

(ii) quantifying effects, including economic effects, at the population and community levels.

(3) Requirements

In developing the plan, the Task Force shall—

(A) coordinate with State and local governments;

(B) consult with representatives from academic, agricultural, industry, and other stakeholder groups, including relevant Canadian agencies;

(C) ensure that the plan complements and does not duplicate activities conducted by other Federal or State agencies;

(D) identify critical research for reducing, mitigating, and controlling hypoxia events and their effects;

(E) evaluate cost-effective, incentive-based partnership approaches;

(F) ensure that the plan is technically sound and cost effective;

(G) utilize existing research, assessments, reports, and program activities;

(H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress; and

(I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.

(Pub. L. 105–383, title VI, § 605, Nov. 13, 1998, 112 Stat. 3449; Pub. L. 108–456, title I, § 105, Dec. 10, 2004, 118 Stat. 3633; Pub. L. 110–161, div. B, title V, § 528, Dec. 26, 2007, 121 Stat. 1930; Pub. L. 113–124, § 8, June 30, 2014, 128 Stat. 1384.)

CODIFICATION

Section was formerly set out in a note under section 1451 of Title 16, Conservation.

AMENDMENTS

2014—Pub. L. 113–124 amended section generally. Prior to amendment, section authorized appropriations for research, education, and monitoring activities related to the prevention, reduction, and control of harmful algal blooms and hypoxia for fiscal years 1999 to 2010.

2007—Pub. L. 110–161, § 528(1), substituted ''$30,000,000 for each of fiscal years 2008 through 2010'' for ''$25,500,000 for fiscal year 2008'' in introductory provisions.

Pars. (1) to (4). Pub. L. 110–161, § 528(2), substituted ''2010'' for ''2008''.

Par. (5). Pub. L. 110–161, § 528(3), substituted ''each of fiscal years 2008 through 2010'' for ''fiscal year 2008''.

Par. (6). Pub. L. 110–161, § 528(2), substituted ''2010'' for ''2008''.

2004—Pub. L. 108–456, § 105(1), (2), in introductory provisions, struck out ''and'' after ''2000,'' and inserted ''$23,500,000 for fiscal year 2005, $24,500,000 for fiscal year 2006, $25,000,000 for fiscal year 2007, and $25,500,000 for fiscal year 2008,'' after ''2001,''.

Par. (1). Pub. L. 108–456, § 105(1), (3), struck out ''and'' after ''2000,'' and inserted '', and $2,500,000 for each of fiscal years 2005 through 2008'' after ''2001''.

Par. (2). Pub. L. 108–456, § 105(1), (4), struck out ''and'' after ''2000,'' and inserted '', 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 2008'' after ''2001''.

Par. (3). Pub. L. 108–456, § 105(1), (5), (6), struck out ''and'' after ''2000,'' and substituted ''2001, and $3,000,000 for each of fiscal years 2005 through 2008'' for ''2001'' and ''blooms and to carry out section 603(d);'' for ''blooms;''.

Par. (4). Pub. L. 108–456, § 105(7), substituted ''2001, and $6,000,000 for each of fiscal years 2005 through 2008'' for ''and 2001''.

Par. (5). Pub. L. 108–456, § 105(1), (9), struck out ''and'' after ''2000,'' and substituted ''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 fiscal year 2008'' for ''2001''.

Par. (6). Pub. L. 108–456, § 105(8), (10), (11), added par. (6).

§ 4006. Protection of States' rights

(a) Nothing in this chapter 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 chapter 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.

(Pub. L. 105–383, title VI, § 606, Nov. 13, 1998, 112 Stat. 3450.)

REFERENCES IN TEXT

The Clean Water Act, referred to in text, is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92–500, § 2, Oct. 18, 1972, 86 Stat. 816, also known as the Federal Water Pollution Control Act, 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.

The Coastal Zone Management Act of 1972, referred to in text, is title III of Pub. L. 89–454, as added by Pub. L. 92–583, Oct. 27, 1972, 86 Stat. 1280, 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.

CODIFICATION

Section was formerly set out in a note under section 1451 of Title 16, Conservation.

§ 4007. Effect on other Federal authority

(a) Authority preserved

Nothing in this chapter supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

(b) Regulatory authority

Nothing in this chapter may be construed as establishing new regulatory authority for any agency.

(Pub. L. 105–383, title VI, § 607, as added Pub. L. 113–124, § 9, June 30, 2014, 128 Stat. 1385.)

§ 4008. Definitions

In this chapter:

(1) Action Strategy

The term ''Action Strategy'' means the comprehensive research plan and action strategy established under section 4003 of this title.

(2) Administrator

The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) Harmful algal bloom

The term ''harmful algal bloom'' means marine and freshwater phytoplankton that proliferate to high concentrations, resulting in nuisance conditions or harmful impacts on marine and aquatic ecosystems, coastal communities, and human health through the production of toxic compounds or other biological, chemical, and physical impacts of the algae outbreak.

(4) Hypoxia

The term ''hypoxia'' means a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms.