

COMMITTEE AMENDMENT

[STAFF WORKING DRAFT]

June 17, 2003

Purpose: To reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

**IN THE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION** —108TH Cong., 1ST Sess.

S. 247, 108TH Congress, 1ST Session

JUNE 19, 2003

() Referred to the Committee on _____ and
ordered to be printed

() Ordered to lie on the table and to be printed

INTENDED to be proposed by Mr. _____

Viz: Strike out all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Harmful Algal Bloom
3 and Hypoxia Amendments Act of 2003”.

4 SEC. 2. RETENTION OF TASK FORCE.

5 Section 603 of the Harmful Algal Bloom and Hy-
6 poxia Research and Control Act of 1998 (16 U.S.C. 1451
7 nt) is amended by striking subsection (e).

1 **SEC. 3. PREDICTION AND RESPONSE PLAN.**

2 Section 603 of such Act, as amended by section 2,
3 is further amended by adding at the end the following:

4 “(e) PREDICTION AND RESPONSE PLAN.—

5 “(1) DEVELOPMENT OF PLAN.—Not later than
6 12 months after the date of enactment of the Harm-
7 ful Algal Bloom and Hypoxia Amendments Act of
8 2003, the President, in consultation with the chief
9 executive officers of the States, shall develop and
10 submit to the Congress a plan to protect environ-
11 mental and public health from impacts of harmful
12 algal blooms. In developing the plan, the President
13 shall consult with the Task Force, the coastal
14 States, Indian tribes, local governments, industry,
15 academic institutions, and non-governmental organi-
16 zations with expertise in coastal zone science and
17 management.

18 “(2) PLAN REQUIREMENTS.—The plan shall—

19 “(A) review techniques for prediction of
20 the onset, course, and impacts of harmful algal
21 blooms including evaluation of their accuracy
22 and utility in protecting environmental and
23 public health and provisions for implementation;

24 “(B) identify innovative response measures
25 for the prevention, control, and mitigation of

1 harmful algal blooms and provisions for their
2 development and implementation; and

3 “(C) include incentive-based partnership
4 approaches where practicable.

5 “(3) PUBLICATION AND OPPORTUNITY FOR
6 COMMENT.—At least 90 days before submitting the
7 plan to the Congress, the President shall cause a
8 summary of the proposed plan to be published in the
9 Federal Register for a public comment period of not
10 less than 60 days.

11 “(4) FEDERAL ASSISTANCE.—The Secretary of
12 Commerce, in coordination with the Task Force and
13 to the extent of funds available, shall provide for
14 Federal cooperation with and assistance to the
15 coastal States, Indian tribes, and local governments
16 in implementing measures in paragraph (2), as re-
17 quested.”.

18 **SEC. 4. LOCAL AND REGIONAL ASSESSMENTS.**

19 Section 603 of such Act, as amended by section 3,
20 is further amended by adding at the end the following:

21 “(f) LOCAL AND REGIONAL ASSESSMENTS.—

22 “(1) IN GENERAL.—The Secretary of Com-
23 merce, in coordination with the Task Force and to
24 the extent of funds available, shall provide for local
25 and regional assessments of hypoxia and harmful

1 algal blooms, as requested by coastal States, Indian
2 tribes, and local governments.

3 “(2) PURPOSE.—Local and regional assess-
4 ments may examine—

5 “(A) the causes of hypoxia or harmful
6 algal blooms in that area;

7 “(B) the ecological and economic impacts
8 of hypoxia or harmful algal blooms;

9 “(C) alternatives to reduce, mitigate, and
10 control hypoxia and harmful algal blooms; and

11 “(D) the social and economic costs and
12 benefits of such alternatives.’.

13 “(g) SCIENTIFIC ASSESSMENT OF GREAT LAKES
14 HARMFUL ALGAL BLOOMS.—

15 “(1) Not later than 24 months after the date
16 of enactment of the Harmful Algal Bloom and Hy-
17 poxia Research Amendments Act of 2003 the Task
18 Force shall complete and submit to Congress a sci-
19 entific assessment of current knowledge about harm-
20 ful algal blooms in the Great Lakes, including a re-
21 search plan for coordinating Federal efforts to better
22 understand Great Lakes harmful algal blooms.

23 “(2) The Great Lakes harmful algal bloom sci-
24 entific assessment shall—

1 “(A) examine the causes and ecological
2 consequences, and the economic costs, of harm-
3 ful algal blooms with significant effects on
4 Great Lakes locations, including estimations of
5 the frequency and occurrence of significant
6 events;

7 “(B) establish priorities and guidelines for
8 a competitive, peer-reviewed, merit-based inter-
9 agency research program, as part of the Ecol-
10 ogy and Oceanography of Harmful Algal
11 Blooms (ECOHAB) project, to better under-
12 stand the causes, characteristics, and impacts
13 of harmful algal blooms in Great Lakes loca-
14 tions; and

15 “(C) identify ways to improve coordination
16 and to prevent unnecessary duplication of effort
17 among Federal agencies and departments with
18 respect to research on harmful algal blooms in
19 Great Lakes locations.

20 “(h) SCIENTIFIC ASSESSMENTS OF HYPOXIA.—

21 “(1) Not less than once every 5 years the Task
22 Force shall complete and submit to the Congress a
23 scientific assessment of hypoxia in United States
24 coastal waters including the Great Lakes. The first
25 such assessment shall be completed not less than 24

1 months after the date of enactment of the Harmful
2 Algal Bloom and Hypoxia Research Amendments
3 Act of 2003.

4 “(2) The assessments under this subsection
5 shall—

6 “(A) examine the causes and ecological
7 consequences, and the economic costs, of hy-
8 poxia;

9 “(B) describe the potential ecological and
10 economic costs and benefits of possible policy
11 and management actions for preventing, con-
12 trolling, and mitigating hypoxia;

13 “(C) evaluate progress made by, and the
14 needs of, Federal research programs on the
15 causes, characteristics, and impacts of hypoxia,
16 including recommendations of how to eliminate
17 significant gaps in hypoxia modeling and moni-
18 toring data; and

19 “(D) identify ways to improve coordination
20 and to prevent unnecessary duplication of effort
21 among Federal agencies and departments with
22 respect to research on hypoxia.

23 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

24 Section 605 of such Act is amended—

1 (1) by striking “and” after “2000,” in the first
2 sentence and in the paragraphs (1), (2), (3), and
3 (5);

4 (2) by inserting “\$26,000,000 for fiscal year
5 2004, \$26,500,000 for fiscal year 2005,
6 \$27,000,000 for fiscal year 2006, \$27,500,000 for
7 fiscal year 2007, and \$28,000,000 for fiscal year
8 2008” after “2001,” in the first sentence;

9 (3) by inserting “and \$2,500,000 for each of
10 fiscal years 2004 through 2008” after “2001” in
11 paragraph (1);

12 (4) by inserting “and \$8,200,000, of which
13 \$2,000,000 shall be used for the research program
14 described in section 603(g)(2)(B), for each of fiscal
15 years 2004 through 2008” after “2001” in para-
16 graph (2);

17 (5) by striking “2001” in paragraph (3) and in-
18 serting “2001, \$2,000,000 for fiscal year 2004,
19 \$3,000,000 for fiscal year 2005, \$3,000,000 for fis-
20 cal year 2006, \$3,000,000 for fiscal year 2007, and
21 \$3,000,000 for fiscal year 2008, ”;

22 (6) by striking “blooms;” in paragraph (3) and
23 inserting “blooms and to implement section
24 603(e);”;

1 (7) by striking “2001” in paragraph (4) and in-
2 serting “2001, and \$6,000,000 for each of fiscal
3 years 2004 through 2008,”;

4 (8) by striking “and” after the semicolon in
5 paragraph (4);

6 (9) by striking “2001” in paragraph (5) and in-
7 serting “2001, \$5,000,000 for fiscal year 2004,
8 \$5,500,000 for fiscal year 2005, \$6,600,000 for fis-
9 cal year 2006, \$7,100,000 for fiscal year 2007, and
10 \$7,600,000 for fiscal year 2008,”;

11 (10) by striking “Administration.” in para-
12 graph (5) and inserting “Administration; and”;

13 (11) by adding at the end the following:

14 “(6) \$3,000,000 for each of fiscal years 2004
15 through 2008 to carry out section 603(f).”.

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