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112TH CONGRESS }
2d Session }

SENATE

{ REPORT
112-237

HARMFUL ALGAL BLOOMS AND HYPOXIA
RESEARCH AND CONTROL AMENDMENTS
ACT OF 2011

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 1701



NOVEMBER 13, 2012.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

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HARMFUL ALGAL BLOOMS AND HYPOXIA RESEARCH AND CONTROL AMENDMENTS ACT OF 2011

NOVEMBER 13, 2012.—Ordered to be printed

Mr. ROCKEFELLER, from the Committee on Commerce, Science, and
Transportation, submitted the following

REPORT

[To accompany S. 1701]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1701) to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The purpose of S. 1701, the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, is to reauthorize and amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (HABHRCA) (16 U.S.C. 1451 note). This bill would authorize and enhance the continuing work of the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia (Task Force). It would integrate and improve coordination among the individual harmful algal bloom (HAB) programs within the National Oceanic and Atmospheric Administration (NOAA). It would provide for the assessment of environmental, socioeconomic, and human health impacts of HABs and hypoxia on a regional and national scale, and integrate this assessment into marine and freshwater resource decisions. It would facilitate appropriate efforts to develop response plans, strategies, and tools, including outreach programs and information dissemination mechanisms at the regional, State, tribal, and local levels. It would also promote the transition of research products into implementable actions to predict, prevent, monitor, and mitigate HAB and hypoxia events, thereby mini-

mizing the economic, ecological, and human health impacts caused by such events.

BACKGROUND AND NEEDS

Algal blooms occur when environmental conditions promote the rapid increase in the population of algae, or phytoplankton, in an aquatic system. While algal blooms occur naturally, they are increasing in frequency and intensity due to human activities. HABs occur when phytoplankton produce toxins and/or cause other harmful effects on humans, fish, shellfish, marine mammals, and birds. HABs are increasingly impacting marine and freshwater systems of the United States, as well as other countries. The impacts include: human illness and mortality due to direct or indirect exposure to toxins; economic hardship for coastal communities dependent on seafood and tourism; fish, bird, and marine mammal deaths; and ecological damage. HABs are pervasive, affecting multiple regions, resources, and sectors of the economy. Thirty years ago, HAB problems were sporadic and scattered throughout the country; today, virtually every State is threatened by harmful or toxic algal blooms. According to a 2006 study, the U.S. seafood and tourism industries suffer annual losses of at least \$82 million due to economic impacts of HABs.¹ A number of factors contribute to the increasing occurrence of HABs, and more research is necessary to determine what controls their development.

Hypoxia refers to a depressed concentration of dissolved oxygen in water. Most forms of aquatic life require a certain range of dissolved oxygen for survival. Hypoxic events are natural phenomena, but they can be intensified and made more frequent and expansive by some human activities, including eutrophication caused by increased nutrient loading. In extreme cases, anoxia can occur where in all available oxygen in the water is consumed causing "dead zones." Hypoxic areas are more widespread during the summer, when they may drive out or kill animal life. Over half of U.S. estuaries experience natural or human-induced hypoxic conditions at some time each year, and the frequency and duration of hypoxic events have increased exponentially over the last few decades. Hypoxia research is necessary to help provide tools for coastal resource managers to assess alternative management strategies for preventing or mitigating the impacts of hypoxia on coastal ecosystems. Understanding the causes of hypoxia, developing the capability to predict its occurrence in response to varying levels of anthropogenic stress, and evaluating the subsequent ecological, economic, and social impacts are necessary to assess management alternatives.

HABHRCA was signed into law on November 13, 1998. The Act recognized that many of our Nation's coastal areas suffer from HABs and hypoxia each year, threatening coastal ecosystems and fisheries and endangering human health. To respond to these concerns, the Act established an Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia and mandated the formulation of the following three national assessments: a National Assessment on

¹ Hoagland, P., and S. Scatista. THE ECONOMIC EFFECTS OF HARMFUL ALGAL BLOOMS. *Ecology of Harmful Algae*, E. Graneli and J. Turner, eds. Dordrecht, the Netherlands: Springer-Verlag, 2006. Chap. 29. Ecology Studies Series.

Harmful Algal Blooms; a National Assessment on Hypoxia; and an Assessment and a Plan for Hypoxia in the Gulf of Mexico. These assessments—and the continuing occurrence of HABs and hypoxia events—demonstrate the need for ongoing work in predicting, monitoring, and mitigating these potentially dangerous events.

HABHRCA was reauthorized with passage of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 (2004 Act) (118 Stat. 3630), which was enacted on December 10, 2004. The 2004 Act enhanced the reporting requirements of the previous legislation, mandating an evaluation of efforts to protect the public from adverse impacts of HABs, as well as regional scientific assessments of the impacts of HABs and hypoxia, including a separate report on freshwater HABs. The 2004 Act further called for scientific assessments of both HABs and hypoxia to establish priorities for determining the causes, consequences, and costs of these phenomena and to assess the progress being made under the existing programs. The 2004 Act also authorized appropriations for fiscal years (FYs) 2005-2008.

SUMMARY OF PROVISIONS

S. 1701 would reauthorize and amend HABHRCA, with the overarching goals of building upon the Nation's efforts to research and monitor HABs and hypoxia and taking steps to develop and carry out actions to more accurately predict, mitigate, and control outbreaks. It also would encourage greater collaboration among Federal agencies by establishing an interagency National Harmful Algal Bloom and Hypoxia Program (Program), giving NOAA primary responsibility for its administration, and utilizing the Task Force for coordination of interagency review, research, and resources, as well as support and implementation of Regional Research and Action Plans (RRAPs). The Program would promote a unified national strategy to understand, predict, mitigate, and control HABs and hypoxia. As the lead agency, NOAA would maintain and enhance its existing competitive programs, establish new programs and infrastructure as necessary, enhance communication and coordination among Federal agencies, and increase the availability of analytical tools, operational forecasts, and reference and research materials to public and private entities.

S. 1701 would encourage regional efforts to deal with HABs and hypoxia. It would require the Program to develop RRAPs to address the specific needs of regions within the United States. The RRAPs would be developed by a regional panel of experts and the Program, and identify regional priorities for research, technology, and action plans at a regional, State, and local level, enhancing coordination among various levels of government.

S. 1701 would direct the Under Secretary of Commerce for Oceans and Atmosphere (Under Secretary) to work cooperatively and avoid duplication with other programs, agencies, and entities. With respect to the freshwater program, the Administrator of the Environmental Protection Agency (EPA) is directed to carry out, in consultation with the Under Secretary, research, monitoring, response, mitigation, and control to freshwater HAB events.

Finally, S. 1701 would update funding levels for FYs 2011-2015, including funds specifically for development of the RRAPs, and di-

rect the Secretary to ensure that a “substantial portion” of appropriations shall be allocated to extramural research.

LEGISLATIVE HISTORY

S. 1701 was introduced by Senator Snowe on October 13, 2011, with Senators Nelson, Begich, Rockefeller, Whitehouse, Gillibrand, and Cardin as original cosponsors. The bill was referred to the Committee on Commerce, Science, and Transportation of the Senate. On November 2, 2011, the Committee considered this bill in an open Executive Session, which included three amendments offered by Senator Wicker. Senator Wicker’s first amendment would require NOAA to leverage expertise from local research institutions, the second amendment would require coordination with the Gulf of Mexico Alliance on matters relating to the Gulf of Mexico, and the last amendment would establish prioritization in the development of regional reports. The Committee, without objection, ordered S. 1701 be reported favorably as amended.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 1701—Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011

Summary: S. 1701 would reauthorize and modify the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. The bill would authorize the appropriation of \$30 million annually over the 2012–2015 period for the National Oceanic and Atmospheric Administration (NOAA) to mitigate the effects of harmful algal blooms and hypoxia (reduced oxygen level) in certain bodies of water.

Assuming appropriation of the authorized amounts, CBO estimates that implementing the legislation would cost \$110 million over the 2012–2016 period and \$10 million after 2016. Enacting S. 1701 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 1701 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1701 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2012	2013	2014	2015	2016	2012–2016
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	30	30	30	30	0	120
Estimated Outlays	10	23	27	30	20	110

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted early in 2012 and that the authorized amounts will be appropriated for each fiscal year. Estimated out-

lays are based on historical spending patterns for similar NOAA activities.

S. 1701 would authorize the appropriation of \$30 million a year over the 2012–2015 period for certain NOAA activities related to mitigating the effects of harmful algal blooms and hypoxia in coastal waters and the Great Lakes. Those activities include providing grants, conducting research, preparing reports, and overseeing an interagency task force. Assuming appropriation of the authorized amounts, CBO estimates that implementing the legislation would cost \$110 million over the 2012–2016 period and \$10 million after 2016.

Pay-As-You-Go considerations: None.

Intergovernmental and private-sector impact: S. 1701 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO estimate: On August 19, 2011, CBO transmitted a cost estimate for H.R. 2484, the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, as ordered reported by the House Committee on Science, Space, and Technology on July 28, 2011. Both H.R. 2484 and S. 1701 would reauthorize and modify the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, but H.R. 2484 would authorize appropriations totaling \$83 million over the 2012–2015 period, including \$11 million for certain Environmental Protection Agency activities. The CBO cost estimates reflect that difference.

Estimate prepared by: Federal costs: Jeff LaFave; Impact on state, local, and tribal governments: Ryan Miller; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

The reported bill would require the enhancement of programs intended to detect, mitigate, and control HABs and hypoxia. It does not authorize any new regulations and therefore would not subject any individuals or businesses to new regulations.

ECONOMIC IMPACT

Section 11 of the reported bill would authorize \$30 million for each of FYs 2011 through 2015 to NOAA to implement the Program, of which up to \$2 million per year would be allocated to the development of RRAPs. Considering the potential cost savings and economic return on a program to enhance the Nation's efforts to detect, mitigate, and control HABs and hypoxia, these funding levels are not expected to have an inflationary impact on the Nation's economy.

PRIVACY

The reported bill would not have any adverse impact on the personal privacy of individuals.

PAPERWORK

S. 1701 would not impose any new paperwork requirements on private citizens, businesses, or other entities that do not choose to participate in a regional, coastal, and ocean observation association. Representatives of entities choosing to participate in these associations may be subject to some additional paperwork requirements.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title.

Section 1 would title the bill the “Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011”.

Section 2. Amendment of Harmful Algal Bloom and Hypoxia Research and Control Act of 1998.

Section 2 would state that any reference in this title to an amendment or repeal would be to the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, unless otherwise specified.

Section 3. Findings.

Section 3 would revise the findings to reflect growing threats, sources, and impacts of HABs and hypoxic events; NOAA’s capacity to address these threats through research, monitoring observation, education, and management efforts; the scope of the problem; and the improvements that have been made since the passage of HABHRCA in 1998.

Section 4. Purposes.

Section 4 would add a purpose section to HABHRCA specifying that the purposes of the Act are: (1) to provide for the development and coordination of a comprehensive and integrated national program to address HABs and hypoxia through baseline research, monitoring, prevention, mitigation, and control; (2) to provide for the assessment of environmental, socioeconomic, and human health impacts of HABs and hypoxia on a regional and national scale, and to integrate that assessment into marine and freshwater resource decisions; and (3) to facilitate regional, State, tribal, and local efforts to develop and implement appropriate HAB and hypoxia response plans, strategies, and tools.

Section 5. Inter-agency Task Force on Harmful Algal Blooms and Hypoxia.

This section would add the Centers for Disease Control to the list of agencies represented on the Task Force.

Section 6. National Harmful Algal Bloom and Hypoxia Program.

Section 6 would establish a national HAB and hypoxia program, and require the development and publication of a national HAB and hypoxia action strategy. It would direct the Task Force to coordinate, assess, and expedite interagency work, and support Federal program work and RRAPs.

This section would also give NOAA primary responsibility for administering the Program, and establish the Program's responsibilities to: (1) develop a national action strategy; (2) prepare work and spending plans for program and plan implementation; (3) administer merit-based, competitive grant funding; (4) coordinate with regional, State, tribal, and local government agencies and programs; (5) coordinate with the State Department on international efforts; (6) identify additional research, development, and demonstration needs; (7) coordinate outreach, education, and training programs; (8) facilitate and provide resources for training State and local resource managers; (9) support regional efforts to control and mitigate outbreaks; (10) convene at least one meeting of the Task Force each year; and (11) perform other tasks delegated by the Task Force.

This section would direct NOAA to: maintain and enhance its existing competitive programs; carry out response activities; establish new programs and infrastructure as necessary to meet objectives of this title; enhance communication and coordination among Federal agencies; and increase availability of resources to appropriate public and private entities. This section would direct the Under Secretary to work cooperatively and avoid duplication with other programs, agencies and entities. With respect to the freshwater program, the Administrator of the EPA would be directed to carry out, in consultation with the Under Secretary, research, monitoring, response, mitigation and control to freshwater HAB events. All data collection and monitoring under this title must comply with the data standards and protocols of the Integrated Coastal and Ocean Observation System Act of 2009 (ICOOS) (33 U.S.C. 3601 et seq.) and be made available through ICOOS.

Section 7. Regional Research and Action Plans.

Section 7 would direct the Under Secretary to: identify appropriate regions and subregions to be addressed by each RRAP; oversee the development and implementation of each RRAP; and develop and submit for Task Force approval each region's plan. Each plan would be required to identify appropriate elements, including: baseline research needed to understand the conditions that cause HABs and hypoxia; regional research priorities; research, development, and demonstration activities needed to develop and advance technologies and techniques to minimize occurrence, and improved capabilities for prediction, monitoring, prevention, control, and mitigation; State, tribal, and local government actions for implementation; mechanisms to transfer data; communication and out-

reach efforts; and the roles of Federal agencies in facilitating implementation of the plans.

In the development and implementation of the RRAPs, this section would require the Under Secretary to coordinate with State coastal management and planning officials, tribal resource managers, water and watershed management officials, other Federal agencies as appropriate, and a range of stakeholders, building on available studies and information. RRAP development and implementation would be staggered to reduce the administrative burden on the Program, and plans would be updated every five years, with priority given to regions with the greatest number of HABs or largest perennial hypoxic zones. Subject to appropriations, funding would be made available to implement the actions under each RRAP through a competitive process.

Section 8. Reporting.

Section 8 would describe new reporting requirements to replace the completed reports called for under existing law. The new requirements would include biennial and quinquennial reports.

Every two years the Program would report to appropriate congressional committees. The reports would describe: proceedings of annual Task Force meetings; activities, budgets, and progress of the program; status, activities, and funding of the RRAPs; and any need to revise or terminate activities of projects under the Program.

Not less than once every five years, after enactment of this Act, the Task Force would report to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Science and Technology and on Natural Resources of the House of Representatives. This report would: (1) evaluate the state of knowledge; (2) evaluate the social and economic impacts and the strategies to deal with them; (3) examine and evaluate the human health impacts; (4) describe advances in capabilities for monitoring, forecasting, modeling, control, mitigation, and prevention of HABs and hypoxia; (5) evaluate progress made by, and the needs of Federal, regional, State, and local policies and strategies for forecasting, planning, mitigating, preventing, and responding to outbreaks, including the economic costs and benefits of such policies and strategies; (6) make recommendations for integrating, improving, and funding future national, regional, State, tribal, and local policies and strategies; (7) describe communication, outreach, and education efforts intended to increase public awareness; (8) describe extramural research activities; and (9) specify and justify how resources were allocated between intramural and extramural resource and management activities.

Section 9. Northern Gulf of Mexico Hypoxia.

Section 9 would direct the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force to complete annual progress reports for the first two years after enactment. These annual reports would describe the progress made by the Task Force-directed activities toward attainment of the Coastal Goal of the Gulf Hypoxia Action Plan of 2008. These annual reports shall be submitted to Congress and the President. Furthermore, this section would mandate the Task Force to complete progress reports every two years after that,

and also on attainment of the Coastal Goal of the Gulf Hypoxia Action Plan of 2008.

Section 10. Interagency Financing.

Section 10 would allow agencies represented on the Task Force to participate in interagency financing to carry out programs under this bill.

Section 11. Authorization of Appropriations.

This section would authorize \$30 million to be appropriated for each of the FYs 2011 through 2015 to carry out sections 6 and 7, of which \$2 million shall be used to develop the RRAPs. Of these appropriations, the Secretary of Commerce shall ensure a “substantial portion” shall be allocated to extramural research activities.

Section 12. Definitions; Conforming Amendment.

Section 12 would define the following terms: “Administrator” means the Administrator of National Oceanic and Atmospheric Administration²; “Harmful Algal Bloom” means marine and freshwater phytoplankton that grow to high concentrations resulting in nuisance conditions or harmful impacts on marine and aquatic ecosystems, coastal communities, and human health; “Hypoxia” describes a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms; “Program” means the Integrated Harmful Algal Bloom and Hypoxia Program established under section 603A of the Harmful Algal Bloom and Hypoxia Resource and Control Act of 1998; “Regional Research and Action Plan” means a plan established under section 603B of that Act; “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere; “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribe; “Task Force” means the Interagency Task Force established by section 603(a) of that Act; and “United States Coastal Waters” includes the Great Lakes.

Section 13. Application with Other Laws.

Section 13 would ensure that nothing in this title supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

²The definition of Administrator should mean the Administrator of the Environmental Protection Agency.

HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND
CONTROL ACT OF 1998

[16 U.S.C. 1451 note]

[SEC. 602. FINDINGS.**[The Congress finds that—**

[(1) the recent outbreak of the harmful microbe *Pfiesteria piscicida* in the coastal waters of the United States is one example of potentially harmful algal blooms composed of naturally occurring species that reproduce explosively and that are increasing in frequency and intensity in the Nation's coastal waters;

[(2) other recent occurrences of harmful algal blooms include red tides in the Gulf of Mexico and the Southeast; brown tides in New York and Texas; ciguatera fish poisoning in Hawaii, Florida, Puerto Rico, and the United States Virgin Islands; and shellfish poisonings in the Gulf of Maine, the Pacific Northwest, and the Gulf of Alaska;

[(3) in certain cases, harmful algal blooms have resulted in fish kills, the deaths of numerous endangered West Indian manatees, beach and shellfish bed closures, threats to public health and safety, and concern among the public about the safety of seafood;

[(4) according to some scientists, the factors causing or contributing to harmful algal blooms may include excessive nutrients in coastal waters, other forms of pollution, the transfer of harmful species through ship ballast water, and ocean currents;

[(5) harmful algal blooms may have been responsible for an estimated \$1,000,000,000 in economic losses during the past decade;

[(6) harmful algal blooms and blooms of non-toxic algal species may lead to other damaging marine conditions such as hypoxia (reduced oxygen concentrations), which are harmful or fatal to fish, shellfish, and benthic organisms;

[(7) according to the National Oceanic and Atmospheric Administration in the Department of Commerce, 53 percent of United States estuaries experience hypoxia for at least part of the year and a 7,000 square mile area in the Gulf of Mexico off Louisiana and Texas suffers from hypoxia;

[(8) according to some scientists, a factor believed to cause hypoxia is excessive nutrient loading into coastal waters;

[(9) there is a need to identify more workable and effective actions to reduce nutrient loadings to coastal waters;

[(10) the National Oceanic and Atmospheric Administration, through its ongoing research, education, grant, and coastal resource management programs, possesses a full range of capabilities necessary to support a near and long-term comprehensive effort to prevent, reduce, and control harmful algal blooms and hypoxia;

[(11) funding for the research and related programs of the National Oceanic and Atmospheric Administration will aid in improving the Nation's understanding and capabilities for addressing the human and environmental costs associated with harmful algal blooms and hypoxia; and

[(12) other Federal agencies such as the Environmental Protection Agency, the Department of Agriculture, and the National Science Foundation, along with the States, Indian tribes, and local governments, conduct important work related to the prevention, reduction, and control of harmful algal blooms and hypoxia.]

SEC. 602. FINDINGS.

Congress finds the following:

(1) *Harmful algal blooms and hypoxia—*

(A) *are increasing in frequency and intensity in the Nation's coastal waters and Great Lakes;*

(B) *pose a threat to the health of coastal and Great Lakes ecosystems;*

(C) *are costly to coastal economies; and*

(D) *threaten the safety of seafood and human health.*

(2) *Excessive nutrients in coastal waters have been linked to the increased intensity and frequency of hypoxia and some harmful algal blooms. There is a need to identify more workable and effective actions to reduce the negative impacts of harmful algal blooms and hypoxia on coastal waters.*

(3) *The National Oceanic and Atmospheric Administration, through its ongoing research, monitoring, observing, education, grant, and coastal resource management programs and in collaboration with the other Federal agencies on the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia, along with States, Indian tribes, and local governments, possesses the capabilities necessary to support a near and long-term comprehensive effort to prevent, reduce, and control the human and environmental costs of harmful algal blooms and hypoxia.*

(4) *Increases in nutrient loading from point and nonpoint sources can trigger and exacerbate harmful algal blooms and hypoxia. Since much of the increases originate in upland areas and are delivered to marine and freshwater bodies via river discharge, integrated and landscape-level research and control strategies are required.*

(5) *Harmful algal blooms and hypoxia affect many sectors of the coastal economy, including tourism, public health, and recreational and commercial fisheries. According to a recent report produced by the National Oceanic and Atmospheric Administration, the United States seafood, restaurant, and tourism industries suffer estimated annual losses of at least \$82,000,000 due to the economic impacts of harmful algal blooms.*

(6) *The proliferation of harmful and nuisance algae can occur in all United States waters, including coastal areas (such as estuaries), the Great Lakes, and inland waterways, crossing political boundaries and necessitating regional coordination for research, monitoring, mitigation, response, and prevention efforts.*

(7) *Federally funded and other research has led to several technological advances, including remote sensing, molecular and optical tools, satellite imagery, and coastal and ocean observing systems, that—*

(A) *provide data for forecast models;*

(B) *improve the monitoring and prediction of these events; and*

(C) provide essential decision making tools for managers and stakeholders.

SEC. 602A. PURPOSES.

The purposes of this title are—

(1) *to provide for the development and coordination of a comprehensive and integrated national program to address harmful algal blooms and hypoxia through baseline research, monitoring, prevention, mitigation, and control;*

(2) *to provide for the assessment of environmental, socio-economic, and human health impacts of harmful algal blooms and hypoxia on a regional and national scale, and to integrate this assessment into marine and freshwater resource decisions; and*

(3) *to facilitate regional, State, tribal, and local efforts to develop and implement appropriate harmful algal bloom and hypoxia response plans, strategies, and tools, including outreach programs and information dissemination mechanisms.*

SEC. 603. ASSESSMENTS.

(a) **ESTABLISHMENT OF INTER-AGENCY TASK FORCE.**—The President, through the Committee on Environment and Natural Resources of the National Science and Technology Council, shall establish an Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia (hereinafter referred to as the “Task Force”). The Task Force shall consist of **the following representatives from** a representative from—

(1) the Department of Commerce (who shall serve as Chairman of the Task Force);

(2) the Environmental Protection Agency;

(3) the Department of Agriculture;

(4) the Department of the Interior;

(5) the Department of the Navy;

(6) the Department of Health and Human Services;

(7) the National Science Foundation;

(8) the National Aeronautics and Space Administration;

(9) the Food and Drug Administration;

(10) the Office of Science and Technology Policy;

(11) the Council on Environmental Quality; **and**

(12) *the Centers for Disease Control; and*

[(12)] (13) [such] other Federal agencies as the President considers appropriate.

* * * * *

(j) **REPORT.**—*Not later than 2 years after the submission of the action strategy under section 603A, the Under Secretary shall submit a report to the appropriate congressional committees that describes—*

(1) *the proceedings of the annual Task Force meetings;*

(2) *the activities carried out under the Program and the regional research and action plans, and the budget related to the activities;*

(3) *the progress made on implementing the action strategy; and*

(4) *any need to revise or terminate activities or projects under the Program.*

(k) *PROGRAM REPORT.*—Not later than 5 years after the date of enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, the Task Force shall submit a report on harmful algal blooms and hypoxia in marine and freshwater systems to Congress that—

(1) evaluates the state of scientific knowledge of harmful algal blooms and hypoxia in marine and freshwater systems, including their causes and ecological consequences;

(2) evaluates the social and economic impacts of harmful algal blooms and hypoxia, including their impacts on coastal communities, and reviews those communities' efforts and associated economic costs related to event forecasting, planning, mitigation, response, public outreach, and education;

(3) examines and evaluates the human health impacts of harmful algal blooms and hypoxia, including any gaps in existing research;

(4) describes advances in capabilities for monitoring, forecasting, modeling, control, mitigation, and prevention of harmful algal blooms and hypoxia, including techniques for integrating landscape- and watershed-level water quality information into marine and freshwater harmful algal bloom and hypoxia prevention and mitigation strategies at Federal and regional levels;

(5) evaluates progress made by, and the needs of, Federal, regional, State, tribal, and local policies and strategies for forecasting, planning, mitigating, preventing, and responding to harmful algal blooms and hypoxia, including the economic costs and benefits of the policies and strategies;

(6) includes recommendations for integrating, improving, and funding future Federal, regional, State, tribal, and local policies and strategies for preventing and mitigating the occurrence and impacts of harmful algal blooms and hypoxia;

(7) describes communication, outreach, and education efforts to raise public awareness of harmful algal blooms and hypoxia, their impacts, and the methods for mitigation and prevention;

(8) describes extramural research activities carried out under section 605(b); and

(9) specifies how resources were allocated between intramural and extramural research and management activities, including a justification for each allocation.

SEC. 603A. NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.

(a) *ESTABLISHMENT.*—Except as provided in subsection (d), the Under Secretary, acting through the Task Force established under section 603, shall establish and maintain a national harmful algal bloom and hypoxia program.

(b) *ACTION STRATEGY.*—

(1) *IN GENERAL.*—Not later than 1 year after the date of enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, the Task Force shall develop a national harmful algal blooms and hypoxia action strategy that—

(A) is consistent with the purposes under section 602A;

(B) includes a statement of goals and objectives; and

(C) includes an implementation plan.

- (2) *PUBLICATION.*—Not later than 30 days after the date that the action strategy is developed, the Task Force shall—
- (A) submit the action strategy to Congress; and
 - (B) publish the action strategy in the Federal Register.
- (3) *PERIODIC REVISION.*—The Task Force shall periodically review and revise the action strategy, as necessary.
- (c) *TASK FORCE FUNCTIONS.*—The Task Force shall—
- (1) coordinate interagency review of plans and policies of the Program;
 - (2) assess interagency work and spending plans for implementing the activities of the Program;
 - (3) review the Program’s distribution of Federal grants and funding to address research priorities;
 - (4) support the implementation of the actions and strategies identified in the regional research and action plans under section 603B;
 - (5) support the development of institutional mechanisms and financial instruments to further the goals of the Program;
 - (6) coordinate and integrate the research of all Federal programs, including ocean and Great Lakes science and management programs and centers, that address the chemical, biological, and physical components of marine and freshwater harmful algal blooms and hypoxia;
 - (7) expedite the interagency review process by ensuring timely review and dispersal of required reports and assessments under this title;
 - (8) promote the development of new technologies for predicting, monitoring, and mitigating harmful algal blooms and hypoxia conditions; and
 - (9) establish such interagency working groups as it considers necessary.
- (d) *LEAD FEDERAL AGENCY.*—The National Oceanic and Atmospheric Administration shall have primary responsibility for administering the Program.
- (e) *PROGRAM DUTIES.*—In administering the Program, the Under Secretary shall—
- (1) develop and promote a national strategy to understand, detect, predict, control, mitigate, and respond to marine and freshwater harmful algal bloom and hypoxia events;
 - (2) prepare work and spending plans for implementing the activities of the Program and developing and implementing the regional research and action plans;
 - (3) administer merit-based, competitive grant funding—
 - (A) to support the projects maintained and established by the Program; and
 - (B) to address the research and management needs and priorities identified in the regional research and action plans;
 - (4) coordinate and work cooperatively with regional, State, tribal, and local government agencies and programs that address marine and freshwater harmful algal blooms and hypoxia;
 - (5) coordinate with the Secretary of State to support international efforts on marine and freshwater harmful algal bloom

and hypoxia information sharing, research, mitigation, control, and response activities;

(6) identify additional research, development, and demonstration needs and priorities relating to monitoring, prevention, control, mitigation, and response to marine and freshwater harmful algal blooms and hypoxia, including methods and technologies to protect the ecosystems affected by marine and freshwater harmful algal blooms and hypoxia;

(7) integrate, coordinate, and augment existing education programs to improve public understanding and awareness of the causes, impacts, and mitigation efforts for marine and freshwater harmful algal blooms and hypoxia;

(8) facilitate and provide resources to train State and local coastal and water resource managers in the methods and technologies for monitoring, controlling, and mitigating marine and freshwater harmful algal blooms and hypoxia;

(9) support regional efforts to control and mitigate outbreaks through—

(A) communication of the contents of the regional research and action plans and maintenance of online data portals for other information about harmful algal blooms and hypoxia to State and local stakeholders within the region for which each plan is developed; and

(B) overseeing the development, review, and periodic updating of regional research and action plans;

(10) convene at least 1 meeting of the Task Force each year; and

(11) perform such other tasks as may be delegated by the Task Force.

(f) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACTIVITIES.—The Under Secretary shall—

(1) maintain and enhance the existing competitive programs at the National Oceanic and Atmospheric Administration relating to marine and freshwater algal blooms and hypoxia;

(2) carry out marine and Great Lakes harmful algal bloom and hypoxia events response activities;

(3) establish new programs and infrastructure, as necessary, to develop and enhance the critical observations, monitoring, modeling, data management, information dissemination, and operational forecasts required to meet the purposes under section 602A;

(4) enhance communication and coordination among Federal agencies carrying out marine and freshwater harmful algal bloom and hypoxia activities;

(5) to the greatest extent practicable, leverage existing resources and expertise available from local research universities and institutions to meet the purposes under section 602A; and

(6) increase the availability to appropriate public and private entities of—

(A) analytical facilities and technologies;

(B) operational forecasts; and

(C) reference and research materials.

(g) COOPERATIVE EFFORTS.—The Under Secretary shall work cooperatively and avoid duplication of effort with other offices, centers, and programs within the National Oceanic and Atmospheric

Administration, other agencies on the Task Force, and States, tribes, and nongovernmental organizations concerned with marine and freshwater issues to coordinate harmful algal blooms and hypoxia (and related) activities and research.

(h) FRESHWATER PROGRAM.—With respect to the freshwater aspects of the Program, except for those aspects occurring in the Great Lakes, the Administrator of the Environmental Protection Agency, in consultation with the Under Secretary, through the Task Force, shall—

(1) carry out the duties assigned to the Under Secretary under this section and section 603B, including the activities under subsection (g);

(2) research the ecology of freshwater harmful algal blooms;

(3) monitor and respond to freshwater harmful algal blooms events in lakes (except for the Great Lakes), rivers, and reservoirs;

(4) mitigate and control freshwater harmful algal blooms; and

(5) recommend the amount of funding required to carry out subsection (g) for inclusion in the President's annual budget request to Congress.

(i) INTEGRATED COASTAL AND OCEAN OBSERVATION SYSTEM.—The collection of monitoring and observation data under this title shall comply with all data standards and protocols developed pursuant to the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3601 et seq.). Such data shall be made available through the system established under that Act.

SEC. 603B. REGIONAL RESEARCH AND ACTION PLANS.

(a) IN GENERAL.—In administering the Program, the Under Secretary shall—

(1) identify appropriate regions and subregions to be addressed by each regional research and action plan; and

(2) oversee the development and implementation of the regional research and action plans.

(b) PLAN DEVELOPMENT.—The Under Secretary shall—

(1) develop and submit to the Task Force for approval a regional research and action plan for each region, that builds upon any existing State or regional plans the Under Secretary considers appropriate; and

(2) identify appropriate elements for each region, including—

(A) baseline ecological, social, and economic research needed to understand the biological, physical, and chemical conditions that cause, exacerbate, and result from harmful algal blooms and hypoxia;

(B) regional priorities for ecological and socio-economic research on issues related to and impacts of harmful algal blooms and hypoxia;

(C) research, development, and demonstration activities needed to develop and advance technologies and techniques—

(i) for minimizing the occurrence of harmful algal blooms and hypoxia; and

(ii) for improving capabilities to predict, monitor, prevent, control, and mitigate harmful algal blooms and hypoxia;

(D) *State, tribal, and local government actions that may be implemented—*

(i) *to support long-term monitoring efforts and emergency monitoring as needed;*

(ii) *to minimize the occurrence of harmful algal blooms and hypoxia;*

(iii) *to reduce the duration and intensity of harmful algal blooms and hypoxia in times of emergency;*

(iv) *to address human health dimensions of harmful algal blooms and hypoxia; and*

(v) *to identify and protect vulnerable ecosystems that could be, or have been, affected by harmful algal blooms and hypoxia;*

(E) *mechanisms by which data, information, and products are transferred between the Program and State, tribal, and local governments and research entities;*

(F) *communication, outreach and information dissemination efforts that State, tribal, and local governments and stakeholder organizations can take to educate and inform the public about harmful algal blooms and hypoxia and alternative coastal resource-utilization opportunities that are available; and*

(G) *the roles that Federal agencies can play to facilitate implementation of the regional research and action plan for that region.*

(c) *CONSULTATION.—In developing a regional research and action plan under this section, the Under Secretary shall—*

(1) *coordinate with State coastal management and planning officials;*

(2) *coordinate with tribal resource management officials;*

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

(4) *in matters relating to the Gulf of Mexico, coordinate with the Gulf of Mexico Alliance;*

(5) *coordinate with the Administrator and other Federal agencies as the Under Secretary considers appropriate; and*

(6) *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.*

(d) *BUILDING ON AVAILABLE STUDIES AND INFORMATION.—In developing a regional research and action plan under this section, the Under Secretary shall—*

(1) *utilize and build on existing research, assessments, reports, including those carried out under existing law, and other relevant sources; and*

(2) consider the impacts, research, and existing program activities of all United States coastlines and fresh and inland waters, including the Great Lakes, the Chesapeake Bay, estuaries, and tributaries.

(e) *SCHEDULE.*—The Under Secretary shall—

(1) begin developing the regional research and action plans for at least a third of the regions not later than 9 months after the date of the enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011;

(2) begin developing the regional research and action plans for at least another third of the regions not later than 21 months after the date of the enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011;

(3) begin developing the regional research and action plans for the remaining regions not later than 33 months after the date of the enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011; and

(4) ensure that each regional research and action plan developed under this section is—

(A) completed and approved by the Task Force not later than 12 months after the date that development of the regional research and action plan begins; and

(B) updated not less than once every 5 years after the completion of the regional research and action plan.

(f) *PRIORITIZATION.*—In developing the regional research and action plans pursuant to subsection (e), the Under Secretary shall begin with regions that historically have the greatest record of harmful algal blooms or the largest perennial hypoxic zones.

(g) *FUNDING.*—

(1) *IN GENERAL.*—Subject to available appropriations, the Under Secretary shall make funding available to eligible organizations to implement the research, monitoring, forecasting, modeling, and response actions included under each approved regional research and action plan. The Program shall select recipients through a merit-based, competitive process and seek to fund research proposals that most effectively align with the research priorities identified in the relevant regional research and action plan.

(2) *APPLICATION; ASSURANCES.*—An organization seeking funding under this subsection shall submit an application to the Program at such time, in such form and manner, and containing such information and assurances as the Program may require. The Program shall require each eligible organization receiving funds under this subsection to utilize the mechanisms under subsection (b)(2)(E) to ensure the transfer of data and products developed under the regional research and action plan.

(3) *ELIGIBLE ORGANIZATION.*—In this subsection, the term “eligible organization” means—

(A) an institution of higher education, other non-profit organization, State, tribal, or local government, commercial organization, or Federal agency that meets the requirements of this section and such other requirements as may be established by the Under Secretary; and

(B) with respect to nongovernmental organizations, an organization that is subject to regulations promulgated or guidelines issued to carry out this section, including United States audit requirements that are applicable to nongovernmental organizations.

ISEC. 604. NORTHERN GULF OF MEXICO HYPOXIA.

[(a) ASSESSMENT REPORT.—Not later than May 30, 1999, the Task Force shall complete and submit to Congress and the President an integrated assessment of hypoxia in the northern Gulf of Mexico that examines: the distribution, dynamics, and causes; ecological and economic consequences; sources and loads of nutrients transported by the Mississippi River to the Gulf of Mexico; effects of reducing nutrient loads; methods for reducing nutrient loads; and the social and economic costs and benefits of such methods.]

[(b) SUBMISSION OF A PLAN.—No later than March 30, 2000, the President, in conjunction with the chief executive officers of the States, shall develop and submit to Congress a plan, based on the integrated assessment submitted under subsection (a), for reducing, mitigating, and controlling hypoxia in the northern Gulf of Mexico. In developing such plan, the President shall consult with State, Indian tribe, and local governments, academic, agricultural, industry, and environmental groups and representatives. Such plan shall include incentive-based partnership approaches. The plan shall also include the social and economic costs and benefits of the measures for reducing, mitigating, and controlling hypoxia. At least 90 days before the President submits such plan to the Congress, a summary of the proposed plan shall be published in the Federal Register for a public comment period of not less than 60 days.]

SEC. 604. NORTHERN GULF OF MEXICO HYPOXIA.

(a) TASK FORCE INITIAL PROGRESS REPORTS.—Beginning not later than 12 months after the date of enactment of the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, and every 2 years 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 Task Force-directed activities 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.

SEC. 604A. INTERAGENCY FINANCING.

The departments and agencies represented on the Task Force may participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member of the Task Force for the purposes of carrying out any administrative or pro-

grammatic project or activity under this title, including support for the Program, a common infrastructure, information sharing, and system integration for harmful algal bloom and hypoxia research, monitoring, forecasting, prevention, and control. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Task Force member and the costs of the goods, services, and space. The amount of funds transferrable under this section for any fiscal year may not exceed percent of the account from which such transfer was made.

[SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to the Secretary of Commerce for research, education, and monitoring activities related to the prevention, reduction, and control of harmful algal blooms and hypoxia, \$15,000,000 for fiscal year 1999, \$18,250,000 for fiscal year 2000, \$19,000,000 for fiscal year 2001, \$23,500,000 for fiscal year 2005, \$24,500,000 for fiscal year 2006, \$25,000,000 for fiscal year 2007, and \$30,000,000 for each of fiscal years 2008 through 2010, to remain available until expended. The Secretary shall consult with the States on a regular basis regarding the development and implementation of the activities authorized under this section. Of such amounts for each fiscal year—

[(1) \$1,500,000 for fiscal year 1999, \$1,500,000 for fiscal year 2000, \$2,000,000 for fiscal year 2001, and \$2,500,000 for each of fiscal years 2005 through 2010 may be used to enable the National Oceanic and Atmospheric Administration to carry out research and assessment activities, including procurement of necessary research equipment, at research laboratories of the National Ocean Service and the National Marine Fisheries Service;

[(2) \$4,000,000 for fiscal year 1999, \$5,500,000 for fiscal year 2000, \$5,500,000 for fiscal year 2001, 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 2010 may be used to carry out the Ecology and Oceanography of Harmful Algal Blooms (ECOHAB) project under the Coastal Ocean Program established under section 201(c) of Public Law 102-567;

[(3) \$1,000,000 for fiscal year 1999, \$2,000,000 for fiscal year 2000, \$2,000,000 for fiscal year 2001, and \$3,000,000 for each of fiscal years 2005 through 2010 may be used by the National Ocean Service of the National Oceanic and Atmospheric Administration to carry out a peer-reviewed research project on management measures that can be taken to prevent, reduce, control, and mitigate harmful algal blooms and to carry out section 603(d);

[(4) \$5,500,000 for each of the fiscal years 1999, 2000, 2001, and \$6,000,000 for each of fiscal years 2005 through 2010 may be used to carry out Federal and State annual monitoring and analysis activities for harmful algal blooms administered by the National Ocean Service of the National Oceanic and Atmospheric Administration;

[(5) \$3,000,000 for fiscal year 1999, \$3,750,000 for fiscal year 2000, \$4,000,000 for fiscal year 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 each of fiscal years 2008 through 2010 may be used for activities related to research and monitoring on hypoxia by the National Ocean Service and the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration; and

[(6) \$1,500,000 for each of fiscal years 2005 through 2010 to carry out section 603(e).]

SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

(a) *IN GENERAL.*—There are authorized to be appropriated, for each of the fiscal years 2011 through 2015 to the Under Secretary to carry out sections 603A and 603B, \$30,000,000, of which—

(1) \$2,000,000 may be used for the development of regional research and action plans and the reports required under section 603B;

(2) \$3,000,000 may be used for the research and assessment activities related to marine and freshwater harmful algal blooms at the National Oceanic and Atmospheric Administration research laboratories;

(3) \$7,000,000 may be used to carry out the Ecology and Oceanography of Harmful Algal Blooms Program (ECOHAB);

(4) \$4,500,000 may be used to carry out the Monitoring and Event Response for Harmful Algal Blooms Program (MERHAB);

(5) \$1,500,000 may be used to carry out the Northern Gulf of Mexico Ecosystems and Hypoxia Assessment Program (NGOMEX);

(6) \$4,000,000 may be used to carry out the Coastal Hypoxia Research Program (CHRP);

(7) \$4,000,000 may be used to carry out the Prevention, Control, and Mitigation of Harmful Algal Blooms Program (PCM);

(8) \$1,000,000 may be used to carry out the Event Response Program; and

(9) \$3,000,000 may be used to carry out the Infrastructure Program.

(b) *EXTRAMURAL RESEARCH ACTIVITIES.*—The Under Secretary shall ensure that a substantial portion of funds appropriated pursuant to subsection (a) that are used for research purposes are allocated to extramural research activities.

SEC. 605A. DEFINITIONS.

In this title:

(1) *ADMINISTRATOR.*—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) *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.

(3) *HYPOXIA.*—The term “hypoxia” means a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms.

(4) *PROGRAM.*—The term “Program” means the National Harmful Algal Bloom and Hypoxia Program established under section 603A.

(5) *REGIONAL RESEARCH AND ACTION PLAN.*—The term “regional research and action plan” means a plan established under section 603B.

(6) *STATE.*—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, and any Indian tribe.

(7) *TASK FORCE.*—The term “Task Force” means the Inter-Agency Task Force established by section 603(a).

(8) *UNDER SECRETARY.*—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

(9) *UNITED STATES COASTAL WATERS.*—The term “United States coastal waters” includes the Great Lakes.

SEC. 606. PROTECTION OF STATES’ RIGHTS.

(a) Nothing in this title shall be interpreted to adversely affect existing State regulatory or enforcement power which has been granted to any State through the Clean Water Act or Coastal Zone Management Act of 1972.

(b) Nothing in this title 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.

SEC. 607. EFFECT ON OTHER FEDERAL AUTHORITY.

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