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Northwest Straits Marine Conservation Initiative Act (Title IV of Public Law 105–384; 112 Stat. 3458)

SEC. 401. SHORT TITLE.

This title may be cited as the “Northwest Straits Marine Conservation Initiative Act”.

SEC. 402. ESTABLISHMENT.

There is established a commission to be known as the Northwest Straits Advisory [Commission (in this title referred to as the “Commission”).]Commission.

[SEC. 403. ORGANIZATION AND OPERATION.]

The Commission shall be organized and operated in accordance with the provisions of the Northwest Straits Citizen’s Advisory Commission Report of August 20, 1998, on file with the Secretary of Commerce (in this title referred to as the “Report”).

SEC. 404. FUNDING.

(a) IN GENERAL.—The Secretary of Commerce may, from amounts available to the Secretary to carry out the work of the Commission, provide assistance for use in accordance with the Report and the priorities of the Commission—

(1) to collect marine resources data in the Northwest Straits;

(2) to coordinate Federal, State, and local marine resources protection and restoration activities in the Northwest Straits; and

(3) to carry out other activities identified in the Report as important to the protection and restoration of marine resources in the Northwest Straits.

(b) PROVISION.—The Secretary may provide the assistance authorized by subsection (a) through the Director of the Padilla Bay National Estuarine Research Reserve, unless the Governor of the State of Washington objects. If the Governor objects, then the Secretary may provide the assistance through the Administrator of the National Oceanic and Atmospheric Administration.

SEC. 405. LIMITATION.

Nothing in this title provides the Commission with the authority to implement any Federal law or regulation.]

SEC. 403. FINDINGS.

Congress makes the following findings:

(1) The marine waters and ecosystem of the Northwest Straits in Puget Sound in the State of Washington represent a unique resource of enormous environmental and economic value to the people of the United States.

(2) During the 20th century, the environmental health of the Northwest Straits declined dramatically as indicated by impaired water quality, declines in marine wildlife, collapse of harvestable marine species, loss of critical marine habitats, ocean acidification, and sea level rise.

(3) Increasingly, the Northwest Straits have been threatened by sea level rise, ocean acidification, and other effects of climate change.

(4) This title was enacted to tap the unprecedented level of citizen stewardship demonstrated in the Northwest Straits and create a mechanism to mobilize public support and raise capacity for local efforts to protect and restore the ecosystem of the Northwest Straits.

(5) The Northwest Straits Marine Conservation Initiative helps the National Oceanic and Atmospheric Administration and other Federal agencies with their marine missions by fostering local interest in marine issues and involving diverse communities.

(6) The Northwest Straits Marine Conservation Initiative shares many of the same goals with the National Oceanic and Atmospheric Administration, including fostering citizen stewardship of marine resources, general ecosystem management, and protecting federally managed marine species.

(7) Ocean literacy, kelp habitat conservation and monitoring, Veterans Conservation Corps internships, and removal of marine debris projects are examples of previous and ongoing partnerships between the Northwest Straits Marine Conservation Initiative and the National Oceanic and Atmospheric Administration. Areas of partnership may evolve with emerging opportunities.

SEC. 404. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ‘Commission’ means the Northwest Straits Advisory Commission established by section 402.

(2) MARINE RESOURCES COMMITTEE.—The term ‘marine resources committee’ means a county government committee that assists in assessing marine resource and conservation needs.

(3) NORTHWEST STRAITS REGION.—The term ‘Northwest Straits region’ means the marine waters of the Strait of Juan de Fuca and of Puget Sound from the Canadian border to the south end of Snohomish County.

(4) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Northwest Straits Marine Conservation Initiative Reauthorization Act of 2025 pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(5) UNDER SECRETARY.—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 405. MEMBERSHIP OF THE COMMISSION.

(a) Composition.—

(1) IN GENERAL.—The Commission shall be composed of 14 members, except as provided in paragraph (2), who shall be appointed as follows:

(A) One member appointed by a consensus of the members of a marine resources committee for San Juan County, Washington.

(B) One member appointed by a consensus of the members of a marine resources committee for Island County, Washington.

(C) One member appointed by a consensus of the members of a marine resources committee for Skagit County, Washington.

(D) One member appointed by a consensus of the members of a marine resources committee for Whatcom County, Washington.

(E) One member appointed by a consensus of the members of a marine resources committee for Snohomish County, Washington.

(F) One member appointed by a consensus of the members of a marine resources committee for Clallam County, Washington.

(G) One member appointed by a consensus of the members of a marine resources committee for Jefferson County, Washington.

(H) Two members appointed by the Secretary of the Interior, in coordination with the Northwest Indian Fisheries Commission and in consultation with the Tribal governments affected by this title, to represent the interests of such Tribal governments.

(I) One member appointed by the Governor of the State of Washington to represent the interests of the Puget Sound Partnership.

(J) Four members appointed by the Governor of the State of Washington who—

(i) are residents of the State of Washington; and

(ii) are not employed by a Federal, State, or local government, excluding an institution of higher education.

(2) ADDITIONAL MEMBERS.—The Commission may, as determined necessary to improve the ability of the Commission to perform the duties of the Commission under section 406(b), appoint members in addition to those appointed under paragraph (1). Any such additional member shall be appointed by a consensus of the members of a marine resources committee that is not described in such paragraph.

(b) Vacancies.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) Chairperson.—The Commission shall select a Chairperson from among its members.

(d) Meeting.—The Commission shall meet at the call of the Chairperson, but not less frequently than quarterly.

(e) Liaison.—

(1) IN GENERAL.—The Under Secretary, in consultation with the Commission, shall appoint an employee of the National Oceanic and Atmospheric Administration—

(A) to serve as a liaison between the Commission and the Department of Commerce;

(B) to coordinate programs of the National Oceanic and Atmospheric Administration with activities related to the goal of the Commission described in section 406(a); and

(C) to perform additional liaison functions benefitting the Commission and the National Oceanic and Atmospheric Administration, which may include, as agreed to by the Commission and the National Oceanic and Atmospheric Administration, attending meetings and other events of the Commission as a nonvoting participant.

(2) LIMITATION.—Service as a member of the Commission by the employee appointed under paragraph (1)—

(A) is limited to the employee's service as a liaison; and

(B) does not obligate the employee to perform any duty of the Commission under section 406(b).

(f) Administration.—The Commission may enter into cooperative agreements with the State of Washington for staffing and administrative services for the purposes of supporting the duties of the Commission under section 406(b).

SEC. 406. GOAL AND DUTIES OF THE COMMISSION.

(a) Goal.—The goal of the Commission is to protect and restore the marine waters, habitats, and species of the Northwest Straits region to achieve ecosystem health and sustainable resource use by—

(1) designing and recommending projects that are driven by the best available science, local priorities, community-based decisions, and the ability to measure results;

(2) building awareness and stewardship and making recommendations to improve the health of the marine resources of the Northwest Straits region;

(3) maintaining and expanding diverse membership and collaboration with partner organizations, such as the Puget Sound Partnership;

(4) expanding partnerships with Tribal governments and continuing to support Tribal treaties, cultures, and subsistence and Tribal treaty rights; and

(5) recognizing the importance of economic and social benefits that are dependent on marine environments and sustainable marine resources.

(b) Duties.—The duties of the Commission are the following:

(1) To provide resources and technical support for marine resources committees.

(2) To work with such marine resources committees and appropriate entities of Federal, State, and local governments and Tribal governments to provide advice in developing regional programs to monitor the overall health of the marine ecosystem of the Northwest Straits region.

(3) To collect marine resources data and identify factors adversely affecting or preventing the restoration of the health of the marine ecosystem and coastal economies of the Northwest Straits region to inform decisionmakers.

(4) To develop scientifically sound restoration and protection recommendations, informed by local priorities, that address such factors.

(5) To serve as a public forum for the informal discussion of policies and actions, with respect to the marine ecosystem of the Northwest Straits region, of Federal, State, or local governments, Tribal governments, or the Government of Canada.

(6) To inform appropriate authorities and local communities about the marine ecosystem of the Northwest Straits region and about issues relating to the marine ecosystem of the Northwest Straits region.

(7) To consult with all affected Tribal governments in the Northwest Straits region to ensure that the work of the Commission does not violate Tribal treaty rights.

(c) Coordination and Collaboration.—The Commission—

(1) shall carry out the duties described in subsection (b) in coordination and collaboration, as appropriate, with Federal, State, and local governments and Tribal governments, including by—

(A) providing technical support and assistance to any Tribal government seeking representation and participation on the Commission; and

(B) supporting the work and duties of the liaison to the Commission under section 405(e); and

(2) may enter into cooperative agreements with nonprofit entities, such as the Northwest Straits Foundation, to provide assistance, including financial assistance, in carrying out the duties described in subsection (b).

(d) Limitations.—Nothing in this title provides the Commission with authority to issue regulations or implement any Federal law or regulation.

(e) Acceptance of Donations.—For purposes of carrying out this section, the Commission may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.

(f) Annual Report.—

(1) IN GENERAL.—Each year, the Commission shall prepare, submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives, and the Under Secretary, and make available to the public a report describing—

(A) the activities carried out by the Commission during the preceding year; and

(B) the progress in achieving the benchmarks described in paragraph (2).

(2) BENCHMARKS.—The benchmarks described in this paragraph are the following:

(A) Protection and restoration of marine, coastal, and nearshore habitats within the Northwest Straits region.

(B) Protection and restoration of marine resources populations to healthy, sustainable levels.

(C) Improvement of the water quality of the Northwest Straits region.

(D) Collection of high-quality data and promotion of the use and dissemination of such data for the purposes of ecosystem monitoring.

(E) Promotion of stewardship and understanding of marine resources of the Northwest Straits region through education and outreach, including by targeted outreach to underresourced communities.

SEC. 407. FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Under Secretary to carry out this title—

(1) for each of fiscal years 2026 through 2031, \$10,000,000; and

(2) for fiscal year 2032 and each fiscal year thereafter, such sums as may be necessary.

(b) Assistance.—

(1) IN GENERAL.—The Under Secretary may, from amounts made available to the Under Secretary to carry out this title, provide assistance to the Commission in carrying out the duties of the Commission under this title.

(2) PROVISION.—The Under Secretary may provide the assistance described in paragraph (1), and make available amounts to the Commission to carry out the duties of the Commission, through a contract with the Director of the Padilla Bay National Estuarine Research Reserve, unless the Governor of the State of Washington objects. If such Governor so objects, the Under Secretary may not provide such assistance and make available such amounts to the Commission.