

117TH CONGRESS
2D SESSION

H. R. 8455

To amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation preparedness and response program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2022

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

A BILL

To amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation preparedness and response program, 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 “Coastal State Climate
5 Preparedness Act of 2022”.

1 **SEC. 2. CLIMATE CHANGE PREPAREDNESS IN THE COAST-**
2 **AL ZONE.**

3 (a) IN GENERAL.—The Coastal Zone Management
4 Act of 1972 (16 U.S.C. 1451 et seq.) is amended by add-
5 ing at the end the following:

6 “CLIMATE CHANGE ADAPTATION PREPAREDNESS AND
7 RESPONSE PROGRAM

8 “SEC. 320.

9 “(a) IN GENERAL.—The Secretary shall establish,
10 consistent with the national policies set forth in section
11 303, a coastal climate change adaptation preparedness
12 and response program to—

13 “(1) provide assistance to coastal States to vol-
14 untarily develop coastal climate change adaptation
15 plans, pursuant to approved management programs
16 approved under section 306, to minimize contribu-
17 tions to climate change and to prepare for and re-
18 duce the negative consequences that may result from
19 climate change in the coastal zone; and

20 “(2) provide financial and technical assistance
21 and training to enable coastal States to implement
22 plans developed pursuant to this section through
23 coastal States’ enforceable policies.

24 “(b) COASTAL CLIMATE CHANGE ADAPTATION
25 PLANNING AND PREPAREDNESS GRANTS.—

1 “(1) IN GENERAL.—The Secretary may make a
2 grant to any coastal State for the purpose of devel-
3 oping climate change adaptation plans pursuant to
4 guidelines issued by the Secretary under paragraph
5 (8).

6 “(2) PLAN CONTENT.—A plan developed with a
7 grant under this subsection shall include the fol-
8 lowing:

9 “(A) Identification of public facilities and
10 public services, working waterfronts, coastal re-
11 sources of national significance, coastal waters,
12 energy facilities, or other land and water uses
13 located in the coastal zone that are likely to be
14 impacted by climate change.

15 “(B) Adaptive management strategies for
16 land use to respond or adapt to changing envi-
17 ronmental conditions, including strategies to
18 protect biodiversity, protect water quality, and
19 establish habitat buffer zones, migration cor-
20 ridors, and climate refugia.

21 “(C) Adaptive management strategies for
22 ocean-based ecosystems and resources, includ-
23 ing strategies to plan for and respond to geo-
24 graphic or temporal shifts in marine resources,
25 to create protected areas that will provide cli-

1 mate refugia, and to maintain and restore
2 ocean ecosystem function.

3 “(D) Requirements to initiate and main-
4 tain long-term monitoring of environmental
5 change to assess coastal zone adaptation and to
6 adjust when necessary adaptive management
7 strategies and new planning guidelines to attain
8 the policies under section 303.

9 “(E) Other information considered nec-
10 essary by the Secretary to identify the full
11 range of climate change impacts affecting coast-
12 al communities.

13 “(3) STATE HAZARD MITIGATION PLANS.—
14 Plans developed with a grant under this subsection
15 shall be consistent with State hazard mitigation
16 plans and natural disaster response and recovery
17 programs developed under State or Federal law.

18 “(4) ALLOCATION.—Grants under this sub-
19 section shall be available only to coastal States with
20 management programs approved by the Secretary
21 under section 306 and shall be allocated among such
22 coastal States in a manner consistent with regula-
23 tions promulgated pursuant to section 306(c).

24 “(5) PRIORITY.—In the awarding of grants
25 under this subsection, the Secretary may give pri-

1 ority to any coastal State that has received grant
2 funding to develop program changes pursuant to
3 paragraphs (1), (2), (3), (5), (6), (7), and (8) of sec-
4 tion 309(a).

5 “(6) TECHNICAL ASSISTANCE.—The Secretary
6 may provide technical assistance to a coastal State
7 consistent with section 310 to ensure the timely de-
8 velopment of plans supported by grants awarded
9 under this subsection.

10 “(7) FEDERAL APPROVAL.—In order to be eligi-
11 ble for a grant under subsection (c), a coastal State
12 must have its plan developed under this subsection
13 approved by the Secretary.

14 “(8) GUIDELINES.—Not later than 180 days
15 after the date of enactment of this section, the Sec-
16 retary, in consultation with the coastal States, shall
17 issue guidelines for the implementation of the grant
18 program established under this subsection.

19 “(c) COASTAL CLIMATE CHANGE ADAPTATION
20 PROJECT IMPLEMENTATION GRANTS.—

21 “(1) IN GENERAL.—The Secretary may make
22 grants to any coastal State that has a climate
23 change adaptation plan approved under subsection
24 (b)(7), in order to support projects that implement
25 strategies contained within such plans.

1 “(2) PROGRAM REQUIREMENTS.—The Sec-
2 retary, not later than 90 days after approval of the
3 first plan approved under subsection (b)(7), shall
4 publish in the Federal Register requirements regard-
5 ing applications, allocations, eligible activities, and
6 all terms and conditions for grants awarded under
7 this subsection. No less than 30 percent, and no
8 more than 50 percent, of the funds appropriated in
9 any fiscal year for grants under this subsection shall
10 be awarded through a merit-based competitive proc-
11 ess.

12 “(3) ELIGIBLE ACTIVITIES.—The Secretary
13 may award grants to coastal States to implement
14 projects in the coastal zone to address stress factors
15 in order to improve coastal climate change adapta-
16 tion, including the following:

17 “(A) Activities to address physical disturb-
18 ances within the coastal zone, especially activi-
19 ties related to public facilities and public serv-
20 ices, tourism, sedimentation, ocean acidification,
21 and other factors negatively impacting coastal
22 waters.

23 “(B) Monitoring, control, or eradication of
24 disease organisms and invasive species.

1 “(C) Activities to address the loss, deg-
2 radation, or fragmentation of wildlife habitat
3 through projects to establish or protect marine
4 and terrestrial habitat buffers, wildlife refugia,
5 other wildlife refuges, or networks thereof, pres-
6 ervation of migratory wildlife corridors and
7 other transition zones, and restoration of fish
8 and wildlife habitat.

9 “(D) Projects, with priority given to such
10 projects that use green infrastructure solutions,
11 to reduce, mitigate, or otherwise address likely
12 impacts caused by natural hazards in the coast-
13 al zone, including sea level rise, coastal inunda-
14 tion, storm water management, coastal erosion
15 and subsidence, severe weather events such as
16 cyclonic storms, tsunamis and other seismic
17 threats, and fluctuating Great Lakes water lev-
18 els.

19 “(E) Projects to adapt existing infrastruc-
20 ture, including enhancements to both built and
21 natural environments.

22 “(F) Provision of technical training and
23 assistance to local coastal policy makers to in-
24 crease awareness of science, management, and

1 technology information related to climate
2 change and adaptation strategies.

3 “(4) PROMOTION AND USE OF NATIONAL ESTU-
4 ARINE RESEARCH RESERVES.—The Secretary shall
5 promote and encourage the use of National Estua-
6 rine Research Reserves as sites for pilot or dem-
7 onstration projects carried out with grants awarded
8 under this section.”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
10 318(a) of the Coastal Zone Management Act of 1972 (16
11 U.S.C. 1464(a)) is amended—

12 (1) by striking “and” after the semicolon at the
13 end of paragraph (1);

14 (2) by striking the period at the end of para-
15 graph (2) and inserting “; and”; and

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

17 “(3) for grants under section 320, such sums
18 as are necessary.”.

19 (c) INTENT OF CONGRESS.—None of the amend-
20 ments made by this section shall be construed to require
21 any coastal State to amend or modify its approved man-
22 agement program pursuant to section 306(e) of the Coast-
23 al Zone Management Act of 1972 (16 U.S.C. 1455(e)) or
24 to extend the enforceable policies of a coastal State beyond

- 1 the coastal zone as identified in the coastal State's ap-
- 2 proved management program.

