



December 9, 2003

The Honorable Richard Pombo
Chairman, Committee on Resources
House of Representatives
Washington, D.C. 20515-6201

Dear Mr. Chairman:

This letter provides you with the Department's views on H.R. 1025, entitled the *National Estuarine Reserve System Act of 2003*, introduced by Representative Jim Saxton on February 27, 2003. The reauthorization of the National Estuarine Research Reserve System (NERRS) is of great importance to the Nation and to the National Oceanic and Atmospheric Administration in its mission to improve the understanding and stewardship of estuaries. The Department appreciates the Committee's support of the NERRS, and supports H.R. 1025 with a few suggested changes as outlined below.

The Department is concerned that the fragmented approach to reauthorizing the Coastal Zone Management Act (CZMA, or the Act) now under consideration by the Congress will not lead to the best results. H.R. 1025 addresses only one component of the authorized activities outlined in the Act. Two other separate pieces of legislation, H.R. 1026 and H.R. 1028, also introduced in the 108th Congress, address different sections of the CZMA.

As currently structured, the CZMA provides a cohesive approach to coastal and estuarine management from the research and education that occurs at National Estuarine Research Reserves to the day-to-day implementation of Coastal Zone Management Programs. A consolidated CZMA reauthorization would allow the Committee to take advantage of opportunities to integrate reporting requirements more efficiently; for example, the current biennial reporting requirements under sections 315 and 316 could be combined into a single section addressing both the NERRS and the Coastal Zone Management Programs.

While the Department supports the bill's intention in section 2(c) to broaden the name of the National Estuarine Research Reserve System by dropping the word "Research," the Department prefers the current name. Although NERRS activities are not, by law, limited strictly to research, considerable expense has gone into signs and materials for the current NERRS name, and a name change could not only be costly but cause confusion to the public.

The bill amends section 315(b)(2) of the Act to provide for the "Government of a State" to nominate an area for designation as a reserve. The Department requests instead that the current language be retained. It would be much more difficult to interpret what is meant by the "Government" of a State versus the current wording of "Governor," which is clear.

Section 2(c) of H.R. 1025 would remove section 315(b)(2)(D) from the CZMA. The Department, however, recommends that the current language of this CZMA section be retained, so that it is clear that in nominating a reserve site States must comply with NOAA regulations for the reserve system.

The bill proposes a new CZMA section 315(e)(1)(A)(iii), which contains language regarding conducting educational, interpretive, or training activities. This subject is already addressed in section 315(e)(1)(A)(iii), and the new language is largely redundant. In order to resolve this problem, the Department suggests that "resource stewardship" be added to section 315(e)(1)(B)(ii), and that section 315(e)(1)(A)(iii) be deleted from the bill. If section 315(e)(1)(A)(iii) is deleted as we recommend, then the reference to it in the bill's new section 315(e)(3)(B)(ii) should also be deleted.

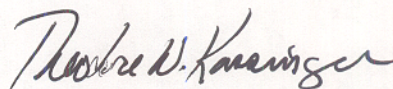
The Department recommends that the bill's new section 315(e)(3)(B)(ii) be amended to add "workshops for the System" to the list of examples of activities that benefit the System as a whole, revising the last item to read as follows (new language in bold):

(ii) The amount of financial assistance provided for under paragraph (1)(B) may be up to 100 percent of any costs for activities that service the System as a whole, including **workshops for the System**; System-wide monitoring equipment acquisition, data management, and data synthesis; administration and synthesis of System-wide research programs; and **support for the** graduate research fellowship program.

In sum, while the Department in general supports the language and intent of H.R. 1025, with the inclusion of these comments, it strongly believes that reauthorization of the CZMA should be undertaken in a single legislative package that encompasses all facets of the Act as it is currently structured.

The Office of Management and Budget has advised the Department that there is no objection to the submission of this letter to the Congress from the standpoint of the Administration's program.

Sincerely,



Theodore W. Kassinger

cc: The Honorable Nick J. Rahall II
Ranking Minority Member