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Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Jul 21, 2011

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 254.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 254. (Dec 8, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1400>

Sponsor

Name: Sen. Landrieu, Mary L. [D-LA]

Party: Democratic • **State:** LA • **Chamber:** Senate

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cochran, Thad [R-MS]	R · MS		Jul 21, 2011
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Jul 21, 2011
Sen. Nelson, Bill [D-FL]	D · FL		Jul 21, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Jul 21, 2011
Sen. Sessions, Jeff [R-AL]	R · AL		Jul 21, 2011
Sen. Shelby, Richard C. [R-AL]	R · AL		Jul 21, 2011
Sen. Vitter, David [R-LA]	R · LA		Jul 21, 2011
Sen. Wicker, Roger F. [R-MS]	R · MS		Jul 21, 2011

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Dec 8, 2011

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
112 HR 3096	Related bill	Dec 7, 2011: Committee Hearings Held.
112 S 861	Related bill	Jun 28, 2011: Committee on Environment and Public Works Subcommittee on Water and Wildlife. Hearings held. With printed Hearing: S.Hrg. 112-951.

Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2011 - (Sec. 3) Establishes the Gulf Coast Restoration Trust Fund. Requires the Secretary of the Treasury to deposit in the Trust Fund 80% of all administrative and civil penalties paid after this Act's enactment pursuant to a court order, negotiated settlement, or other instrument in accordance with the Federal Water Pollution Control Act (commonly known as the Clean Water Act) in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.

(Sec. 4) Amends the Clean Water Act to require 35% of amounts made available from the Trust Fund in any fiscal year to be available to the Gulf Coast states of Alabama, Florida, Louisiana, Mississippi, and Texas in equal shares for expenditures for ecological and economic restoration of the Gulf Coast ecosystem. Allows such amounts to be used only for: (1) coastal restoration projects and activities; (2) mitigation of damage to, and restoration of, fish, wildlife, or natural resources; (3) implementation of a federally approved marine, coastal, or comprehensive conservation management plan; (4) programs to promote tourism, the consumption of seafood produced from the Gulf Coast ecosystem, and education regarding the natural resources of such ecosystem; (5) planning assistance and administrative costs; (6) workforce development and job creation; (7) improvements to state parks in coastal areas affected by the Deepwater Horizon oil spill; (8) mitigation of the ecological and economic impact of outer Continental Shelf activities and the impacts of such oil spill or promotion of the long-term ecological or economic recovery of the Gulf Coast ecosystem through the funding of infrastructure projects; (9) coastal flood protection and infrastructure directly affected by coastal wetland losses, beach erosion, or the impacts of such oil spill; and/or (10) administrative costs of complying with this section.

Prohibits such funds from being used for any program to support or promote imported seafood or a seafood product that is not harvested from the Gulf Coast ecosystem.

Requires, in a state where the coastal zone includes the entire state, 75% of funding to be provided to the eight disproportionately affected counties impacted by such spill and 25% percent to be provided to the other counties. Requires, in Louisiana, 70% of funding to be provided directly to Louisiana and 30% to be provided directly to parishes in the coastal zone of the state according to a weighted formula that allocates: (1) 40% to the miles of the parish shoreline contaminated by oil, (2) 40% to the population of the parish, and (3) 20% to the land mass of the parish.

Designates specified Gulf Coast state entities, task forces, and agencies in Alabama, Louisiana, and Mississippi to carry out the duties of a Gulf Coast state under this Act.

Prohibits the Secretary from providing additional funds to Gulf Coast states or coastal political subdivisions that have used such funds for unauthorized activities or that do not meet the requirements of this Act.

Authorizes a governor of a Gulf Coast state, in awarding contracts for a project or program under this Act, to give a preference to individuals and companies that reside in, are headquartered in, or are principally engaged in business in, a Gulf Coast state.

Establishes the Gulf Coast Ecosystem Restoration Council to develop a Comprehensive Plan, and undertake projects and programs, to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands, and economy of the Gulf Coast ecosystem. Requires 60% of the total amount made available from the Trust Fund in any fiscal year to be disbursed to the Council to carry out such Plan. Directs the Council to: (1) publish an initial Plan within a year; (2) update such Plan every five years; (3) identify projects that have been authorized prior to

this Act's enactment but not yet commenced and that would restore such natural resources if implemented quickly; (4) coordinate the development of consistent policies, strategies, plans, and activities addressing the restoration and protection of the Gulf Coast ecosystem and associated research; (5) make recommendations to address the particular needs of especially economically and socially vulnerable populations; (6) prepare an integrated financial plan and recommendations for coordinated budget requests for the amounts proposed to be expended by the federal agencies represented on the Council for projects and programs in the Gulf Coast states; and (7) report on such Comprehensive Plan and the restoration and protection of the Gulf Coast ecosystem.

Requires such Comprehensive Plan to: (1) incorporate the findings and information prepared by the President's Gulf Coast Restoration Task Force, and (2) include a prioritized list of projects and programs to be funded and carried out in the next three years. Requires the Council to update such list annually. Requires the Council, in selecting projects to include in such list, to give the highest priority to: (1) projects that are projected to make the greatest contribution to restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast ecosystem, without regard to geographic location; (2) large-scale projects and programs that are projected to substantially contribute to such restoration and protection; (3) projects contained in existing Gulf Coast state comprehensive plans; and (4) projects that restore long-term resiliency of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands most impacted by the Deepwater Horizon oil spill.

Requires a Gulf Coast state to seek the input of the Council's Chairperson to identify large-scale projects that may be jointly supported by such state and the Council.

Authorizes Gulf Coast states or coastal political subdivisions to use amounts made available from the Trust Fund to satisfy the non-federal share of the cost of carrying out projects authorized by other federal law.

Authorizes the Council and its members to develop Memorandums of Understanding establishing integrated funding and implementation plans among the member agencies and authorities.

Terminates the Council when the final report on such Plan is submitted.

Requires 50% of the total amount made available to the Council from the Trust Fund to be disbursed according to a formula established by the Council that is based on a weighted average of the following criteria: (1) 40% based on the proportionate number of miles of shoreline in each Gulf Coast state contaminated by oil as of April 10, 2011, compared to the total number of miles of shoreline contaminated by oil as a result of such spill; (2) 40% based on the inverse proportion of the average distance from the Deepwater Horizon oil rig to the nearest and farthest point of the shoreline that experienced contamination of each Gulf Coast state; and (3) 20% based on the average population of the 2010 decennial census of coastal counties bordering the Gulf of Mexico within each Gulf Coast state. Requires each Gulf Coast state to receive at least 5% of such total amount each fiscal year.

Requires each state to submit a plan for the expenditure of such amounts. Prohibits a state plan from using more than 25% of funding from the Trust Fund for infrastructure projects to mitigate the ecological and economic impact of outer Continental Shelf activities and the impacts of such spill and coastal and for infrastructure directly affected by coastal wetland losses, beach erosion, or the impacts of such spill, unless such plan certifies that ecosystem restoration needs will be addressed by the projects in such plan and additional investment in infrastructure is required to mitigate the impacts of such spill to the ecosystem or economy. Sets forth provisions concerning the approval of such plans by the Council.

Establishes the National Endowment for the Oceans to fund grants for programs and activities intended to restore,

protect, maintain, or understand living marine resources and their habitats and resources in ocean and coastal waters. Requires the Secretary of Commerce to be the trustee for such endowment.

(Sec. 5) Establishes within the National Oceanic and Atmospheric Administration (NOAA) the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program, under which the NOAA Administrator shall provide grants to establish and operate a center of excellence in each of the Gulf Coast states. Requires each center to focus its curriculum on science, technology, and monitoring in: (1) coastal and deltaic sustainability, restoration, and protection; (2) coastal fisheries and wildlife ecosystem research and monitoring; (3) offshore energy development; (4) sustainable and resilient growth and economic and commercial development; and/or (5) comprehensive observation, monitoring, and mapping of the Gulf.

Establishes the Gulf of Mexico Research Endowment to be administered by the Secretary of Commerce for use in providing long-term funding for such Program.

Transfers equal amounts of the Trust Fund's earned interest and investment proceeds to the National Endowment for Oceans and the Gulf of Mexico Research Endowment.

Requires: (1) the Council to establish a fishery and ecosystem endowment to ensure the long-term sustainability of the ecosystem, fish stocks, the fish habitat, and the recreational, commercial, and charter fishing industry in the Gulf of Mexico; (2) NOAA to administer such endowment; and (3) such endowment to include all marine, estuarine, aquaculture, and fish and wildlife species in state and federal waters of the Gulf of Mexico. Authorizes amounts from such endowment to be expended for, with respect to the Gulf of Mexico: (1) marine and estuarine research, (2) marine and estuarine ecosystem monitoring and ocean observation, (3) data collection and stock assessments, (4) pilot programs for fishery independent data and reduction of exploitation of spawning aggregations, and (5) cooperative research. Requires priority to be given to integrated, long-term projects that: (1) build on, or are coordinated with, related research activities; and (2) address current or anticipated marine ecosystem, fishery, or wildlife management information needs.

Requires the Administrator develop a plan for the coordination of projects and activities between such Program and other existing science and technology programs in Gulf Coast states and between centers of excellence in such states.

Allocates 5% of Trust Fund amounts to such Program and the fisheries and ecosystem endowment in equal portions.

Actions Timeline

- **Dec 8, 2011:** Committee on Environment and Public Works. Reported by Senator Boxer with an amendment in the nature of a substitute. With written report No. 112-100.
- **Dec 8, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 254.
- **Sep 21, 2011:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 21, 2011:** Introduced in Senate
- **Jul 21, 2011:** Read twice and referred to the Committee on Environment and Public Works.