STAFF REPORT **60**

A Federal 02/28/20

S Federal S. Pemberton

CONSIDER SUPPORTING THE FEDERAL REGIONAL OCEAN PARTNERSHIP ACT (H.R. 5390 AND S. 2166) THAT WOULD FORMALLY AUTHORIZE REGIONAL OCEAN PARTNERSHIPS AS PARTNERS WITH THE FEDERAL GOVERNMENT AND PROVIDE PARTNERSHIPS WITH MORE CONSISTENT FUNDING

SUMMARY:

Regional ocean partnerships are organizations that state governors voluntarily convene to address ocean and coastal issues of concern in a region. There are four existing partnerships: the Gulf of Mexico Alliance, the Mid-Atlantic Regional Council, the Northeast Regional Ocean Council, and the West Coast Ocean Alliance. The West Coast Ocean Alliance, which includes California, Oregon, and Washington, is a regional partnership focused on enhanced management and coordination for the ocean along the West Coast. The Commission and the Ocean Protection Council are the state agency co-leads for California. The West Coast Ocean Alliance also includes federal and tribal government representation.

While West Coast states and others have had the foresight to embrace regional ocean collaboration, the partnerships lack stable funding and a formal designation structure. The federal Regional Ocean Partnership Act (H.R. 5390 and S. 2166) would formally authorize regional ocean partnerships that would coordinate actions among state, federal, and tribal governments to protect and manage the ocean and ocean resources. It would also provide funding to help partnerships address ocean issues, such as promoting sustainability through science-based management; coordinating solutions to reduce coastal hazards and improve resilience; creating publicly available regional ocean data portals; and providing a common venue for convening ocean stakeholders.

DISCUSSION:

California's panoramic coastline is among the most beautiful and revered in the nation, attracting visitors from countries around the world and providing outdoor enjoyment and respite to residents and tourists alike. The sheer range of benefits oceans provide—fishing, navigation, commerce, biodiversity, and recreation—are clear and embodied in the fabric of California's culture. A healthy Pacific Ocean is critical to support the volume of visitors and California's thriving ocean economy. It is also critical to tackling rising sea levels and curtailing plastic ocean pollution and ocean acidification. Regional ocean collaboration, a hallmark of ocean management, is critical to healthy oceans.

The focus of the Regional Ocean Partnership Act is to bring together states, tribes, federal agencies, and the public to better manage and protect the nation's ocean ecosystems. It would also secure more consistent funding so partnerships can continue addressing issues existing and emerging issues. The Regional Ocean Partnership Act recognizes that ocean partnerships are a valuable forum for coastal and ocean users and managers. It expresses the sense of Congress that the United States should seek interstate coordination of shared regional priorities relating to the management, conservation, resilience, and restoration of the ocean and coastal areas through regional ocean partnerships.

In a press release issued after H.R. 5390 was introduced, California Lieutenant Governor and State Lands Commissioner Eleni Kounalakis said, "The Regional Ocean Partnership Act will strengthen California's longstanding collaboration with west coast states, federal agencies, and tribal governments. Healthy and resilient oceans, the cornerstone of this act, are critical to maintaining California's thriving \$45 billion ocean economy and addressing the perils of climate change."

Representative Alan Lowenthal said, "Regional Ocean Partnerships have a long history of success at dealing with issues revolving around managing and restoring our ocean and coastal regions. This bill would allow us to continue to build on the tremendous accomplishments that have been achieved through partnerships across the nation by providing these programs with secure and predictable funding. I am proud to join Representative Crist in putting forward this bill to further the critical research, conservation, and restoration efforts regional ocean partnerships provide."

Janis Searles, Chief Executive Officer of the Ocean Conservancy, said, "The Ocean Conservancy welcomes the introduction of the Regional Ocean Partnership Act and we fully support the partnerships that have developed across the country and grown over the last 15 years as they work to address pressing ocean conservancy and management challenges."

The West Coast Alliance, the Coastal States Organization, the Mid-Atlantic Regional Council on the Ocean, and the Northeast Regional Ocean Council support the Regional Ocean Partnership Act because it would enhance collaboration across state lines on shared regional priorities and complement the work of state coastal zone management programs.

REGIONAL OCEAN PARTNERSHIP ACT:

The Regional Ocean Partnership Act finds that ocean and coastal waters are foundational to the economy, security, global competitiveness, and well-being of the United States. It also finds that they are an important source of food, energy, economic productivity, recreation, beauty, and enjoyment. Other findings note the

loss of resource productivity and water quality owing to pollution, increasing population demands, economic development, and hazards, and tout the need for interstate coordination to enhance regional priorities.

The purposes of the Regional Ocean Partnership Act are as follows:

- To complement and expand voluntary cooperative efforts intended to manage and restore ocean and coastal areas spanning across multiple state boundaries.
- 2. To expand federal support for monitoring, data management, and restoration activities in the ocean and coastal areas.
- 3. To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, all coastal ecosystems.
- 4. To authorize regional ocean partnerships as intergovernmental coordinators for shared interstate and regional priorities relating to the collaborative management of the large marine ecosystems, reducing duplication and maximizing opportunities to leverage support in the ocean and coastal regions.
- 5. To enable regional ocean partnerships, or designated fiscal management entities of such partnerships, to receive federal funding to conduct the scientific research, conservation and restoration activities, and priority coordination on shared regional priorities necessary to achieve the goals in the proposed legislation.

The Regional Ocean Partnership Act designates the four existing partnerships as formal partnerships. It also sets out a process for other states to participate in a regional ocean partnership with coastal states that share a common ocean or coastal area with the coastal state—regardless of contiguity. An interested coastal state's governor would apply to the Secretary of Commerce, on behalf of a partnership, for designation as a regional ocean partnership. A partnership is eligible for designation if it will coordinate interstate management of coastal resources, it focuses on environmental issues affecting the ocean and coastal areas of the partnership members, it complements existing state coastal and ocean management efforts on an interstate scale, it lacks a regulatory function, and it is not duplicative of existing partnerships.

Designated partnerships would provide the following functions:

1. Promote coordination of the actions of the agencies of coastal states participating in the partnership with the actions of the appropriate federal agencies and state and tribal governments in developing strategies to conserve living resources, increase valuable habitats, enhance coastal

- resilience, and address other issues related to the shared ocean or coastal area. Manage regional data portals and develop data products to support the partnership.
- 2. In cooperation with appropriate federal and state agencies, tribal governments, and local authorities, develop and implement action plans to carry out coordination goals.
- 3. Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the partnership goals through grants and contracts.
- 4. Engage, coordinate, and collaborate with governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.
- 5. Implement outreach programs for public information, education, and participation.
- 6. Develop and provide information about cross-jurisdictional issues the partnership is addressing.
- 7. Serve as a liaison with and provide information to international counterparts, as appropriate, on priority issues for the partnership.

Regional ocean partnerships may provide grants and enter into contracts with tribes, state and local governments, non-governmental organizations, institutions of higher learning, individuals, and private entities. Grant and contract purposes include water quality monitoring, research, and implementing cooperative strategies that address regional data issues, and that will result in the more effective management of common ocean and coastal areas. The Administrator of the National Oceanic and Atmospheric Administration is required to submit a report to Congress assessing the effectiveness of the partnerships 5 years after the bill goes into effect and every 5 years after that until 2040.

OTHER PERTINENT INFORMATION:

- H.R. 5390 was introduced in December 2019 and referred to the House Committee on Natural Resources. It has four cosponsors. S. 1266 was introduced in July 2019 and in December 2019, it was placed on the Senate Legislative Calendar under General Orders. It has eight cosponsors.
- 2. This recommendation is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction.

STAFF RECOMMENDATION:

Staff recommends that the Commission support the Regional Ocean Partnership Act (H.R. 5390 and S. 2166).

EXHIBIT:

A. Copy of H.R. 5390 and S. 2166

RECOMMENDED ACTION:

It is recommended that the Commission: Support the Regional Ocean Partnership Act (H.R. 5390 and S. 1266).

116TH CONGRESS 1ST SESSION

H.R. 5390

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2019

Mr. Crist (for himself, Mr. Palazzo, Mr. Lowenthal, and Mr. Smith of New Jersey) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

- To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,
 - 3 SECTION 1. SHORT TITLE.
 - 4 This Act may be cited as the "Regional Ocean Part-
 - 5 nership Act".
 - 6 SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.
 - 7 (a) FINDINGS.—Congress makes the following find-
 - 8 ings:

- 1 (1) The ocean and coastal waters of the United 2 States are foundational to the economy, security, 3 global competitiveness, and well-being of the United 4 States and continuously serve the people of the 5 United States and other countries as an important 6 source of food, energy, economic productivity, recre-7 ation, beauty, and enjoyment.
 - (2) Over many years, the resource productivity and water quality of the ocean and coastal areas of the United States have been diminished by pollution, increasing population demands, economic development, and natural and man-made hazard events, both acute and chronic.
 - (3) Ocean and coastal areas of the United States are managed by State and Federal resource agencies and regulated on an interstate and regional scale by various overlapping Federal authorities, thereby creating a significant need for interstate coordination to enhance regional priorities, including the ecological and economic health of those areas.
- 21 (b) Sense of Congress.—It is the sense of Con-22 gress that—
- 23 (1) the United States should seek to support 24 interstate coordination of shared regional priorities 25 relating to the management, conservation, resilience,

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- 1 and restoration of ocean and coastal areas to maxi-2 mize efficiencies through collaborative regional ef-3 forts by Regional Ocean Partnerships, in consultation with Federal and State agencies, Tribal governments, and local authorities; and
- 6 (2) such efforts would enhance existing and ef-7 fective State coastal management efforts based on 8 shared regional priorities.
- (c) Purposes.—The purposes of this Act are as fol-9 10 lows:
- (1) To complement and expand cooperative vol-12 untary efforts intended to manage and restore ocean 13 and coastal areas spanning across multiple State 14 boundaries.
 - (2) To expand Federal support for monitoring, data management, and restoration activities in ocean and coastal areas.
 - (3) To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, all coastal ecosystems.
 - (4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared interstate and regional priorities relating to the collaborative management of the large marine ecosystems,

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- thereby reducing duplication of efforts and maximizing opportunities to leverage support in the ocean and coastal regions.
- 4 (5) To enable Regional Ocean Partnerships, or 5 designated fiscal management entities of such part-6 nerships, to receive Federal funding to conduct the 7 scientific research, conservation and restoration ac-8 tivities, and priority coordination on shared regional 9 priorities necessary to achieve the purposes described 10 in paragraphs (1) through (4).

11 SEC. 3. REGIONAL OCEAN PARTNERSHIPS.

- 12 (a) Definitions.—In this section:
- 13 (1) ADMINISTRATOR.—The term "Adminis-14 trator" means the Administrator of the National 15 Oceanic and Atmospheric Administration.
- 16 (2) COASTAL STATE.—The term "coastal state"
 17 has the meaning given that term in section 304 of
 18 the Coastal Zone Management Act of 1972 (16
 19 U.S.C. 1453).
- 20 (3) INDIAN TRIBE.—The term "Indian Tribe"
 21 means an Indian tribe, as defined in section 4 of the
 22 Indian Self-Determination and Education Assistance
 23 Act (25 U.S.C. 5304).
- 24 (b) REGIONAL OCEAN PARTNERSHIPS.—

1	(1) In general.—A coastal state may partici-
2	pate in a Regional Ocean Partnership with one or
3	more other coastal states that share a common
4	ocean or coastal area with the coastal state, without
5	regard to whether the coastal states are contiguous.
6	(2) APPLICATION.—The Governor of a coastal
7	state or the Governors of a group of coastal states
8	may apply to the Secretary of Commerce, on behalf
9	of a partnership, for the partnership to receive des-
10	ignation as a Regional Ocean Partnership if the
11	partnership—
12	(A) meets the requirements under para-
13	graph (3); and
14	(B) submits an application for such des-
15	ignation in such manner, in such form, and
16	containing such information as the Secretary
17	may require.
18	(3) Requirements.—A partnership is eligible
19	for designation as a Regional Ocean Partnership by
20	the Secretary under paragraph (2) if the partner-
21	ship—
22	(A) is established to coordinate the inter-
23	state management of coastal resources;

1	(B) focuses on the environmental issues af-
2	fecting the ocean and coastal areas of the mem-
3	bers participating in the partnership;
4	(C) complements existing State coastal and
5	ocean management efforts on an interstate
6	scale, focusing on shared regional priorities;
7	(D) does not have a regulatory function;
8	and
9	(E) is not duplicative of an existing Re-
10	gional Ocean Partnership designated under
11	paragraph (4), as determined by the Secretary.
12	(4) Designation of Certain entities as re-
13	GIONAL OCEAN PARTNERSHIPS.—Notwithstanding
14	paragraph (2) or (3), the following entities are des-
15	ignated as Regional Ocean Partnerships:
16	(A) The Gulf of Mexico Alliance, comprised
17	of the States of Alabama, Florida, Louisiana,
18	Mississippi, and Texas.
19	(B) The Northeast Regional Ocean Coun-
20	cil, comprised of the States of Maine, Vermont,
21	New Hampshire, Massachusetts, Connecticut,
22	and Rhode Island.
23	(C) The Mid-Atlantic Regional Council on
24	the Ocean, comprised of the States of New

1	York, New Jersey, Delaware, Maryland, and
2	Virginia.
3	(D) The West Coast Ocean Alliance, com-
4	prised of the States of California, Oregon, and
5	Washington and the coastal Indian Tribes
6	therein.
7	(c) GOVERNING BODIES OF REGIONAL OCEAN PART-
8	NERSHIPS.—
9	(1) In General.—A Regional Ocean Partner-
10	ship designated under subsection (b) shall be gov-
11	erned by a governing body.
12	(2) Membership.—A governing body described
13	in paragraph (1)—
14	(A) shall be comprised, at a minimum, of
15	voting members from each coastal state partici-
16	pating in the Regional Ocean Partnership, des-
17	ignated by the Governor of the coastal state;
18	and
19	(B) may include such other members as
20	the partnership considers appropriate.
21	(d) Functions.—A Regional Ocean Partnership des-
22	ignated under subsection (b) may perform the following
23	functions:
24	(1) Promote coordination of the actions of the
25	agencies of coastal states participating in the part-

- nership with the actions of the appropriate officials
 of Federal agencies and State and Tribal governments in developing strategies—
 - (A) to conserve living resources, increase valuable habitats, enhance coastal resilience, and address such other issues related to the shared ocean or coastal area as are determined to be a shared, regional priority by those states; and
 - (B) to manage regional data portals and develop associated data products for purposes that support the priorities of the partnership.
 - (2) In cooperation with appropriate Federal and State agencies, Tribal governments, and local authorities, develop and implement specific action plans to carry out coordination goals.
 - (3) Coordinate and implement priority plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (e).
 - (4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to

- 1 address ocean and coastal related matters that re-2 quire interagency or intergovernmental solutions.
 - (5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean and coastal areas, as relevant.
 - (6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.
 - (7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

(e) Grants and Contracts.—

- (1) IN GENERAL.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the partnership by the Administrator or the head of another Federal agency—
 - (A) provide grants to eligible persons described in paragraph (2) for the purposes described in paragraph (3); and

1	(B) enter into contracts with such persons
2	for such purposes.
3	(2) Eligible persons.—The eligible persons
4	described in this paragraph are the following:
5	(A) Indian Tribes.
6	(B) State and local governments.
7	(C) Nongovernmental organizations.
8	(D) Institutions of higher education.
9	(E) Individuals.
10	(F) Private entities.
11	(3) Purposes.—The purposes described in this
12	paragraph include any of the following:
13	(A) Monitoring the water quality and living
14	resources of multi-State ocean and coastal eco-
15	systems and to coastal communities.
16	(B) Researching and addressing the effects
17	of natural and human-induced environmental
18	changes to—
19	(i) ocean and coastal ecosystems; and
20	(ii) coastal communities.
21	(C) Developing and executing cooperative
22	strategies that—
23	(i) address regional data issues identi-
24	fied by the partnership; and

1	(ii) will result in more effective man-
2	agement of common ocean and coastal
3	areas.
4	(f) Reports and Assessments.—
5	(1) In general.—Not later than 5 years after
6	the date of the enactment of this Act, and every 5
7	years thereafter until 2040, the Administrator, in
8	coordination with the Regional Ocean Partnerships
9	designated under subsection (b), shall—
10	(A) assess the effectiveness of the partner-
11	ships in supporting regional priorities relating
12	to the management of common ocean and coast-
13	al areas; and
14	(B) submit to Congress a report on that
15	assessment.
16	(2) Report requirements.—The report re-
17	quired under paragraph (1)(B) shall include the fol-
18	lowing:
19	(A) An assessment of the overall status of
20	the work of the Regional Ocean Partnerships
21	designated under subsection (b).
22	(B) An assessment of the effectiveness of
23	the strategies that the Regional Ocean Partner-
24	ships are supporting or implementing and the
25	extent to which the priority needs of the regions

- 1 covered by such partnerships are being met 2 through such strategies.
 - (C) Such recommendations as the Administrator may have for the improvement of efforts of the Regional Ocean Partnerships to support the purposes of this Act.
 - (D) An assessment of how the efforts of the Regional Ocean Partnerships support or enhance Federal and State efforts in line with the purposes of this Act.
 - (E) Recommendations for improvements to the collective strategies that support the purposes of this Act in coordination and consultation with all relevant Federal, State, and Tribal entities.
- (g) AVAILABILITY OF FEDERAL FUNDS.—In addition to amounts made available to Regional Ocean Partnerships designated under subsection (b) by the Administrator under this section, the head of any other Federal agency may provide grants to, enter into contracts with, or otherwise provide funding to such partnerships.
- (h) AUTHORITIES.—Nothing in this section establishes any new legal or regulatory authority of the National Oceanic and Atmospheric Administration or of the

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1	Regional Ocean Partnerships designated under subsection
2	(b), other than—
3	(1) the authority of the Administrator to pro-
4	vide amounts to the partnerships; and
5	(2) the authority of the partnerships to provide
6	grants and enter into contracts under subsection (e).
7	(i) Funding.—
8	(1) In general.—Of amounts authorized to be
9	appropriated to the National Oceanic and Atmos-
10	pheric Administration, the Administrator may make
11	the following amounts available to Regional Ocean
12	Partnerships designated under subsection (b) or des-
13	ignated fiscal management entities of such partner-
14	ships to carry out activities of the partnerships
15	under this Act:
16	(A) $$10,000,000$ for fiscal year 2021.
17	(B) \$10,100,000 for fiscal year 2022.
18	(C) $$10,202,000$ for fiscal year 2023.
19	(D) \$10,306,040 for fiscal year 2024.
20	(E) $$10,412,160$ for fiscal year 2025.
21	(F) $$10,520,404$ for fiscal year 2026.
22	(2) Distribution of amounts.—Amounts
23	made available under paragraph (1) shall be divided
24	evenly among the Regional Ocean Partnerships des-
25	ignated under subsection (b).

1	(3) AVAILABILITY OF AMOUNTS.—Amounts
2	made available under paragraph (1) shall remain
3	available until expended.

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Calendar No. 396

116TH CONGRESS 1ST SESSION

S. 2166

[Report No. 116–185]

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

July 18, 2019

Mr. Wicker (for himself, Mr. Jones, Mr. Cassidy, Ms. Collins, Ms. Cantwell, Mr. Markey, Mr. Kennedy, Mr. Murphy, and Mr. Merkley) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation of the Senate

DECEMBER 19, 2019

Reported by Mr. WICKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

- To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

- 2 This Act may be eited as the "Regional Ocean Part-
- 3 nership Act".

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- 4 SEC. 2. FINDINGS: SENSE OF CONGRESS: PURPOSES.
- 5 (a) FINDINGS.—Congress makes the following find-6 ings:
- 7 (1) The ocean and coastal waters of the United
 8 States are foundational to the economy, security,
 9 global competitiveness, and well-being of the United
 10 States and continuously serve the people of the
 11 United States and other countries as an important
 12 source of food, energy, economic productivity, recre13 ation, beauty, and enjoyment.
 - (2) Over many years, the resource productivity and water quality of the ocean and coastal areas of the United States have been diminished by pollution, increasing population demands, economic development, and natural and man-made hazard events, both acute and chronic.
 - (3) Ocean and coastal areas of the United States are managed by State and Federal resource agencies and regulated by various overlapping authorities, thereby creating a significant need for coordination to enhance the ecological and economic health of those areas.

1	(b) Sense of Congress.—It is the sense of Con-
2	gress that the United States should seek to attain coordi-
3	nation of the efforts relating to the management, con-
4	servation, resilience, and restoration of ocean and coasta
5	areas to reduce duplication of efforts and maximize effi-
6	ciencies through collaborative regional efforts by Regional
7	Ocean Partnerships, in consultation with Federal agencies
8	and State and local authorities.
9	(e) Purposes.—The purposes of this Act are as fol-
10	lows:
11	(1) To expand and strengthen cooperative vol-
12	untary efforts intended to manage and restore ocean
13	and coastal areas spanning across multiple State
14	boundaries.
15	(2) To expand Federal support for monitoring
16	data management, and restoration activities in ocean
17	and coastal areas.
18	(3) To commit the United States to a com-
19	prehensive cooperative program to achieve improved
20	water quality in, and improvements in the produc-
21	tivity of living resources of, all coastal ecosystems.
22	(4) To authorize Regional Ocean Partnerships
23	as coordinators of Federal and State authorities re-
24	lating to voluntary efforts for the collaborative man-

agement of the large marine ecosystems, thereby re-

1	ducing duplication of efforts and maximizing oppor-
2	tunities to leverage support in the ocean and coastal
3	regions.
4	(5) To enable Regional Ocean Partnerships to
5	receive Federal funding to conduct the scientific re-
6	search, conservation and restoration management,
7	and priority coordination necessary to achieve the
8	purposes described in paragraphs (1) through (4).
9	SEC. 3. REGIONAL OCEAN PARTNERSHIPS.
10	(a) Definitions.—In this section:
11	(1) Administrator.—The term "Adminis-
12	trator" means the Administrator of the National
13	Oceanic and Atmospheric Administration.
14	(2) Coastal state.—The term "coastal state"
15	has the meaning given that term in section 304 of
16	the Coastal Zone Management Act of 1972 (16
17	U.S.C. 1453).
18	(3) Indian Tribe.—The term "Indian Tribe"
19	means an Indian tribe, as defined in section 4 of the
20	Indian Self-Determination and Education Assistance
21	Act (25 U.S.C. 5304).
22	(b) Regional Ocean Partnerships.—
23	(1) In General.—A coastal state may partici-
24	pate in a Regional Ocean Partnership with one or

1	more other coastal states that share a common
2	ocean or coastal area with the coastal state.
3	(2) Application.—The Governor of a coastal
4	state or the Governors of a group of coastal states
5	may apply to the Secretary of Commerce, on behalf
6	of a partnership, for the partnership to receive des-
7	ignation as a Regional Ocean Partnership if the
8	partnership
9	(A) meets the requirements under para-
10	graph (3); and
11	(B) submits an application for such des-
12	ignation in such manner, in such form, and
13	containing such information as the Secretary
14	may require.
15	(3) Requirements.—A partnership is eligible
16	for designation as a Regional Ocean Partnership by
17	the Secretary under paragraph (2) if the partner-
18	ship
19	(A) is established to coordinate the man-
20	agement of coastal resources;
21	(B) focuses on the environmental issues af-
22	feeting the ocean and coastal areas of the coast-
23	al states participating in the partnership;
24	(C) does not have a regulatory function;
25	and

1	(D) is not duplicative of an existing Re-
2	gional Ocean Partnership designated under
3	paragraph (4), as determined by the Secretary.
4	(4) Designation of Certain entities as re-
5	GIONAL OCEAN PARTNERSHIPS.—Notwithstanding
6	paragraph (2) or (3), the following entities are des-
7	ignated as Regional Ocean Partnerships:
8	(A) The Gulf of Mexico Alliance, rep-
9	resenting the ocean and coastal area shared by
10	the States of Alabama, Florida, Louisiana, Mis-
11	sissippi, and Texas.
12	(B) The Northeast Regional Ocean Coun-
13	eil, representing the ocean and coastal area
14	shared by the States of Maine, Vermont, New
15	Hampshire, Massachusetts, Connecticut, and
16	Rhode Island.
17	(C) The Mid-Atlantic Regional Council on
18	the Ocean, representing the ocean and coastal
19	area shared by the States of New York, New
20	Jersey, Delaware, Maryland, and Virginia.
21	(D) The West Coast Ocean Alliance, in-
22	eluding the States of California, Oregon, and
23	Washington and the Indian Tribes in those
24	States.

1	(c) GOVERNING BODIES OF REGIONAL OCEAN PART-
2	NERSHIPS.—
3	(1) In General.—A Regional Ocean Partner-
4	ship designated under subsection (b) shall be gov-
5	erned by a governing body.
6	(2) Membership.—A governing body described
7	in paragraph (1)—
8	(A) shall be comprised, at a minimum, of
9	voting members from each coastal state partici-
10	pating in the Regional Ocean Partnership, des-
11	ignated by the Governor of the coastal state;
12	and
13	(B) may include such other members as
14	the partnership considers appropriate.
15	(d) Functions.—A Regional Ocean Partnership des-
16	ignated under subsection (b) may perform the following
17	functions:
18	(1) Promote coordination of the actions of the
19	agencies of coastal states participating in the part-
20	nership with the actions of the appropriate officials
21	of Federal agencies and other authorities in devel-
22	oping strategies—
23	(A) to conserve living resources, increase
24	valuable habitats, enhance coastal resilience,
25	and address such other issues related to the

1	shared ocean or coastal area as are determined
2	to be a priority by those states;
3	(B) to manage regional data portals and
4	develop associated data products for purposes
5	that support the priorities of those states; and
6	(C) to obtain the support of appropriate
7	officials for such strategies.
8	(2) In cooperation with appropriate Federal
9	agencies and State and local authorities, develop and
10	implement specific action plans to carry out coordi-
11	nation goals.
12	(3) Coordinate and implement priority plans
13	and projects, and facilitate science, research, mod-
14	eling, monitoring, data collection, and other activi-
15	ties that support the goals of the partnership
16	through the provision of grants and contracts under
17	subsection (e).
18	(4) Engage and collaborate with stakeholders to
19	address ocean and coastal related matters that re-
20	quire interagency or intergovernmental solutions.
21	(5) Implement outreach programs for public in-
22	formation, education, and participation to foster
23	stewardship of the resources of the ocean and coast-

al areas.

1	(6) Develop and make available, through publi-
2	cations, technical assistance, and other appropriate
3	means, information pertaining to cross-jurisdictional
4	issues being addressed through the coordinated ac-
5	tivities of the partnership.
6	(7) Serve as the liaison with, and provide infor-
7	mation to, international counterparts, as appro-
8	priate.
9	(e) Grants and Contracts.—
10	(1) In General.—A Regional Ocean Partner-
11	ship designated under subsection (b) may, from
12	amounts made available to the partnership by the
13	Administrator or the head of another Federal agen-
14	e y
15	(A) provide grants to eligible persons de-
16	scribed in paragraph (2) for the purposes de-
17	scribed in paragraph (3); and
18	(B) enter into contracts with such persons
19	for such purposes.
20	(2) Eligible persons.—The eligible persons
21	described in this paragraph are the following:
22	(A) Indian Tribes.
23	(B) State and local governments.
24	(C) Nongovernmental organizations.
25	(D) Institutions of higher education.

1	(E) Individuals.
2	(F) Private entities.
3	(3) Purposes.—The purposes described in this
4	paragraph are the following:
5	(A) Monitoring the water quality and living
6	resources of multi-State ocean and coastal eco-
7	systems.
8	(B) Researching and addressing the effects
9	of natural and human-induced environmental
10	changes to ocean and coastal ecosystems.
11	(C) Developing and executing cooperative
12	strategies that—
13	(i) address regional data issues identi-
14	fied by the partnership; and
15	(ii) will result in more effective man-
16	agement of common ocean and coasta
17	areas.
18	(f) Reports and Assessments.—
19	(1) Annual Report.—Not later than 1 year
20	after the date of the enactment of this Act, and an-
21	nually thereafter, each Regional Ocean Partnership
22	designated under subsection (b) shall submit to the
23	Administrator, and make available to the public, a
24	report that describes the following:

1	(A) Each project and activity for which the
2	partnership received funding under this section
3	during the previous fiscal year.
4	(B) The goals and objectives of those
5	projects and activities.
6	(C) The net benefits of the projects and
7	activities funded under this section during pre-
8	vious fiscal years.
9	(D) The collaborative efforts of the part-
10	nership.
11	(2) Assessments and reports.—
12	(A) In GENERAL.—Not later than 5 years
13	after the date of the enactment of this Act, and
14	every 5 years thereafter, the Administrator, in
15	coordination with the Regional Ocean Partner-
16	ships designated under subsection (b), shall—
17	(i) assess the effectiveness of the part-
18	nerships in coordinating regional priorities
19	relating to the management of common
20	ocean and coastal areas; and
21	(ii) submit to Congress a report on
22	that assessment.
23	(B) REPORT REQUIREMENTS.—The report
24	required under subparagraph (A)(ii) shall in-
25	clude the following:

1	(i) An assessment of the overall status
2	of coordinated efforts in regional eco-
3	systems covered by the Regional Ocean
4	Partnerships designated under subsection
5	(b).
6	(ii) An assessment of the effectiveness
7	of the management strategies that such
8	partnerships are implementing and the ex-
9	tent to which the priority needs of the re-
10	gions covered by such partnerships are
11	being met through such strategies.
12	(iii) Such recommendations as the Ad-
13	ministrator may have for the improved co-
14	ordination among the regulatory and non-
15	regulatory programs operating in the re-
16	gions covered by such partnerships, includ-
17	ing recommendations for strengthening the
18	strategies being implemented or adopting
19	improved strategies.
20	(g) AVAILABILITY OF FEDERAL FUNDS.—In addition
21	to amounts made available to Regional Ocean Partner-
22	ships designated under subsection (b) by the Adminis-

to amounts made available to Regional Ocean Partnerknips designated under subsection (b) by the Administrator under this section, the head of any other Federal
agency may provide grants to, enter into contracts with,
or otherwise provide funding to such partnerships.

1	(h) Authorities.—Nothing in this section estab-
2	lishes any new legal or regulatory authority of the Na-
3	tional Oceanic and Atmospheric Administration or of the
4	Regional Ocean Partnerships designated under subsection
5	(b), other than—
6	(1) the authority of the Administrator to pro-
7	vide amounts to the partnerships; and
8	(2) the authority of the partnerships to provide
9	grants and enter into contracts under subsection (e).
10	(i) Funding.—
11	(1) In General.—Of amounts authorized to be
12	appropriated to the National Oceanic and Atmos-
13	pheric Administration, the Administrator may make
14	the following amounts available to Regional Ocean
15	Partnerships designated under subsection (b) to
16	earry out activities of the partnerships under this
17	Act:
18	(A) \$10,000,000 for fiscal year 2020.
19	(B) \$10,100,000 for fiscal year 2021.
20	(C) \$10,202,000 for fiscal year 2022.
21	(D) \$10,306,040 for fiscal year 2023.
22	(E) \$10,412,160 for fiscal year 2024.
23	(F) \$10,520,404 for fiscal year 2025.
24	(2) Distribution of Amounts. Amounts
25	made available under paragraph (1) shall be divided

1	evenly among the Regional Ocean Partnerships des
2	ignated under subsection (b).
3	(3) AVAILABILITY OF AMOUNTS.—Amounts
4	made available under paragraph (1) shall remain
5	available until expended.
6	SECTION 1. SHORT TITLE.
7	This Act may be cited as the "Regional Ocean Partner
8	$ship\ Act$ ".
9	SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.
10	(a) FINDINGS.—Congress makes the following findings
11	(1) The ocean and coastal waters of the United
12	States are foundational to the economy, security, glob-
13	al competitiveness, and well-being of the United
14	States and continuously serve the people of the United
15	States and other countries as an important source of
16	food, energy, economic productivity, recreation, beau
17	ty, and enjoyment.
18	(2) Over many years, the resource productivity
19	and water quality of the ocean and coastal areas of
20	the United States have been diminished by pollution
21	increasing population demands, economic develop-
22	ment, and natural and man-made hazard events, both
23	acute and chronic.
24	(3) Ocean and coastal areas of the United States
25	are managed by State and Federal resource agencies

1	and regulated on an interstate and regional scale by
2	various overlapping Federal authorities, thereby cre-
3	ating a significant need for interstate coordination to
4	enhance regional priorities, including the ecological
5	and economic health of those areas.
6	(b) Sense of Congress.—It is the sense of Congress
7	that—
8	(1) the United States should seek to support
9	interstate coordination of shared regional priorities
10	relating to the management, conservation, resilience,
11	and restoration of ocean and coastal areas to maxi-
12	mize efficiencies through collaborative regional efforts
13	by Regional Ocean Partnerships, in consultation with
14	Federal and State agencies, Tribal governments, and
15	local authorities; and
16	(2) such efforts would enhance existing and effec-
17	tive State coastal management efforts based on shared
18	regional priorities.
19	(c) Purposes.—The purposes of this Act are as fol-
20	lows:
21	(1) To complement and expand cooperative vol-
22	untary efforts intended to manage and restore ocean
23	and coastal areas spanning across multiple State

boundaries.

- (2) To expand Federal support for monitoring,
 data management, and restoration activities in ocean
 and coastal areas.
 - (3) To commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, all coastal ecosystems.
 - (4) To authorize Regional Ocean Partnerships as intergovernmental coordinators for shared interstate and regional priorities relating to the collaborative management of the large marine ecosystems, thereby reducing duplication of efforts and maximizing opportunities to leverage support in the ocean and coastal regions.
 - (5) To enable Regional Ocean Partnerships, or designated fiscal management entities of such partnerships, to receive Federal funding to conduct the scientific research, conservation and restoration activities, and priority coordination on shared regional priorities necessary to achieve the purposes described in paragraphs (1) through (4).

22 SEC. 3. REGIONAL OCEAN PARTNERSHIPS.

23 (a) DEFINITIONS.—In this section:

1	(1) Administrator.—The term "Adminis-
2	trator" means the Administrator of the National Oce-
3	$anic\ and\ Atmospheric\ Administration.$
4	(2) Coastal state.—The term "coastal state"
5	has the meaning given that term in section 304 of the
6	Coastal Zone Management Act of 1972 (16 U.S.C.
7	1453).
8	(3) Indian Tribe.—The term "Indian Tribe"
9	means an Indian tribe, as defined in section 4 of the
10	Indian Self-Determination and Education Assistance
11	Act (25 U.S.C. 5304).
12	(b) Regional Ocean Partnerships.—
13	(1) In general.—A coastal state may partici-
14	pate in a Regional Ocean Partnership with one or
15	more other coastal states that share a common ocean
16	or coastal area with the coastal state, without regard
17	to whether the coastal states are contiguous.
18	(2) Application.—The Governor of a coastal
19	state or the Governors of a group of coastal states
20	may apply to the Secretary of Commerce, on behalf
21	of a partnership, for the partnership to receive des-
22	ignation as a Regional Ocean Partnership if the
23	partnership—
24	(A) meets the requirements under para-
25	graph (3); and

1	(B) submits an application for such des-
2	ignation in such manner, in such form, and con-
3	taining such information as the Secretary may
4	require.
5	(3) Requirements.—A partnership is eligible
6	for designation as a Regional Ocean Partnership by
7	the Secretary under paragraph (2) if the partner-
8	ship—
9	(A) is established to coordinate the inter-
10	state management of ocean and coastal resources;
11	(B) focuses on the environmental issues af-
12	fecting the ocean and coastal areas of the mem-
13	bers participating in the partnership;
14	(C) complements existing State coastal and
15	ocean management efforts on an interstate scale,
16	focusing on shared regional priorities;
17	(D) does not have a regulatory function;
18	and
19	(E) is not duplicative of an existing Re-
20	gional Ocean Partnership designated under
21	paragraph (4), as determined by the Secretary.
22	(4) Designation of certain entities as re-
23	GIONAL OCEAN PARTNERSHIPS.—Notwithstanding
24	paragraph (2) or (3), the following entities are des-
25	ignated as Regional Ocean Partnerships:

1	(A) The Gulf of Mexico Alliance, comprised
2	of the States of Alabama, Florida, Louisiana,
3	Mississippi, and Texas.
4	(B) The Northeast Regional Ocean Council,
5	comprised of the States of Maine, Vermont, New
6	Hampshire, Massachusetts, Connecticut, and
7	Rhode Island.
8	(C) The Mid-Atlantic Regional Council on
9	the Ocean, comprised of the States of New York,
10	New Jersey, Delaware, Maryland, and Virginia.
11	(D) The West Coast Ocean Alliance, com-
12	prised of the States of California, Oregon, and
13	Washington and the coastal Indian Tribes there-
14	in.
15	(c) Governing Bodies of Regional Ocean Part-
16	NERSHIPS.—
17	(1) In general.—A Regional Ocean Partner-
18	ship designated under subsection (b) shall be governed
19	by a governing body.
20	(2) Membership.—A governing body described
21	in paragraph (1)—
22	(A) shall be comprised, at a minimum, of
23	voting members from each coastal state partici-
24	pating in the Regional Ocean Partnership, des-
25	ianated by the Governor of the coastal state: and

1	(B) may include such other members as the
2	partnership considers appropriate.
3	(d) Functions.—A Regional Ocean Partnership des-
4	ignated under subsection (b) may perform the following
5	functions:
6	(1) Promote coordination of the actions of the
7	agencies of coastal states participating in the partner-
8	ship with the actions of the appropriate officials of
9	Federal agencies and State and Tribal governments
10	in developing strategies—
11	(A) to conserve living resources, increase
12	valuable habitats, enhance coastal resilience and
13	ocean management, and address such other issues
14	related to the shared ocean or coastal area as are
15	determined to be a shared, regional priority by
16	those states; and
17	(B) to manage regional data portals and
18	develop associated data products for purposes
19	that support the priorities of the partnership.
20	(2) In cooperation with appropriate Federal and
21	State agencies, Tribal governments, and local authori-
22	ties, develop and implement specific action plans to
23	carry out coordination goals.
24	(3) Coordinate and implement priority plans
25	and projects, and facilitate science, research, mod-

- eling, monitoring, data collection, and other activities that support the goals of the partnership through the provision of grants and contracts under subsection (e).
 - (4) Engage, coordinate, and collaborate with relevant governmental entities and stakeholders to address ocean and coastal related matters that require interagency or intergovernmental solutions.
 - (5) Implement outreach programs for public information, education, and participation to foster stewardship of the resources of the ocean and coastal areas, as relevant.
 - (6) Develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to cross-jurisdictional issues being addressed through the coordinated activities of the partnership.
 - (7) Serve as a liaison with, and provide information to, international counterparts, as appropriate on priority issues for the partnership.

21 (e) Grants and Contracts.—

(1) In General.—A Regional Ocean Partnership designated under subsection (b) may, in coordination with existing Federal and State management programs, from amounts made available to the part-

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1	nership by the Administrator or the head of another
2	Federal agency—
3	(A) provide grants to eligible persons de-
4	scribed in paragraph (2) for the purposes de-
5	scribed in paragraph (3); and
6	(B) enter into contracts with such persons
7	for such purposes.
8	(2) Eligible persons.—The eligible persons de-
9	scribed in this paragraph are the following:
10	(A) Indian Tribes.
11	(B) State and local governments.
12	$(C)\ Nongovernmental\ organizations.$
13	(D) Institutions of higher education.
14	$(E)\ Individuals.$
15	(F) Private entities.
16	(3) Purposes.—The purposes described in this
17	paragraph include any of the following:
18	(A) Monitoring the water quality and living
19	resources of multi-State ocean and coastal eco-
20	systems and coastal communities.
21	(B) Researching and addressing the effects
22	of natural and human-induced environmental
23	changes on—
24	(i) ocean and coastal ecosystems; and
25	$(ii)\ coastal\ communities.$

1	(C) Developing and executing cooperative
2	strategies that—
3	(i) address regional data issues identi-
4	fied by the partnership; and
5	(ii) will result in more effective man-
6	agement of common ocean and coastal
7	are as.
8	(f) Reports and Assessments.—
9	(1) In general.—Not later than 5 years after
10	the date of the enactment of this Act, and every 5
11	years thereafter until 2040, the Administrator, in co-
12	ordination with the Regional Ocean Partnerships des-
13	ignated under subsection (b), shall—
14	(A) assess the effectiveness of the partner-
15	ships in supporting regional priorities relating
16	to the management of common ocean and coastal
17	areas; and
18	(B) submit to Congress a report on that as-
19	sessment.
20	(2) Report requirements.—The report re-
21	quired under paragraph (1)(B) shall include the fol-
22	lowing:
23	(A) An assessment of the overall status of
24	the work of the Regional Ocean Partnerships des-
25	ignated under subsection (b).

- 1 (B) An assessment of the effectiveness of the
 2 strategies that the Regional Ocean Partnerships
 3 are supporting or implementing and the extent
 4 to which the priority needs of the regions covered
 5 by such partnerships are being met through such
 6 strategies.
 - (C) Such recommendations as the Administrator may have for the improvement of efforts of the Regional Ocean Partnerships to support the purposes of this Act.
 - (D) An assessment of how the efforts of the Regional Ocean Partnerships support or enhance Federal and State efforts in line with the purposes of this Act.
 - (E) Recommendations for improvements to the collective strategies that support the purposes of this Act in coordination and consultation with all relevant Federal, State, and Tribal entities.
- 19 (g) AVAILABILITY OF FEDERAL FUNDS.—In addition 20 to amounts made available to Regional Ocean Partnerships 21 designated under subsection (b) by the Administrator under 22 this section, the head of any other Federal agency may pro-23 vide grants to, enter into contracts with, or otherwise pro-24 vide funding to such partnerships.

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1	(h) Authorities.—Nothing in this section establishes
2	any new legal or regulatory authority of the National Oce-
3	anic and Atmospheric Administration or of the Regional
4	Ocean Partnerships designated under subsection (b), other
5	than—
6	(1) the authority of the Administrator to provide
7	amounts to the partnerships; and
8	(2) the authority of the partnerships to provide
9	grants and enter into contracts under subsection (e).
10	(i) Funding.—
11	(1) In general.—Of amounts authorized to be
12	appropriated to the National Oceanic and Atmos-
13	pheric Administration, the Administrator may make
14	the following amounts available to Regional Ocean
15	Partnerships designated under subsection (b) or des-
16	ignated fiscal management entities of such partner-
17	ships to carry out activities of the partnerships under
18	this Act:
19	(A) \$10,000,000 for fiscal year 2020.
20	(B) \$10,100,000 for fiscal year 2021.
21	(C) \$10,202,000 for fiscal year 2022.
22	(D) \$10,306,040 for fiscal year 2023.
23	(E) \$10,412,160 for fiscal year 2024.
24	(F) \$10,520,404 for fiscal year 2025.

1	(2) DISTRIBUTION OF AMOUNTS.—Amounts
2	made available under paragraph (1) shall be divided
3	evenly among the Regional Ocean Partnerships des-
4	ignated under subsection (b).
5	(3) Availability of amounts.—Amounts made
6	available under paragraph (1) shall remain available
7	$until\ expended.$

Calendar No. 396

116TH CONGRESS S. 2166

[Report No. 116-185]

A BILL

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

DECEMBER 19, 2019

Reported with an amendment