

Amendment #1

Amendment to HR 6665 Offered by Mr. Graves of Louisiana

The Coral Reef Conservation Act of 2000 (16 U.S.C. 6404) is amended by inserting, Sec__.

(a) Assessment- No later than 60 days after enactment, the Secretary of Interior, in consultation with the National Marine and Fisheries Service with the affected States, shall conduct an assessment of each of the platforms--

- (1) to determine whether there are coral populations, protected species, or any species of fish is subject to overfishing or is currently overfished in the vicinity of the platform; and
- (2) to identify any species in the vicinity of the platform that have recreational or commercial value.

(b) Prohibition of Removal-

(1) IN GENERAL- Notwithstanding the Notice, no platforms shall be removed in accordance with the Notice until the date on which the Secretary has completed assessments of each of the platforms under subsection (a).

(2) SUSPENSION OF DECOMMISSIONING—If, during an assessment conducted under subsection (a), the Secretary determines that there is a substantial reef ecosystem within the vicinity of the platform, the decommissioning of the platform under the Notice shall be placed on hold until such time as the Secretary determines that decommissioning the platform would not harm the reef ecosystem.

(c) Exemption From Certain Requirements- The requirement in the Notice that a lessee remove a platform as soon as possible, but not later than 5 years after the effective date of the Notice or within 5 years of the platform, meeting the definition of no longer useful for operations, whichever is later, shall not apply to a lessee that--

- (1) commits to entering the platform in the Program; and
- (2) demonstrates the commitment described in paragraph (1) by initiating discussions with applicable States regarding potential sites for the artificial reef.

(d) Reefing in Place- A lessee may, as appropriate, provide for reefing in place under the Program.

(e) State Programs-

(1) IN GENERAL- A State that has a State rig-to-reef program may enter into an agreement with any appropriate entities to assume liability in Federal water for a structure covered by the State program.

- (2) MAINTENANCE- Notwithstanding an agreement entered into under paragraph (1), the operator of the covered structure shall remain responsible for maintaining the covered structure.
- (f) Removal of Top Decks- Under the Program, top decks of a rig may be removed, down to 10 fathoms, if appropriate identifying markers are used to protect navigation.

In Section 210 by inserting,

- (9) DECOMMISSIONING- The term `decommissioning' includes the flushing, plugging, and cementing of a platform or an offshore service vessel.
- (10) NOTICE- The term `Notice' means the notice to lessees numbered 2010-G05, entitled `Notice to Lessees and Operators of Federal Oil and Gas Leases and Pipeline Right-of-Way Holders in the Outer Continental Shelf, Gulf of Mexico OCS Region', and issued September 15, 2010.
- (11) STRUCTURE- The term `structure' means an offshore oil and gas platform in the Gulf of Mexico, a wind turbine or an offshore service vessel that, as determined by the Secretary--
- (A) is no longer useful for operations, as defined in the Notice;
 - and
 - (B) has become critical for marine fisheries habitat or can become critical for marine fisheries habitat.
- (12) PROGRAM- The term `Program' means the artificial reef program authorized under the National Fishing Enhancement Act of 1984 (33 U.S.C. 2101 et seq.).