

109TH CONGRESS
2^D SESSION

H. R. 4788

To reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2006

Mr. FALDOMAVAEGA (for himself, Mr. PALLONE, Mr. ABERCROMBIE, Mr. CASE, Ms. BORDALLO, and Mr. FORTUÑO) introduced the following bill; which was referred to the Committee on Resources

A BILL

To reauthorize the Coral Reef Conservation Act of 2000,
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 “Coral Reef Conserva-
5 tion Amendments Act of 2006”.

6 **SEC. 2. EXPANSION OF CORAL REEF CONSERVATION PRO-**
7 **GRAM.**

8 (a) PROJECT DIVERSITY.—Section 204(d) of the
9 Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d))
10 is amended—

1 (1) by striking “GEOGRAPHIC AND BIOLOGI-
2 CAL” in the heading and inserting “PROJECT”; and

3 (2) by striking paragraph (3) and inserting the
4 following:

5 “(3) Remaining funds shall be awarded for—

6 “(A) projects (with priority given to com-
7 munity-based local action strategies) that ad-
8 dress emerging priorities or threats, including
9 international and territorial priorities, or
10 threats identified by the Administrator in con-
11 sultation with the Coral Reef Task Force; and

12 “(B) other appropriate projects, as deter-
13 mined by the Administrator, including moni-
14 toring and assessment, research, pollution re-
15 duction, education, and technical support.”.

16 (b) APPROVAL CRITERIA.—Section 204(g) of that
17 Act (16 U.S.C. 6403(g)) is amended—

18 (1) by striking “or” after the semicolon in
19 paragraph (9);

20 (2) by striking paragraph (10); and

21 (3) by inserting after paragraph (9) the fol-
22 lowing:

23 “(10) promoting activities designed to minimize
24 the likelihood of vessel impacts on coral reefs, par-
25 ticularly those activities described in section 210(b),

1 including the promotion of ecologically sound naviga-
2 tion and anchorages near coral reefs; or

3 “(11) promoting and assisting entities to work
4 with local communities, and all appropriate govern-
5 mental and nongovernmental organizations, to sup-
6 port community-based planning and management
7 initiatives for the protection of coral reef systems.”.

8 **SEC. 3. EMERGENCY RESPONSE.**

9 Section 206 of the Coral Reef Conservation Act of
10 2000 (16 U.S.C. 6405) is amended to read as follows:

11 **“SEC. 206. EMERGENCY RESPONSE ACTIONS.**

12 “(a) IN GENERAL.—The Administrator may under-
13 take or authorize action necessary to prevent or minimize
14 the destruction or loss of, or injury to, coral reefs or coral
15 reef ecosystems from vessel impacts, derelict fishing gear,
16 vessel anchors and anchor chains, or damage from unfore-
17 seen or disaster-related circumstances.

18 “(b) ACTIONS AUTHORIZED.—Action authorized by
19 subsection (a) includes vessel removal and emergency re-
20 stabilization of the vessel and any impacted coral reef.

21 “(c) PARTNERING WITH OTHER FEDERAL AGEN-
22 CIES.—When possible, action by the Administrator under
23 this section should—

24 “(1) be conducted in partnership with other
25 Federal agencies, including the United States Coast

1 Guard, the Federal Emergency Management Agen-
2 cy, the U.S. Army Corps of Engineers, and the De-
3 partment of the Interior; and

4 “(2) leverage resources of other agencies.”.

5 **SEC. 4. NATIONAL PROGRAM.**

6 Section 207(b) of the Coral Reef Conservation Act
7 of 2000 (16 U.S.C. 6406) is amended—

8 (1) by striking “and” after the semicolon in
9 paragraph (3);

10 (2) by striking “partners.” in paragraph (4)
11 and inserting “partners; and”; and

12 (3) by adding at the end the following:

13 “(5) activities designed to minimize the likeli-
14 hood of vessel impacts or other physical damage to
15 coral reefs, including those activities identified in
16 section 210(b).”.

17 **SEC. 5. REPORT TO CONGRESS.**

18 (a) IN GENERAL.—Section 208 of the Coral Reef
19 Conservation Act of 2000 (16 U.S.C. 6407) is amended
20 to read as follows:

21 **“SEC. 208. REPORT TO CONGRESS.**

22 “Not later than March 1, 2007, and every 3 years
23 thereafter, the Administrator shall submit to the Com-
24 mittee on Commerce, Science, and Transportation of the
25 Senate and the Committee on Resources of the House of

1 Representatives a report describing all activities under-
2 taken to implement the strategy, including—

3 “(1) a description of the funds obligated by
4 each participating Federal agency to advance coral
5 reef conservation during each of the 3 fiscal years
6 next preceding the fiscal year in which the report is
7 submitted;

8 “(2) a description of Federal interagency and
9 cooperative efforts with States and United States
10 territories to prevent or address overharvesting,
11 coastal runoff, or other anthropogenic impacts on
12 coral reefs, including projects undertaken with the
13 Department of Interior, Department of Agriculture,
14 the Environmental Protection Agency, and the
15 United States Army Corps of Engineers;

16 “(3) a summary of the information contained in
17 the vessel grounding inventory established under sec-
18 tion 210, including additional authorization or fund-
19 ing, needed for response and removal of such vessels;

20 “(4) a description of Federal disaster response
21 actions taken pursuant to the National Response
22 Plan to address damage to coral reefs and coral reef
23 ecosystems; and

24 “(5) an assessment of the condition of United
25 States coral reefs, accomplishments under this Act,

1 and the effectiveness of management actions to ad-
2 dress threats to coral reefs.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for the Coral Reef Conservation Act of 2000 (16 U.S.C.
5 6401 et seq.) is amended by striking the item relating to
6 section 208 and inserting the following:

“Sec. 208. Report to Congress.”.

7 **SEC. 6. FUND; GRANTS; GROUNDING INVENTORY; COORDI-**
8 **NATION.**

9 (a) IN GENERAL.—The Coral Reef Conservation Act
10 of 2000 (16 U.S.C. 6401 et seq.) is amended—

11 (1) by striking “organization solely” and all
12 that follows in section 205(a) (16 U.S.C. 6404(a))
13 and inserting “organization—

14 “(1) to support partnerships between the public
15 and private sectors that further the purposes of this
16 Act and are consistent with the national coral reef
17 strategy under section 203; and

18 “(2) to address emergency response actions
19 under section 206.”;

20 (2) by adding at the end of section 205(b) 16
21 U.S.C. 6404(b)) “The organization is encouraged to
22 solicit funding and in-kind services from the private
23 sector, including nongovernmental organizations, for
24 emergency response actions under section 206 and

1 for activities to prevent damage to coral reefs, in-
2 cluding activities described in section 210(b)(2).”;

3 (3) by striking “the grant program” in section
4 205(c) (16 U.S.C. 6404(c)) and inserting “any
5 grant program or emergency response action”;

6 (4) by redesignating sections 209 and 210 as
7 sections 212 and 213, respectively; and

8 (5) by inserting after section 208 the following:

9 **“SEC. 209. COMMUNITY-BASED PLANNING GRANTS.**

10 “(a) IN GENERAL.—The Administrator may make
11 grants to entities who have received grants under section
12 204(e) to provide additional funds to such entities to work
13 with local communities and through appropriate Federal
14 and State entities to prepare and implement plans for the
15 increased protection of coral reef areas identified by the
16 community and scientific experts as high priorities for fo-
17 cused attention. The plans shall—

18 “(1) support attainment of 1 or more of the cri-
19 teria described in section 204(g);

20 “(2) be developed at the community level;

21 “(3) utilize watershed-based approaches;

22 “(4) provide for coordination with Federal and
23 State experts and managers; and

1 “(5) build upon local approaches or models, in-
2 cluding traditional or island-based resource manage-
3 ment concepts.

4 “(b) TERMS AND CONDITIONS.—The provisions of
5 subsections (b), (d), (f), and (h) of section 204 apply to
6 grants under subsection (a), except that, for the purpose
7 of applying section 204(b)(1) to grants under this section,
8 ‘75 percent’ shall be substituted for ‘50 percent’.

9 **“SEC. 210. VESSEL GROUNDING INVENTORY.**

10 “(a) IN GENERAL.—The Administrator may main-
11 tain an inventory of all vessel grounding incidents involv-
12 ing coral reef resources, including a description of—

13 “(1) the impacts to such resources;

14 “(2) vessel and ownership information, if avail-
15 able;

16 “(3) the estimated cost of removal, mitigation,
17 or restoration;

18 “(4) the response action taken by the owner,
19 the Administrator, the Commandant of the Coast
20 Guard, or other Federal or State agency representa-
21 tives;

22 “(5) the status of the response action, including
23 the dates of vessel removal and mitigation or res-
24 toration and any actions taken to prevent future
25 grounding incidents; and

1 “(6) recommendations for additional naviga-
2 tional aids or other mechanisms for preventing fu-
3 ture grounding incidents.

4 “(b) IDENTIFICATION OF AT-RISK REEFS.—The Ad-
5 ministrators may—

6 “(1) use information from any inventory main-
7 tained under subsection (a) or any other available
8 information source to identify coral reef areas out-
9 side designated National Marine Sanctuaries that
10 have a high incidence of vessel impacts, including
11 groundings and anchor damage; and

12 “(2) identify appropriate measures, including
13 action by other agencies, to reduce the likelihood of
14 such impacts.

15 **“SEC. 211. REGIONAL COORDINATION.**

16 “The Administrator shall work in coordination and
17 collaboration with other Federal agencies, States, and
18 United States territorial governments to implement the
19 strategies developed under section 203, including regional
20 and local strategies, to address multiple threats to coral
21 reefs and coral reef ecosystems such as coastal runoff, ves-
22 sel impacts, and overharvesting.”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 for the Coral Reef Conservation Act of 2000 (16 U.S.C.
25 6401 et seq.) is amended—

1 (1) by redesignating the items relating to sec-
2 tions 208 through 211 as relating to sections 211
3 through 214; and

4 (2) by inserting the following after the item re-
5 lating to section 207:

“Sec. 209. Community-based planning grants.

“Sec. 210. Vessel grounding inventory.

“Sec. 211. Regional coordination.”.

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 212 of the Coral Reef Conservation Act of
8 2000 (formerly 16 U.S.C. 6408), as redesignated by sec-
9 tion 6, is amended—

10 (1) by striking “\$16,000,000 for each of fiscal
11 years 2001, 2002, 2003, and 2004,” in subsection
12 (a) and inserting “\$30,000,000 for fiscal year 2006,
13 \$32,000,000 for fiscal year 2007, \$34,000,000 for
14 fiscal year 2008, and \$35,000,000 for each of fiscal
15 years 2009 through 2012, of which no less than 30
16 percent per year (for each of fiscal years 2006
17 through 2012) shall be used for the grant program
18 under section 204 and up to 10 percent per year
19 shall be used for the Fund established under section
20 205,”;

21 (2) by striking “\$1,000,000” in subsection (b)
22 and inserting “\$2,000,000”;

23 (3) by striking subsection (c) and inserting the
24 following:

1 “(c) COMMUNITY-BASED PLANNING GRANTS.—
2 There is authorized to be appropriated to the Adminis-
3 trator to carry out section 209 the sum of \$8,000,000 for
4 fiscal years 2007 through 2012, such sum to remain avail-
5 able until expended.”; and
6 (4) by striking subsection (d).

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