

HR 2537

Beach Protection Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: May 24, 2007

Current Status: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works. (Apr 17, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/2537>

Sponsor

Name: Rep. Pallone, Frank, Jr. [D-NJ-6]

Party: Democratic • **State:** NJ • **Chamber:** House

Cosponsors (39 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		May 24, 2007
Rep. Ortiz, Solomon P. [D-TX-27]	D · TX		Jun 7, 2007
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		Jun 11, 2007
Rep. Israel, Steve [D-NY-2]	D · NY		Jun 11, 2007
Rep. Capps, Lois [D-CA-23]	D · CA		Jun 19, 2007
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jun 19, 2007
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Jun 19, 2007
Rep. Saxton, Jim [R-NJ-3]	R · NJ		Jun 19, 2007
Rep. McIntyre, Mike [D-NC-7]	D · NC		Jun 21, 2007
Rep. Higgins, Brian [D-NY-27]	D · NY		Jun 25, 2007
Rep. Lowey, Nita M. [D-NY-18]	D · NY		Jun 25, 2007
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Jul 25, 2007
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Jul 25, 2007
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Jul 25, 2007
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Jul 31, 2007
Rep. King, Peter T. [R-NY-3]	R · NY		Sep 6, 2007
Rep. Serrano, Jose E. [D-NY-16]	D · NY		Sep 6, 2007
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Sep 6, 2007
Rep. Berman, Howard L. [D-CA-28]	D · CA		Sep 17, 2007
Rep. Delahunt, William D. [D-MA-10]	D · MA		Sep 17, 2007
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Sep 17, 2007
Rep. Filner, Bob [D-CA-51]	D · CA		Sep 17, 2007
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Sep 17, 2007
Rep. Smith, Adam [D-WA-9]	D · WA		Sep 17, 2007
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Sep 17, 2007
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Sep 24, 2007
Rep. Harman, Jane [D-CA-36]	D · CA		Sep 24, 2007
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Sep 24, 2007
Rep. Miller, George [D-CA-7]	D · CA		Sep 24, 2007
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Sep 24, 2007
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Sep 26, 2007
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Sep 26, 2007
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Sep 26, 2007
Rep. Wexler, Robert [D-FL-19]	D · FL		Sep 26, 2007
Rep. Kagen, Steve [D-WI-8]	D · WI		Oct 18, 2007
Rep. Klein, Ron [D-FL-22]	D · FL		Oct 18, 2007
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Oct 18, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Oct 18, 2007
Rep. Sestak, Joe [D-PA-7]	D · PA		Oct 18, 2007

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Apr 17, 2008
Transportation and Infrastructure Committee	House	Discharged from	Oct 31, 2007

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
110 S 2844	Related bill	Jul 10, 2008: Placed on Senate Legislative Calendar under General Orders. Calendar No. 871.
110 HRES 1083	Procedurally related	Apr 10, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 S 1506	Related bill	May 24, 2007: Read twice and referred to the Committee on Environment and Public Works.

Beach Protection Act of 2008 - (Sec. 2) Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to authorize states or local governments, in carrying out coastal recreation water quality monitoring and notification programs, to develop and implement a coastal recreation waters pollution source identification and tracking program for waters adjacent to beaches or similar points of access that are used by the public and that are not meeting applicable water quality standards for pathogens and pathogen indicators. Requires states or local governments, if they identify a source of pathogenic contamination, to make information on the existence of such source available to the public on the Internet within 24 hours.

Authorizes appropriations for grants to states and local governments for developing and implementing monitoring and notification programs for FY2007-FY2012. Prohibits such funds from being used for a congressional earmark.

(Sec. 3) Authorizes appropriations to carry out the Beaches Environmental Assessment and Coastal Health Act of 2000 through FY2012.

(Sec. 4) Requires a state recipient of a monitoring and notification program grant to report to the Administrator of the Environmental Protection Agency (EPA) on actions taken to notify state environmental agencies with authority to prevent or treat sources of pollution in coastal recreation waters when water quality standards are exceeded.

(Sec. 5) Requires grant recipients to identify: (1) the use of a rapid testing method to detect levels of pathogens or pathogen indicators that are harmful to human health; (2) the availability of a geographic information system database that a state or local government program shall use to inform the public about coastal recreation waters; (3) measures for communicating the results of a water sample concerning pollutants within 24 hours of receipt to specified officials and all state agencies with authority to require the prevention or treatment of the sources of pollution in coastal recreation waters; (4) measures for an annual report to the Administrator on the occurrence, nature, location, pollutants involved, and extent of any exceeding of applicable water quality standards for pathogens and pathogen indicators; (5) a publicly accessible and searchable global information system database, with information updated within 24 hours of its availability, organized by beach and with defined standards, sampling plans, monitoring protocols, sampling results, and the number and causes of beach closures and advisory days; (6) measures for the immediate posting of signs at beaches that are sufficient to give public notice following the results of any water quality sample that demonstrates an exceeding of applicable water quality standards for pathogens and pathogen indicators for the adjacent waters; and (7) measures to ensure that closures or advisories are made within 24 hours after a state government determines that its coastal recreation waters are not meeting water quality standards for pathogens and pathogen indicators.

Requires the Administrator to: (1) include a revised list of rapid testing methods in the publication of new or revised water quality criteria; (2) publish with such criteria a list of pathogens and pathogen indicators studied; (3) complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators by October 1, 2010; and (4) publish guidance for the use, at coastal recreation waters adjacent to beaches that are used by the public, of rapid testing methods that will enhance the protection of public health and safety through rapid public notification of any exceeding of applicable water quality standards for pathogens and pathogen indicators. Defines the term "rapid testing method" as a method of testing the water quality of coastal recreation waters for which results are available as soon as practicable and not more than six hours after a water quality sample is received by the testing facility.

(Sec. 8) Requires: (1) a review by the Administrator of state and local compliance with statutory and regulatory

requirements and grant conditions; (2) corrective actions by governments not in compliance; (3) a review by the Comptroller General of such compliance review and corrective actions; and (4) a study and a report by the Administrator on the formula for the distribution of grants for coastal recreation water quality monitoring and notification programs.

(Sec. 12) Requires the Administrator to assess and report to Congress on the benefits of using molecular diagnostics for monitoring and assessing the quality of coastal recreation waters adjacent to public beaches.

(Sec. 13) Requires the Administrator to: (1) review and update as necessary existing monitoring protocols for mercury affecting the coastal recreation waters of the Great Lakes; and (2) develop updated recommendations on testing for mercury affecting such waters, including in Great Lakes sediment and fish tissue. Authorizes appropriations.

(Sec. 14) Requires the Administrator to update the national list of beaches within 12 months after this Act's enactment and biennially thereafter (currently, periodically).

(Sec. 15) Requires the Administrator to study and report to Congress on the long-term impact of climate change on pollution of coastal recreation waters.

Actions Timeline

- **Apr 17, 2008:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Apr 16, 2008:** Considered as unfinished business. (consideration: CR H2399-2411)
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Fossella amendment under the five-minute rule, pending reservation of a point of order.
- **Apr 16, 2008:** Mr. Fossella appealed the ruling of the Chair. The question was then put on sustaining the ruling of the Chair.
- **Apr 16, 2008:** On sustaining the ruling of the Chair. Agreed to by recorded vote: 216 - 193 (Roll no. 201).
- **Apr 16, 2008:** Ms. Johnson, E. B. moved that the Committee rise.
- **Apr 16, 2008:** On motion that the Committee rise Agreed to by voice vote.
- **Apr 16, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 2537 as unfinished business.
- **Apr 16, 2008:** Considered as unfinished business. (consideration: CR H2412-2424)
- **Apr 16, 2008:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the E.B. Johnson (TX) amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Bilbray amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Kucinich amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Kirk amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Richardson amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Inslee amendment under the five-minute rule.
- **Apr 16, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the McCarthy (NY) amendment under the five-minute rule.
- **Apr 16, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2537.
- **Apr 16, 2008:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 16, 2008:** Passed/agreed to in House: On passage Passed by voice vote.
- **Apr 16, 2008:** On passage Passed by voice vote.
- **Apr 16, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 16, 2008:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 2537.
- **Apr 10, 2008:** Rule H. Res. 1083 passed House.
- **Apr 10, 2008:** Considered under the provisions of rule H. Res. 1083. (consideration: CR H2190-2207; text of measure as reported in House: CR H2199-2200)
- **Apr 10, 2008:** Rule provides for consideration of H.R. 2537 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is open to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill.
- **Apr 10, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1083 and Rule XVIII.
- **Apr 10, 2008:** The Speaker designated the Honorable Diana DeGette to act as Chairwoman of the Committee.
- **Apr 10, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2537.
- **Apr 10, 2008:** DEBATE - The Committee of the Whole proceeded with debate on the Flake amendment under the five-minute rule.

Apr 10, 2008: Mr. Oberstar moved that the committee now rise.

- **Apr 10, 2008:** On motion that the committee now rise Agreed to by voice vote.
- **Apr 10, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 2537 as unfinished business. (consideration: CR H2190-2207)
- **Apr 8, 2008:** Rules Committee Resolution H. Res. 1083 Reported to House. Rule provides for consideration of H.R. 2537 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is open to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill.
- **Dec 12, 2007:** Reported (Amended) by the Committee on Transportation. H. Rept. 110-491.
- **Dec 12, 2007:** Placed on the Union Calendar, Calendar No. 302.
- **Oct 31, 2007:** Subcommittee on Water Resources and Environment Discharged.
- **Oct 31, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 31, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **May 25, 2007:** Referred to the Subcommittee on Water Resources and Environment.
- **May 24, 2007:** Introduced in House
- **May 24, 2007:** Referred to the House Committee on Transportation and Infrastructure.