



**To:** Subcommittee on Water, Oceans, and Wildlife Republican Members  
**From:** Subcommittee on Water, Oceans and Wildlife Republican Staff; Kiel Weaver ([Kiel.Weaver@mail.house.gov](mailto:Kiel.Weaver@mail.house.gov)), Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)) and Rob MacGregor ([Rob.MacGregor@mail.house.gov](mailto:Rob.MacGregor@mail.house.gov))  
**Date:** May 3, 2021  
**Subject:** Legislative Hearing on H.R. 160, the *Restoring Resilient Reefs Act*

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The Subcommittee on Water, Oceans, and Wildlife will hold a legislative hearing on H.R. 160, the *Restoring Resilient Reefs Act*, on **Tuesday, May 4, 2021, at 3:00 p.m. (EDT)** online via Cisco WebEx.

Member offices are requested to notify Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)) **no later than Monday, May 3, at 12:00 p.m. (EDT)**, if their Member intends to participate. Submissions for the hearing record must be submitted through the Committee's electronic repository at [HNRCDocs@mail.house.gov](mailto:HNRCDocs@mail.house.gov). Please contact David DeMarco ([David.DeMarco@mail.house.gov](mailto:David.DeMarco@mail.house.gov)) or Everett Winnick ([Everett.Winnick@mail.house.gov](mailto:Everett.Winnick@mail.house.gov)) should any technical difficulties arise.

## I. KEY MESSAGES

- Coral reefs help provide flood protection, foster healthy fisheries, and offer a natural solution for enhancing environmental protection.
- The Restoring Resilient Reefs Act is a bipartisan bill aimed at giving states, U.S. territories and local communities more autonomy and flexibility in administering reef protection.
- The bill reauthorizes the Coral Reef Conservation Act (CRCA) until FY 2025, and alters the current funding model under the program, establishing a block grant program which would direct the bulk of the federal funding and technical assistance directly to States and impacted communities.
- Block grants will be matched at the state and local level, which, according to proponents, will incentivize non-federal partners to provide more funding and involvement.

*This document has not been officially adopted by the Committee on Natural Resources and therefore may not necessarily reflect the views of its Members.*



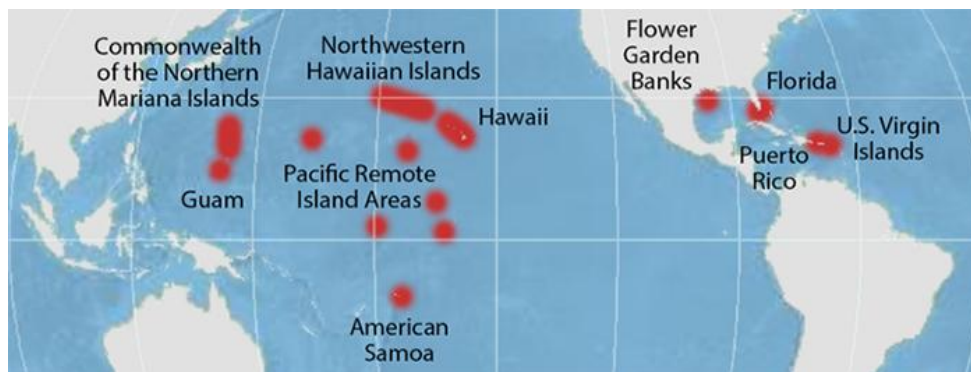
## II. WITNESSES

- **Ms. Kelley Anderson Tagarino**, Extension Faculty - Aquaculture & Marine Science, [University of Hawaii Sea Grant College Program, American Samoa Community College](#), Pago Pago, American Samoa. [*Republican Witness*]
- **Ms. Jennifer Koss**, Director of the Coral Reef Conservation Program, National Oceanic and Atmospheric Administration, Washington, D.C.
- **Dr. Robert H. Richmond**, Research Professor and Director, Kewalo Marine Laboratory, University of Hawaii at Manoa
- **Ms. Fran A. Castro**, Associate Director, University of Guam Sea Grant
- **Dr. Andrew C. Baker**, Professor, Department of Marine Biology and Ecology, Rosenstiel School of Marine and Atmospheric Science, University of Miami

## III. BACKGROUND

### *Coral Reefs*

Corals are composed of individual organisms called polyps and can be found in both shallow or deep waters across the globe.<sup>1</sup> Shallow water coral reefs occupy less than 1% of the sea floor and are generally found at depths shallower than 230 feet.<sup>2</sup> Deep-sea corals are located on continental shelves and slopes and, which, as the name suggests, are found thousands of feet below the ocean surface.<sup>3</sup> In the United States, coral reefs are found in offshore waters near Florida, Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, as well as the Freely Associated States of the Marshall Islands, Palau, and the Federated States of Micronesia. There are also coral reefs about 100 miles offshore of Texas and Louisiana in federal waters in the Gulf of Mexico.<sup>4</sup>



Source: National Oceanic and Atmospheric Administration

<sup>1</sup> [https://oceanservice.noaa.gov/education/tutorial\\_coral/coral01\\_intro.html](https://oceanservice.noaa.gov/education/tutorial_coral/coral01_intro.html)

<sup>2</sup> <https://coralreef.noaa.gov/education/coralfacts.html>

<sup>3</sup> Id.

<sup>4</sup> <https://flowergarden.noaa.gov/about/welcome.html>

Coral reefs provide an estimated \$6.2 billion per year in economic value in the Caribbean through multiple sectors, such as tourism, commercial fisheries and coastal development.<sup>5</sup> In addition, coral reefs have been proven to be effective at protecting coastlines from storm flooding and erosion by dissipating wave energy.<sup>6</sup>

There is concern that coral reef health is deteriorating, and that continued losses could have substantial environmental and economic impact. For example, Florida's coral reefs are currently experiencing a multi-year outbreak of stony coral tissue loss disease. This extensive coral disease outbreak began affecting the area in 2014 and continues to spread. The cause and method of transmission are unknown.<sup>7</sup> In other areas, such as American Samoa, the reefs are relatively healthy and support local fisheries subsistence. A Republican witness from American Samoa will testify regarding the benefits of maintaining reefs and the challenges in doing so, such as combating threats to reefs like predatory crown of thorns starfish outbreaks.

### *U.S. Coral Reef Task Force*

President Bill Clinton established the United States Coral Reef Task Force (Task Force) through Executive Order 13089 (EO 13089) in 1998 to lead the U.S. efforts to protect, restore and sustainably use coral reef ecosystems both domestically and internationally.<sup>8</sup> Chaired by the Secretary of the Interior and the Secretary of Commerce, the Task Force is composed of eleven federal agencies and the Governors of American Samoa, Florida, Guam, Hawaii, the Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands.<sup>9</sup>

In 2000, the Task Force developed and adopted the National Action Plan to Conserve Coral Reefs (National Action Plan).<sup>10</sup> The National Action Plan identified two themes: “Understand Coral Reef Ecosystems”<sup>11</sup> and “Reduce the Adverse Impacts of Human Activities” on reefs.<sup>12</sup> Under these themes, the National Action Plan outlined thirteen goals, including: mapping all U.S. coral reef habitats; monitoring reef health; research to respond to threats to reef health; creating an expanded network of coral reef Marine Protected Areas and No-take Reserves; and restoring damaged reefs.

### *Coral Reef Conservation Program*

In a related effort, the Coral Reef Conservation Act (CRCA) of 2000 (16 U.S.C. 6401 et seq.) established the Coral Reef Conservation Program (Program). The Program is part of

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<sup>5</sup> [https://wedocs.unep.org/bitstream/handle/20.500.11822/26694/Coral\\_Reef\\_Economy.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/26694/Coral_Reef_Economy.pdf)

<sup>6</sup> Rigorously valuing the role of U.S. coral reefs in coastal hazard risk reduction: U.S. Geological Survey, Report 2019–1027, <https://pubs.usgs.gov/of/2019/1027/ofr20191027.pdf>.

<sup>7</sup> [https://coralreef.noaa.gov/aboutcrp/news/featuredstories/nov20/sctld\\_%20response\\_team.html](https://coralreef.noaa.gov/aboutcrp/news/featuredstories/nov20/sctld_%20response_team.html)

<sup>8</sup> <https://coralreef.gov/about/>

<sup>9</sup> <https://coralreef.gov/about/members.html>

<sup>10</sup> <https://coralreef.gov/about/CRTFAxnPlan9.pdf>

<sup>11</sup> Id. at 10.

<sup>12</sup> Id. at 17.

the National Oceanic and Atmospheric Administration's (NOAA) Office for Coastal Management and funds conservation activities in American Samoa, Florida, Guam, Hawaii, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands, and internationally.

The CRCA required NOAA to submit to Congress and publish in the Federal Register “a national coral reef action strategy.” The law specifically stated that “in developing this national strategy, the Secretary may consult with the Coral Reef Task Force established under Executive Order 13089 (June 11, 1998).”<sup>13</sup> In 2002, under President George W. Bush's Administration, NOAA coordinated with the Task Force to develop the U.S. Coral Reef National Action Strategy (National Action Strategy).<sup>14</sup> Although the National Action Plan under EO 13089 and the National Action Strategy under CRCA were not directly connected, NOAA used the National Action Plan as the basis for the National Action Strategy. The themes and goals listed under both documents are the same, but the National Action Strategy provides objectives and an implementation plan for the goals.

CRCA also authorized federal grants for coral reef conservation activities. While the grant program expired in Fiscal Year (FY) 2004, it continues to receive appropriated funds. In FY2021 it received \$33 million.<sup>15</sup> These funds are awarded under the following categories:

- **Ruth Gates Coral Restoration Innovation Grants:** to address the decline in coral reefs through innovative science and research;
- **Fishery Management Council Cooperative Agreements:** support sustainable coral fisheries management in cooperation with regional fishery management councils;
- **International Grants and Cooperative Agreements:** build local coral reef management capacity and support coral reef monitoring in priority international geographies;
- **Non-governmental Organization (NGO) Partnership Cooperative Agreements:** provide funding to NGOs with specialized experience in supporting the ongoing coral reef conservation efforts of our state and territorial partners;
- **The Coral Reef Conservation Fund:** administered by the National Fish and Wildlife Foundation (NFWF) to support domestic coral reef conservation projects; and
- **State and Territorial Government Cooperative Agreements:** sustain coral reef management and monitoring.<sup>16</sup>

Since FY 2009, over \$105 million in federal grants have been awarded. A complete list of past funded projects is available [here](#).<sup>16</sup>

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<sup>13</sup> 16 U.S.C. 6402

<sup>14</sup> [https://www.coris.noaa.gov/activities/actionstrategy/action\\_reef\\_final.pdf](https://www.coris.noaa.gov/activities/actionstrategy/action_reef_final.pdf)

<sup>15</sup> [Division B – Commerce, Justice, Science and Related Agencies Appropriations Act, 2021, page 214.](#)

<sup>16</sup> [https://coralreef.noaa.gov/conservation/funding\\_opps.html](https://coralreef.noaa.gov/conservation/funding_opps.html)

<sup>16</sup> [https://coast.noaa.gov/data/coralreef\\_noaa\\_gov/media/docs/CRCP\\_Past\\_Funded\\_Projects\\_2009-2020.pdf](https://coast.noaa.gov/data/coralreef_noaa_gov/media/docs/CRCP_Past_Funded_Projects_2009-2020.pdf)

*H.R. 160, the Restoring Resilient Reefs Act of 2021*

H.R. 160 amends and reauthorizes the CRCA. Sponsored by Rep. Darren Soto (D-FL), the bill has 28 bipartisan cosponsors – 15 Republicans and 13 Democrats, including most Representatives from the Florida and Hawaii delegations, American Samoa, Guam, Puerto Rico and the U.S. Virgin Islands. United States Senator Marco Rubio (R-FL), along with Senators Rick Scott (R-FL), Mazie Hirono (D-HI) and Brian Schatz (D-HI), introduced identical legislation (S. 46) in the Senate.

Over 30 stakeholders,<sup>17</sup> including the American Sportfishing Association, National Marine Manufacturers Association, Florida Association of Counties, and the Florida Department of Environmental Protection, have expressed support for the bill noting it would “better support capacity-building at the state and local levels and to expand active restoration efforts to turn the tide on reef degradation caused by coral disease, bleaching, natural disasters and human activities.”<sup>18</sup>

To that end, H.R. 160 changes the current funding model, providing NOAA the authority to direct a large share of federal funding directly to states and impacted communities as block grants. The block grants would be matched at the state and local levels, with some exceptions. Some proponents of the bill believe the block grants would leverage increased resources for reef restoration by “direct[ing] federal funding and technical assistance to states for the restoration and management of coral reef ecosystems, while incentivizing increased state and local investment in coral reef management capacity.”<sup>19</sup> The increased investment, according to some proponents, would lead to increased flood protection on U.S. coastlines. A 2019 U.S. Geological Survey report estimated that coral reefs along the coast of the U.S. annually protected more than 18,000 people and more than 5,500 buildings from flood damage, a benefit worth more than \$825 million.<sup>20</sup>

In recent staff conversations, NOAA indicated that the agency will testify that it generally supports the bill. However, it may raise concerns regarding its ability to implement the new grants and the inclusion of new cooperative institutes. Democrat committee staff have relayed similar concerns.

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<sup>17</sup> [https://republicans-naturalresources.house.gov/UploadedFiles/Supporting\\_Organization.pdf](https://republicans-naturalresources.house.gov/UploadedFiles/Supporting_Organization.pdf)

<sup>18</sup> [https://republicans-naturalresources.house.gov/UploadedFiles/DEP\\_FWC\\_Support\\_for\\_Restoring\\_Resilient\\_Reefs\\_Act.pdf](https://republicans-naturalresources.house.gov/UploadedFiles/DEP_FWC_Support_for_Restoring_Resilient_Reefs_Act.pdf)

<sup>19</sup> <https://www.rubio.senate.gov/public/index.cfm/2021/1/rubio-schatz-scott-hirono-introduce-restoring-resilient-reefs-act-of-2021>

<sup>20</sup> Rigorously valuing the role of U.S. coral reefs in coastal hazard risk reduction: U.S. Geological Survey, Report 2019–1027, <https://pubs.usgs.gov/of/2019/1027/ofr20191027.pdf>.

## **IV. MAJOR PROVISIONS**

### *Title I*

Reauthorizes the CRCA through FY 2025. Specifically, it authorizes appropriations starting at \$31 million in FY 2021, increasing each year until reaching \$37 million in FY 2025. The program received \$33 million in FY 2021.

The bill significantly alters the existing grant funding framework. It creates two main accounts: the Coral Reef Management and Restoration Activities account and the Research and Coral Reef Conservation Program Grants account. The Coral Reef Management and Restoration Activities account specifically establishes a new State Block Grant and authorizes minimum funding levels for each fiscal year. The Research and Coral Reef Conservation Program Grants account funds the Ruth D. Gates Coral Reef Conservation Grant Program and two newly established Cooperative Institutes: the Atlantic Coral Reef Institute and the Pacific Coral Reef Institute. These institutes are directed to conduct research on coral reefs.

Under this title, unexpended funds are authorized to be transferred to the NFWF to fund the Coral Reef Stewardship Fund. This fund would replace the current Coral Reef Conservation Fund.

The title creates a Coral Reef Emergency Fund to assist in responding to coral reef emergencies. Funding would be dependent on availability of appropriations. The NOAA Administrator is tasked with developing the criteria for determining a coral reef emergency.

Title I also directs NOAA to develop a new National Coral Reef Resilience Strategy. The document would guide the development of action plans by federal reef managers to guide management and restoration activities.

### *Title II*

Codifies the activities of the Coral Reef Task Force, originally created by EO 13089. It adds seven non-voting members, which represent the relevant Regional Fishery Management Councils (Regional Councils), the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau. The Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) created eight Regional Councils to manage fisheries within their regions. Title II would add a representative from the South Atlantic, Gulf of Mexico, Western Pacific, and the Caribbean Fishery Management Councils.

### *Title III*

Authorizes the Department of the Interior to provide scientific and technical assistance to NOAA, states, and stewardship partnerships for the conservation and restoration of coral reefs. No funding is provided.

*Title IV*

Creates a new National Coral Reef Management Fellow program under NOAA. The title provides very little detail on the program and no funding.

**V. COST**

The Congressional Budget Office score for the legislation in the 117<sup>th</sup> Congress has not been completed. Any score would involve discretionary spending and not mandatory spending.

**VI. EFFECT ON CURRENT LAW (RAMSEYER)**

- H.R. 160 (Soto) [Ramseyer](#)