

Union Calendar No. 256

116TH CONGRESS
1ST SESSION

H. R. 2189

[Report No. 116–315]

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2019

Mr. RUPPERSBERGER (for himself and Mr. YOUNG) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 26, 2019

Additional sponsors: Mr. CRIST, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. VAN DREW

NOVEMBER 26, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on April 9, 2019]

A BILL

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, 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 “Digital Coast Act”.*

5 **SEC. 2. FINDINGS.**

6 *Congress makes the following findings:*

7 (1) *The Digital Coast is a model approach for ef-*
8 *fective Federal partnerships with State and local gov-*
9 *ernment, nongovernmental organizations, and the pri-*
10 *vate sector.*

11 (2) *Access to current, accurate, uniform, and*
12 *standards-based geospatial information, tools, and*
13 *training to characterize the United States coastal re-*
14 *gion is critical for public safety and for the environ-*
15 *ment, infrastructure, and economy of the United*
16 *States.*

17 (3) *More than half of all people of the United*
18 *States (153,000,000) currently live on or near a coast*
19 *and an additional 12,000,000 are expected in the next*
20 *decade.*

21 (4) *Coastal counties in the United States average*
22 *300 persons per square mile, compared with the na-*
23 *tional average of 98.*

24 (5) *On a typical day, more than 1,540 permits*
25 *for construction of single-family homes are issued in*

1 *coastal counties, combined with other commercial, re-*
2 *tail, and institutional construction to support this*
3 *population.*

4 (6) *Over half of the economic productivity of the*
5 *United States is located within coastal regions.*

6 (7) *Highly accurate, high-resolution remote sens-*
7 *ing and other geospatial data play an increasingly*
8 *important role in decision making and management*
9 *of the coastal zone and economy, including for—*

10 (A) *flood and coastal storm surge pre-*
11 *diction;*

12 (B) *hazard risk and vulnerability assess-*
13 *ment;*

14 (C) *emergency response and recovery plan-*
15 *ning;*

16 (D) *community resilience to longer range*
17 *coastal change;*

18 (E) *local planning and permitting;*

19 (F) *habitat and ecosystem health assess-*
20 *ments; and*

21 (G) *landscape change detection.*

22 **SEC. 3. DEFINITIONS.**

23 *In this Act:*

24 (1) *COASTAL REGION.—The term “coastal re-*
25 *gion” means the area of United States waters extend-*

1 *ing inland from the shoreline to include coastal wa-*
2 *tersheds and seaward to the territorial sea.*

3 (2) *COASTAL STATE.*—*The term “coastal State”*
4 *has the meaning given the term “coastal state” in sec-*
5 *tion 304 of the Coastal Zone Management Act of 1972*
6 *(16 U.S.C. 1453).*

7 (3) *FEDERAL GEOGRAPHIC DATA COMMITTEE.*—
8 *The term “Federal Geographic Data Committee”*
9 *means the interagency committee that promotes the*
10 *coordinated development, use, sharing, and dissemi-*
11 *nation of geospatial data on a national basis.*

12 (4) *REMOTE SENSING AND OTHER*
13 *GEOSPATIAL.*—*The term “remote sensing and other*
14 *geospatial” means collecting, storing, retrieving, or*
15 *disseminating graphical or digital data depicting*
16 *natural or manmade physical features, phenomena, or*
17 *boundaries of the Earth and any information related*
18 *thereto, including surveys, maps, charts, satellite and*
19 *airborne remote sensing data, images, LiDAR, and*
20 *services performed by professionals such as surveyors,*
21 *photogrammetrists, hydrographers, geodesists, cartog-*
22 *raphers, and other such services.*

23 (5) *SECRETARY.*—*The term “Secretary” means*
24 *the Secretary of Commerce, acting through the Ad-*

1 *ministrator of the National Oceanic and Atmospheric*
2 *Administration.*

3 **SEC. 4. ESTABLISHMENT OF THE DIGITAL COAST.**

4 *(a) ESTABLISHMENT.—*

5 *(1) IN GENERAL.—The Secretary shall establish*
6 *a program for the provision of an enabling platform*
7 *that integrates geospatial data, decision-support tools,*
8 *training, and best practices to address coastal man-*
9 *agement issues and needs. Under the program, the*
10 *Secretary shall strive to enhance resilient commu-*
11 *nities, ecosystem values, and coastal economic growth*
12 *and development by helping communities address*
13 *their issues, needs, and challenges through cost-effec-*
14 *tive and participatory solutions.*

15 *(2) DESIGNATION.—The program established*
16 *under paragraph (1) shall be known as the “Digital*
17 *Coast” (in this section referred to as the “program”).*

18 *(b) PROGRAM REQUIREMENTS.—In carrying out the*
19 *program, the Secretary shall ensure that the program pro-*
20 *vides data integration, tool development, training, docu-*
21 *mentation, dissemination, and archiving by—*

22 *(1) making data and resulting integrated prod-*
23 *ucts developed under this section readily accessible via*
24 *the Digital Coast Internet website of the National*
25 *Oceanic and Atmospheric Administration, the*

1 *GeoPlatform.gov and data.gov Internet websites, and*
2 *such other information distribution technologies as*
3 *the Secretary considers appropriate;*

4 (2) *developing decision-support tools that use*
5 *and display resulting integrated data and provide*
6 *training on use of such tools;*

7 (3) *documenting such data to Federal Geo-*
8 *graphic Data Committee standards; and*

9 (4) *archiving all raw data acquired under this*
10 *Act at the appropriate National Oceanic and Atmos-*
11 *pheric Administration data center or such other Fed-*
12 *eral data center as the Secretary considers appro-*
13 *priate.*

14 (c) *COORDINATION.*—*The Secretary shall coordinate*
15 *the activities carried out under the program to optimize*
16 *data collection, sharing and integration, and to minimize*
17 *duplication by—*

18 (1) *consulting with coastal managers and deci-*
19 *sion makers concerning coastal issues, and sharing*
20 *information and best practices, as the Secretary con-*
21 *siders appropriate, with—*

22 (A) *coastal States;*

23 (B) *local governments; and*

24 (C) *representatives of academia, the private*
25 *sector, and nongovernmental organizations;*

1 (2) *consulting with other Federal agencies, in-*
2 *cluding interagency committees, on relevant Federal*
3 *activities, including activities carried out under the*
4 *Ocean and Coastal Mapping Integration Act (33*
5 *U.S.C. 3501 et seq.), the Coastal Zone Management*
6 *Act of 1972 (16 U.S.C. 1451 et seq.), the Integrated*
7 *Coastal and Ocean Observation System Act of 2009*
8 *(33 U.S.C. 3601 et seq.), and the Hydrographic Serv-*
9 *ices Improvement Act of 1998 (33 U.S.C. 892 et seq.);*

10 (3) *participating, pursuant to section 216 of the*
11 *E-Government Act of 2002 (Public Law 107–347; 44*
12 *U.S.C. 3501 note), in the establishment of such stand-*
13 *ards and common protocols as the Secretary considers*
14 *necessary to assure the interoperability of remote*
15 *sensing and other geospatial data with all users of*
16 *such information within—*

17 (A) *the National Oceanic and Atmospheric*
18 *Administration;*

19 (B) *other Federal agencies;*

20 (C) *State and local government; and*

21 (D) *the private sector;*

22 (4) *coordinating with, seeking assistance and co-*
23 *operation of, and providing liaison to the Federal Ge-*
24 *ographic Data Committee pursuant to Office of Man-*
25 *agement and Budget Circular A–16 and Executive*

1 *Order 12906 of April 11, 1994 (59 Fed. Reg. 17671),*
2 *as amended by Executive Order 13286 of February*
3 *28, 2003 (68 Fed. Reg. 10619); and*

4 (5) *developing and maintaining a best practices*
5 *document that sets out the best practices used by the*
6 *Secretary in carrying out the program and providing*
7 *such document to the United States Geological Sur-*
8 *vey, the Corps of Engineers, and other relevant Fed-*
9 *eral agencies.*

10 (d) *FILLING NEEDS AND GAPS.—In carrying out the*
11 *program, the Secretary shall—*

12 (1) *maximize the use of remote sensing and other*
13 *geospatial data collection activities conducted for*
14 *other purposes and under other authorities;*

15 (2) *focus on filling data needs and gaps for*
16 *coastal management issues, including with respect to*
17 *areas that, as of the date of the enactment of this Act,*
18 *were underserved by coastal data and the areas of the*
19 *Arctic that are under the jurisdiction of the United*
20 *States;*

21 (3) *pursuant to the Ocean and Coastal Mapping*
22 *Integration Act (33 U.S.C. 3501 et seq.), support con-*
23 *tinue improvement in existing efforts to coordinate*
24 *the acquisition and integration of key data sets need-*

1 *ed for coastal management and other purposes, in-*
2 *cluding—*

3 *(A) coastal elevation data;*

4 *(B) land use and land cover data;*

5 *(C) socioeconomic and human use data;*

6 *(D) critical infrastructure data;*

7 *(E) structures data;*

8 *(F) living resources and habitat data;*

9 *(G) cadastral data; and*

10 *(H) aerial imagery; and*

11 *(4) integrate the priority supporting data set*
12 *forth under paragraph (3) with other available data*
13 *for the benefit of the broadest measure of coastal re-*
14 *source management constituents and applications.*

15 *(e) FINANCIAL AGREEMENTS AND CONTRACTS.—*

16 *(1) IN GENERAL.—In carrying out the program,*
17 *the Secretary—*

18 *(A) may enter into financial agreements to*
19 *carry out the program, including—*

20 *(i) support to non-Federal entities that*
21 *participate in implementing the program;*
22 *and*

23 *(ii) grants, cooperative agreements,*
24 *interagency agreements, contracts, or any*
25 *other agreement on a reimbursable or non-*

1 *reimbursable basis, with other Federal, trib-*
2 *al, State, and local governmental and non-*
3 *governmental entities; and*

4 *(B) may, to the maximum extent prac-*
5 *ticable, enter into such contracts with private*
6 *sector entities for such products and services as*
7 *the Secretary determines may be necessary to*
8 *collect, process, and provide remote sensing and*
9 *other geospatial data and products for purposes*
10 *of the program.*

11 *(2) FEES.—*

12 *(A) ASSESSMENT AND COLLECTION.—The*
13 *Secretary may assess and collect fees for the con-*
14 *duct of any training, workshop, or conference*
15 *that advances the purposes of the program.*

16 *(B) AMOUNTS.—The amount of a fee under*
17 *this paragraph may not exceed the sum of costs*
18 *incurred, or expected to be incurred, by the Sec-*
19 *retary as a direct result of the conduct of the*
20 *training, workshop, or conference, including for*
21 *subsistence expenses incidental to the training,*
22 *workshop, or conference, as applicable.*

23 *(C) USE OF FEES.—Amounts collected by*
24 *the Secretary in the form of fees under this para-*
25 *graph may be used to pay for—*

1 (i) the costs incurred for conducting an
2 activity described in subparagraph (A); or
3 (ii) the expenses described in subpara-
4 graph (B).

5 (3) *SURVEY AND MAPPING.*—Contracts entered
6 into under paragraph (1)(B) shall be considered “sur-
7 veying and mapping” services as such term is used
8 in and as such contracts are awarded by the Sec-
9 retary in accordance with the selection procedures in
10 chapter 11 of title 40, United States Code.

11 (f) *OCEAN ECONOMY.*—The Secretary may establish
12 publically available tools that track ocean and Great Lakes
13 economy data for each coastal State.

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