

103^D CONGRESS
2^D SESSION

H. R. 4931

To strengthen protection of the natural resources of the Gulf of Maine through greater cooperation and coordination between Federal agencies and the Gulf of Maine Council on the Marine Environment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 1994

Ms. SNOWE introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To strengthen protection of the natural resources of the Gulf of Maine through greater cooperation and coordination between Federal agencies and the Gulf of Maine Council on the Marine Environment, 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 “Gulf of Maine Con-
5 servation and Cooperation Act of 1994”.

1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings regarding
3 the Gulf of Maine:

4 (1) The Gulf of Maine is a critically important
5 environmental and economic resource shared by the
6 United States and Canada.

7 (2) The Gulf of Maine supports abundant and
8 diverse marine wildlife populations, including 100
9 species of birds, 73 species of fish, 26 species of
10 whales, dolphins, and porpoises, 1,600 types of bot-
11 tom-dwelling organisms, and endangered species
12 such as the bald eagle, roseate tern, humpback
13 whale, and sperm whale.

14 (3) The Gulf of Maine holds substantial value
15 as a recreation resource for people today and its
16 value as a recreation resource will likely increase in
17 the future. Nearly $\frac{1}{3}$ of the United States popu-
18 lation, comprising approximately 75,600,000 people,
19 live within a 1-day drive of the Gulf of Maine. The
20 Gulf of Maine contains 2 United States national
21 parks and 1 Canadian national park, and it contains
22 a United States national marine sanctuary.

23 (4) The Gulf of Maine provides substantial
24 commercial benefits to the United States and Can-
25 ada. Its commercial fishing industry, including aqua-
26 culture, produces more than \$800,000,000 in reve-

1 nues annually and employs 20,000 people. Aqua-
2 culture is a growing multimillion dollar industry in
3 the region.

4 (5) Tourism and recreation in the Gulf of
5 Maine region generate millions of dollars in revenue
6 each year and provide employment for thousands.
7 The Gulf of Maine attracts 10,000,000 visitors an-
8 nually. In addition, the Gulf of Maine is home to
9 many economically important maritime facilities,
10 such as ports and shipyards.

11 (6) Studies conducted by national and State
12 governments and other agencies have determined
13 that, without prudent, coordinated management, the
14 future development and use of the resources of the
15 Gulf of Maine may have significant adverse impacts
16 on the environment and economy of the bordering
17 States, the adjacent region, and the United States.

18 (7) Environmental threats to the Gulf of Maine
19 are too extensive and complex to be managed by any
20 single State, provincial, or Federal agency. Existing
21 threats include—

22 (A) high levels of toxic contaminants in the
23 deep basin sediments of the Gulf of Maine,
24 which indicate that toxic contaminants are dis-

1 tributed throughout the Gulf of Maine eco-
2 system;

3 (B) bacterial contamination that has closed
4 more than $\frac{1}{3}$ of the shellfish beds in the Gulf
5 of Maine, resulting in significant economic
6 losses; and

7 (C) increasing loss of habitat in the Gulf
8 of Maine region, which results in diminished es-
9 tuarine and coastal habitats essential for migra-
10 tory waterfowl and commercially valuable fish
11 species.

12 (8) The natural resources of the Gulf of Maine
13 are interconnected, forming an ecosystem that tran-
14 scends political boundaries. It is therefore important
15 that the States, provinces, and Federal Governments
16 cooperate with one another and coordinate their
17 public policies, research, and management activities
18 related to the protection of the resources of the Gulf
19 of Maine.

20 (9) Interjurisdictional cooperation and coordina-
21 tion of efforts, policies, and programs can maximize
22 the efficient use of limited fiscal resources in the
23 Gulf of Maine region, and further the goal of pro-
24 tecting the resources of the Gulf of Maine and stim-
25 ulating its economy over the long-term.

1 (10) The Gulf of Maine Council on the Marine
2 Environment, established in 1989 by the States of
3 Maine, Massachusetts, and New Hampshire and the
4 Canadian Provinces of New Brunswick and Nova
5 Scotia (in this Act referred to as the “Gulf of Maine
6 Council”), is well-equipped to assist in the coordina-
7 tion of policies and activities of the multiple agencies
8 and scientific, environmental, fishing, and marine
9 trade organizations active in the Gulf of Maine re-
10 gion. It has laid a cooperative, regionally based foun-
11 dation for future efforts to protect, conserve, and
12 sustainably develop the Gulf of Maine.

13 (11) The Gulf of Maine Council has developed
14 innovative and constructive strategies and programs
15 to maintain and enhance marine environmental qual-
16 ity and to allow for sustainable resource use, such
17 as the Gulf of Maine Action Plan 1991–2000 and
18 the Gulf of Maine Environmental Quality Monitoring
19 Plan.

20 **SEC. 3. POLICY.**

21 It is the policy of the United States that—

22 (1) United States Government activities relat-
23 ing to conserving the natural resources of the Gulf
24 of Maine and encouraging sustainable development

1 in the region should be maintained and strength-
2 ened; and

3 (2) the environmental and economic interests of
4 the American people are well-served by United
5 States Government cooperation and coordination
6 with the Gulf of Maine Council.

7 **SEC. 4. GULF OF MAINE INTERAGENCY TASK FORCE.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—The President shall establish
10 a Gulf of Maine Inter-Agency Task Force (in this
11 Act referred to as the “Task Force”).

12 (2) PURPOSE.—The purpose of the Task Force
13 is to provide a vehicle for improved interagency co-
14 operation and coordination, and to improve and en-
15 hance the efficiency and effectiveness of Federal ac-
16 tivities conducted for the purpose of the conservation
17 and sustainable development of the natural resources
18 of the Gulf of Maine.

19 (3) DUTIES.—The duties of the Task Force in-
20 clude the following:

21 (A) Meeting on a regular basis, but not
22 less than 2 times each year.

23 (B) Sharing among Task Force members
24 information about agency programs operating
25 in the Gulf of Maine region.

1 (C) Providing updates on agency programs
2 and activities relating to the natural resources
3 of the Gulf of Maine, including scientific re-
4 search activities and programs.

5 (D) Identifying opportunities for inter-
6 agency cooperation and coordination to further
7 the purpose of the Task Force.

8 (E) Developing plans, to the maximum ex-
9 tent practicable, for interagency cooperation
10 and coordination efforts that will further the
11 purpose of the Task Force, and for joint pro-
12 grams, activities, and initiatives among agencies
13 of the United States, the Gulf of Maine Coun-
14 cil, States, and the Government of Canada.

15 (b) MEMBERSHIP.—

16 (1) SPECIFIED AGENCY REPRESENTATIVES.—

17 The Task Force shall consist of the following mem-
18 bers:

19 (A) 2 members appointed by the Secretary
20 of Commerce;

21 (B) 1 member appointed by the Secretary
22 of the Interior;

23 (C) 1 member appointed by the Adminis-
24 trator of the Environmental Protection Agency;
25 and

1 (D) 1 member appointed by the Secretary
2 of the Army from among personnel of the Corps
3 of Engineers.

4 (2) OTHER AGENCY REPRESENTATIVES.—The
5 Task Force may also include a representative ap-
6 pointed by the President to represent any other Fed-
7 eral department or agency, on a temporary or per-
8 manent basis.

9 (3) DEPARTMENT OF COMMERCE REPRESENTA-
10 TIVES.—At least 1 of the members of the Task
11 Force appointed by the Secretary of Commerce shall
12 be selected from personnel of the National Oceanic
13 and Atmospheric Administration, and one of those
14 members shall be selected from personnel of an of-
15 fice or agency related to sustainable economic devel-
16 opment.

17 (c) GULF OF MAINE COORDINATOR.—The Task
18 Force shall be chaired by the Gulf of Maine Coordinator,
19 who shall be designated by the Secretary of Commerce
20 from among the members of the Task Force. The term
21 of a member as the Gulf of Maine Coordinator shall be
22 2 years. The Secretary may not designate for consecutive
23 terms as the Gulf of Maine Coordinator any member, or
24 any members appointed under subsection (b)(1) by the

1 same official. The duties of the Coordinator shall be as
2 follows:

3 (1) The Gulf of Maine Coordinator (or a des-
4 ignee of the Coordinator) shall, upon invitation by
5 the Gulf of Maine Council, attend meetings of the
6 Gulf of Maine Council, and report on Federal activi-
7 ties and programs relating to the Gulf of Maine
8 Council.

9 (2) The Task Force may authorize the Gulf of
10 Maine Coordinator (or a designee of the Coordina-
11 tor) to represent the Task Force and the officials
12 who appoint members of the Task Force under sub-
13 section (b), in negotiations with the Gulf of Maine
14 Council on agreements, memoranda of understand-
15 ing, a sustainable development strategy, or other co-
16 operative activities and programs.

17 (d) ANNUAL REPORT.—Each year, the Secretary of
18 Commerce shall submit to the Congress, in consultation
19 with the Secretary of the Interior, the Secretary of the
20 Army, and the Administrator of the Environmental Pro-
21 tection Agency, a report on the meetings, findings, activi-
22 ties, recommendations, initiatives, and plans of the Task
23 Force. The report may also describe other examples of co-
24 operation and coordination among agencies in the Gulf of
25 Maine.

1 **SEC. 5. FEDERAL COOPERATION AND COORDINATION WITH**
2 **THE GULF OF MAINE COUNCIL ON THE MA-**
3 **RINE ENVIRONMENT.**

4 (a) STATEMENT OF POLICY.—Each of the officials
5 who appoint a member of the Task Force under section
6 4(b) shall, to the maximum extent practicable, cooperate
7 and coordinate their activities related to natural resources
8 of the Gulf of Maine with the Gulf of Maine Council on
9 the Marine Environment.

10 (b) AUTHORITY FOR AGREEMENTS.—The Secretary
11 of Commerce, after consultation with the officials who ap-
12 point a member of the Task Force under section 4(b), may
13 enter into agreements and memoranda of understanding
14 with the Gulf of Maine Council to enhance efforts to con-
15 serve the natural resources of the Gulf of Maine.

16 (c) SUSTAINABLE DEVELOPMENT STRATEGY.—The
17 Secretary of Commerce, after consultation with other Fed-
18 eral natural resource agencies, and upon a request by the
19 Gulf of Maine Council, may work with the Gulf of Maine
20 Council, industry representatives, representatives of orga-
21 nized labor groups, fishing groups, community organiza-
22 tions, environmental organizations, State and local public
23 officials, and others to develop a sustainable development
24 strategy for the Gulf of Maine.

25 (d) CONSISTENCY OF FEDERAL ACTIVITIES WITH
26 COUNCIL AND STATE MANAGEMENT ACTIVITIES.—Each

1 of the officials that appoints a member of the Task Force
2 under section 4(b) shall conduct their activities which di-
3 rectly affect the ecological health of the Gulf of Maine in
4 a manner which is, to the maximum extent practicable,
5 consistent with—

6 (1) the goals and policies of the Gulf of Maine
7 Council; and

8 (2) the goals and policies related to protection
9 of the natural resources of the Gulf of Maine of each
10 State bordering the Gulf of Maine in which the ac-
11 tivities are conducted.

12 (e) FINANCIAL CONTRIBUTIONS TO GULF OF MAINE
13 COUNCIL.—

14 (1) GRANT AUTHORITY.—To help fulfill the
15 purposes of this Act, each of the officials that ap-
16 points a member of the Task Force under section
17 4(b), subject to the availability of appropriations,
18 may make grants in accordance with this subsection
19 to the Gulf of Maine Council, for programs and
20 projects related to the conservation of the natural
21 resources of the Gulf of Maine or to sustainable eco-
22 nomic development in the Gulf of Maine region.

23 (2) MATCHING.—The amount of a grant under
24 this subsection may not exceed 75 percent of the
25 total cost of the program or project carried out with

1 the grant. In determining the amount of the non-
2 Federal contribution for purposes of this paragraph,
3 the Secretary shall include the value of in-kind con-
4 tributions from non-Federal sources.

5 (3) LIMIT ON USE FOR ADMINISTRATION.—Not
6 more than 10 percent of the amount of a grant
7 under this section may be used for administrative
8 expenses.

9 (4) LIMIT ON TOTAL ANNUAL GRANTS.—The
10 total amount of grants under this subsection in any
11 fiscal year before fiscal year 2000 may not exceed
12 \$1,000,000.

13 **SEC. 6. GULF OF MAINE RESEARCH.**

14 (a) NEW AUTHORITY.—The Regional Marine Re-
15 search Board for the Gulf of Maine region shall cooperate
16 with the Gulf of Maine Council and the States bordering
17 the Gulf of Maine in efforts to promote the environmental
18 and economic health of the Gulf of Maine region.

19 (b) REGIONAL MARINE RESEARCH PLANS.—The Re-
20 gional Marine Research Board for the Gulf of Maine re-
21 gion may, in consultation with the Gulf of Maine Council
22 and subject to the approval of the Secretary of Commerce,
23 revise schedules for the development of research plans
24 under section 404 of the Marine Protection, Research, and
25 Sanctuaries Act of 1972 (16 U.S.C. 1447c) as appropriate

1 to ensure the effective coordination of the plans and pro-
2 grams carried out under such section with the activities
3 and plans carried out under this Act.

4 **SEC. 7. RELATION TO MAGNUSON FISHERY CONSERVATION**
5 **AND MANAGEMENT ACT.**

6 Nothing in this Act shall be construed to modify or
7 supersede any authority or requirement established under
8 the Magnuson Fishery Conservation and Management Act
9 (16 U.S.C. 1801 et seq.).

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