

APPENDIX D

GLOSSARY OF FEDERAL OCEAN AND COASTAL-RELATED COMMISSIONS, COMMITTEES, COUNCILS, LAWS, AND PROGRAMS

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SECTION 1

PURPOSE OF THIS GLOSSARY

This glossary is intended to provide additional context or information on the origins of many of the federal commissions, committees, councils, laws, and programs noted in the report of the U.S. Commission on Ocean Policy. Glossary entries meet the following criteria for inclusion:

- The entry is mentioned in the report.
- The entry has a significant impact on ocean and coastal policy.
- The entry provides additional information not appropriate for the report text.
- The entry is authorized by federal legislation or an executive action of the President.

Where appropriate, the entries include cross-references to related items, legal citations, and Web site addresses.

SECTION 2

OCEAN AND COASTAL-RELATED FEDERAL COMMISSIONS, COMMITTEES, AND COUNCILS

Aquatic Nuisance Species Task Force

Established in 1990 by the Nonindigenous Aquatic Nuisance Prevention and Control Act (Pub. L. 101-646; 16 U.S.C. §§ 4701 *et seq.*) and expanded by the National Invasive Species Act in 1996 (Pub. L. 104-332), the Aquatic Nuisance Species Task Force convenes regional panels and issue-specific committees to coordinate governmental efforts dealing with aquatic nuisance species in the United States. Its activities include research, formulation of strategies to prevent species introductions and dispersal, species control and monitoring, dissemination of information, and the development of state management plans. NOAA and USFWS co-chair the task force, which includes seven federal agency representatives, an observer from Canada, and twelve nonfederal stakeholders.

Web: <<http://www.anstaskforce.gov>>.

See Section 3 (Federal Laws): Nonindigenous Aquatic Nuisance Prevention and Control Act; National Invasive Species Act.

Arctic Research Commission

Created by the Arctic Research and Policy Act of 1984 (Pub. L. 98-373; 15 U.S.C. §§ 4102 *et seq.*), the Arctic Research Commission's five members, appointed by the President, review federal research programs in the Arctic, make recommendations, and publish a report to the President and Congress. Members are drawn from academia, indigenous residents, and private industry.

Web: <<http://www.arctic.gov>>.

Atlantic States Marine Fisheries Commission

In 1942, fifteen Atlantic Coast states, stretching from Maine to Florida and including Pennsylvania, formed the Atlantic States Marine Fisheries Commission (ASMFC), a Congressionally-chartered interstate compact agency. The ASMFC assists in managing and conserving coastal fishery resources in state waters through the development of interstate fishery management plans that rely on state authorities for implementation. Congressional legislation in 1984 and 1993 made compliance with the plans, which was originally voluntary, enforceable by giving the Secretary of Commerce authority to close a state's fishery upon the recommendation of the ASMFC. The ASMFC's other program areas are research, habitat conservation, sport fish restoration, and law enforcement.

Web: <<http://www.asmfc.org>>.

See Section 3 (Federal Laws): Atlantic Coastal Fisheries Cooperative Management Act.

Coral Reef Task Force

Established in 1998 by Executive Order 13089, the Coral Reef Task Force has a mandate to map and monitor U.S. coral reefs, research the causes and solutions to coral reef degradation, reduce and mitigate coral reef degradation from pollution, overfishing and other causes, and implement strategies to promote conservation and sustainable use of coral reefs internationally. Co-chaired by the Departments of Commerce and the Interior, other members include CEQ, USDA, DOD, DOJ, DOS, DOT, EPA, NASA, NSF, USAID, USCG and affected U.S. states and territories.

<*Web:* <http://coralreef.gov>>.

Council on Environmental Quality

Created by the National Environmental Policy Act of 1969 (NEPA; Pub. L. 91–190; 42 U.S.C. §§ 4321 *et seq.*), the Council on Environmental Quality (CEQ) in the Executive Office of the President has a mandate to ensure that federal agencies meet their NEPA obligations and to report to the President on the state of the environment. CEQ also oversees federal agency implementation of the environmental impact assessment process and mediates disagreements between agencies over the adequacy of such assessments.

Web: <<http://www.whitehouse.gov/ceq>>.

See Section 3 (Federal Laws): National Environmental Policy Act.

Estuary Habitat Restoration Council

The Estuary Habitat Restoration Council (EHRC), created by the Estuary Restoration Act (Pub. L. 106–457; 33 U.S.C. §§ 2901 *et seq.*), includes the USACE, NOAA, EPA, USFWS, and USDA. The EHRC is required to develop a strategy for restoring estuaries, and published a final strategy for restoring estuaries in thirty states and U.S. territories in December 2002. The goal of the strategy is to restore one million acres of habitat by 2010.

Web: <<http://www.usace.army.mil/estuary.html>>.

See Section 3 (Federal Laws): Estuary Restoration Act.

Great Lakes Fishery Commission

The Great Lakes Fishery Commission (GLFC) was established in 1955 by the Convention on Great Lakes Fisheries, a bilateral treaty between the United States and Canada. The GLFC coordinates fisheries research, implements programs to control the invasive sea lamprey, and facilitates cooperative fishery management among state, provincial, tribal, and federal management agencies.

Web: <<http://www.glfc.org>>.

Gulf States Marine Fisheries Commission

In 1949, five states bordering the Gulf of Mexico (AL, FL, LA, MS, and TX) formed the Gulf States Marine Fisheries Commission (GSMFC), a congressionally-chartered interstate compact agency. The GSMFC assists in managing and conserving coastal fishery resources in state waters through the development of interjurisdictional fishery management plans that rely on state authorities for implementation, and coordinates state and federal programs regarding marine fisheries resources. The GSMFC's other program areas are data collection, habitat conservation, and sport fish restoration.

Web: <<http://www.gsmfc.org>>.

Joint Subcommittee on Aquaculture

Established by the National Aquaculture Act of 1980 (Pub. L. 96–362; 16 U.S.C. §§ 2801 *et seq.*), the Joint Subcommittee on Aquaculture (JSA) operates under the aegis of the National Science and Technology Council of the Office of Science and Technology Policy in the Executive Office of the President. The Subcommittee reviews national needs related to aquaculture, assesses the effectiveness of federal efforts, and recommends actions on aquaculture issues. The Secretary of Agriculture is the permanent chair of the JSA. Members include approximately a dozen federal agencies.

Web: <<http://ag.ansc.purdue.edu/aquanic/jsa/index.htm>>.

See Section 3 (Federal Laws): National Aquaculture Act.

Marine Mammal Commission

The Marine Mammal Commission (MMC) was created by the Marine Mammal Protection Act (Pub. L. 92–522; 16 U.S.C. §§ 1401 *et seq.*) to provide independent oversight of the marine mammal conservation policies and programs carried out by federal regulatory agencies. The MMC is charged with developing, reviewing, and making recommendations on domestic and international actions and policies of all federal agencies with respect to marine mammal protection and conservation and with carrying out a research program. The President appoints the MMC's three members.

Web: <<http://www.mmc.gov>>.

See Section 3 (Federal Laws): Marine Mammal Protection Act.

National Invasive Species Council

National and international concern about invasive species led to the issuance of Executive Order 13112 in February 1999. The Executive Order established the National Invasive Species Council, consisting of ten federal departments and agencies, to provide national leadership on terrestrial and aquatic invasive species.

Web: <<http://www.invasivespecies.gov/council/main.html>>.

National Ocean Research Leadership Council

The National Ocean Research Leadership Council (NORLC) is the governing body of the National Oceanographic Partnership Program (NOPP), both created by the National Oceanographic Partnership Act of 1996 (Pub. L. 104–201) to support research and education that advances ocean understanding. The NORLC consists of the heads of twelve federal agencies involved in funding or setting policy for ocean research. The NORLC is advised by a group of nonfederal experts in ocean matters, whose members represent the National Academy of Sciences, academic oceanographic research institutions, state governments, and others.

Web: <<http://www.coreocean.org/Dev2Go.web?id=207765&rnd=5303>>.

See Section 3 (Federal Laws): National Oceanographic Partnership Act.

See also Section 4 (Federal Programs): National Oceanographic Partnership Program.

National Science and Technology Council—Committee on Environment and Natural Resources and Committee on Science

The National Science and Technology Council (NSTC) was established in 1993 by Executive Order 12881 with a mandate to coordinate scientific research and development activities throughout the federal government and ensure their consistency with presidential priorities. Members include the President, Vice President, an Assistant to the President for Science and Technology, the Cabinet secre-

taries, and heads of agencies with significant science and technology responsibilities. The NSTC created the Committee on Environment and Natural Resources and the Committee of Science to advise and assist the NSTC and provide a formal mechanism for interagency coordination relevant to domestic and international environmental and natural resources issues. Within this structure, a Joint Subcommittee on Oceans was established to coordinate national ocean science and technology policy.

Web: <<http://www.ostp.gov/NSTC/html/committee/cenr.html>>.

Pacific States Marine Fisheries Commission

Authorized by Congress in 1947, the Pacific States Marine Fisheries Commission (PSMFC) is an interstate compact agency that includes five western states (AK, CA, ID, OR, and WA). PSMFC programs include fisheries data collection, research, and monitoring, information dissemination, and facilitation of interstate agreements on fishery management issues.

Web: <<http://www.psmfc.org>>.

Regional Fishery Management Councils

In 1976, the Fishery Conservation and Management Act (now titled the Magnuson-Stevens Fishery Conservation and Management Act) created eight Regional Fishery Management Councils (RFMCs) to manage the living marine resources within the nation's exclusive economic zone as later defined by the Act. The RFMCs operate in the Caribbean, Gulf of Mexico, Mid-Atlantic, New England, North Pacific, Pacific, South Atlantic, and Western Pacific regions. Each RFMC consists of a NMFS regional director, directors of the state marine management agencies, and members nominated by state governors and appointed by the Secretary of Commerce. In addition, there are at least three nonvoting members representing USCG, USFWS, and DOS; other nonvoting members may also be appointed.

Web: <<http://www.noaa.gov/nmfs/councils.html>>.

See Section 3 (Federal Laws): Magnuson-Stevens Fishery Conservation and Management Act.

SECTION 3

OCEAN AND COASTAL-RELATED FEDERAL LAWS

Abandoned Shipwreck Act

The Abandoned Shipwreck Act of 1987 (Pub. L. 100–298; 43 U.S.C. §§ 2101 *et seq.*) vests title to certain abandoned shipwrecks in state submerged lands to the federal government which, with certain exceptions, immediately transfers ownership to the state whose submerged lands contain the shipwreck. States are encouraged to develop policies to allow for public and private sector recovery of shipwrecks consistent with the protection of historical values and environmental integrity and with guidelines issued by the Secretary of the Interior.

Act to Prevent Pollution from Ships

In 1980, Congress enacted the Act to Prevent Pollution from Ships (APPS; Pub. L. 96–478; 33 U.S.C. §§ 1901 *et seq.*). Together with subsequent amendments, APPS prohibits the discharge of oil and noxious liquids and the disposal of various types of garbage in offshore waters consistent with the International Convention for the Prevention of Pollution from Ships (known as MARPOL). Requirements vary based on the form of the material and the vessel's location and distance from shore. The law applies to all ships, whether U.S. or foreign flag, that are subject to U.S. jurisdiction.

Atlantic Coastal Fisheries Cooperative Management Act

In 1993, Congress enacted the Atlantic Coastal Fisheries Cooperative Management Act (Pub. L. 103–206; 16 U.S.C. §§ 5107 *et seq.*), which provides a mechanism to ensure state compliance with mandated conservation measures of interstate fishery management plans approved by the Atlantic States Marine Fisheries Commission.
See Section 2 (Federal Commissions, Committees, and Councils): Atlantic States Marine Fisheries Commission.

Atlantic Striped Bass Conservation Act

In 1984, Congress enacted the Atlantic Striped Bass Conservation Act (Pub. L. 98–613; 16 U.S.C. §§ 1851 *et seq.*), requiring the Secretary of Commerce to impose a moratorium on fishing for striped bass in any state that is not in compliance with the Atlantic States Marine Fisheries Commission (ASMFC) interstate fisheries management plan for striped bass. Such action must be recommended by the ASMFC, and noncompliance confirmed by the Secretary.
See Section 2 (Federal Commissions, Committees, and Councils): Atlantic States Marine Fisheries Commission.

Clean Air Act

Congress passed the Clean Air Act Amendments of 1970 (CAA; Pub. L. 91–604; 42 U.S.C. §§ 7401 *et seq.*) to regulate pollution from stationary and mobile sources. Administered by EPA, the bulk of the CAA is concerned with establishing a regulatory program for controlling air pollution, although it does address the goal of improving air quality through federal subsidies, technical assistance, studies, training, and other methods. Managing atmospheric deposition of pollutants to water bodies is the principal nexus between the CAA and ocean and coastal management concerns.

Clean Vessel Act

Under the Clean Vessel Act of 1972 (Pub. L. 102–587; 33 U.S.C. §§ 1322 *et seq.*), the USFWS administers a program to issue grants to coastal and inland states for pumpout stations and waste reception facilities to dispose of recreational boater sewage.

Clean Water Act

Congress enacted the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92–500; 33 U.S.C. §§ 1251 *et seq.*), more commonly known as the Clean Water Act (CWA), to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters” in order to support “the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water.” The CWA, implemented primarily by EPA and amended numerous times, employs a number of regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.

See Section 4 (Federal Programs): Descriptions of a number of CWA programs.

Coastal Barrier Resources Act

The Coastal Barrier Resources Act of 1982 (CBRA; Pub. L. 97–348; 16 U.S.C. §§ 3501 *et seq.*) established the Coastal Barrier Resources System that currently consists of nearly 1.3 million acres of coastal barrier islands along the Atlantic and Gulf coasts, Puerto Rico, the U.S. Virgin Islands, and the Great Lakes. USFWS, which administers the program, submits recommendations to Congress for new sites; Congress acts to add or exempt sites. The system seeks to preserve natural resources and minimize the loss of human life and property resulting from poorly located coastal barrier development by restricting the developer and property owners from obtaining federal financial assistance, such as flood insurance coverage or infrastructure expenditures, with exceptions for military and Coast Guard use.

Coastal Wetland Planning, Protection, and Restoration Act

Congress enacted the Coastal Wetland Planning, Protection and Restoration Act (CWPPRA; Pub. L. 101–646; 16 U.S.C. §§ 3951 *et seq.*), also known as the Breaux Act after its chief legislative sponsor, in 1990 to address wetland loss in coastal states through acquisition, protection, and restoration projects. The CWPPRA is jointly administered by the EPA and USFWS and includes annual funding of approximately \$50 million for Louisiana and between \$11 and \$15 million awarded through a competitive grant process for other states.

Coastal Zone Management Act

Congress enacted the Coastal Zone Management Act of 1972 (CZMA; Pub. L. 92–583; 16 U.S.C. §§ 1451 *et seq.*) to promote the sustainable development of the nation’s coasts by encouraging states and territories to balance the conservation and development of coastal resources using their own management authorities. Implemented by NOAA, the CZMA provides financial and technical assistance incentives for states to manage their coastal zones consistent with the guidelines of the Act. States with federally approved programs also receive “federal consistency” authority to require that federal activities affecting their coastal zone are consistent with the state’s coastal management program. The CZMA also established the National Estuarine Research Reserve System, and is associated with the coastal nonpoint pollution control program established under the Coastal Zone Act Reauthorization Amendments.

See: Coastal Zone Act Reauthorization Amendments
See Section 4 (Federal Programs): Coastal Zone Management Program and National Estuarine Research Reserve System.

Coastal Zone Act Reauthorization Amendments

The Coastal Zone Act Reauthorization Amendments of 1990 (CZARA; Pub. L. 106–580; 16 U.S.C. §1455b), enacted as section 6217 of the Omnibus Budget Reconciliation Act of 1990 amending the Coastal Zone Management Act, established the Coastal Nonpoint Pollution Control Program to improve coastal water quality. Jointly administered by NOAA and EPA, the program requires every state with a federally-approved coastal management program to identify management measures to address nonpoint source pollution of coastal waters. State programs must include enforceable policies and mechanisms to ensure implementation of the measures.

See: Coastal Zone Management Act.

Comprehensive Environmental Response, Compensation, and Liability Act

Enacted in 1980, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; Pub. L. 96–510; 42 U.S.C. §§ 9601 *et seq.*) gives the federal government broad authority to respond to releases or threatened releases of hazardous substances that may endanger public health or the environment. EPA is the lead implementing agency. CERCLA also sets requirements concerning closed and abandoned hazardous waste sites, including for liability of persons responsible for releases of hazardous waste at such sites.

Coral Reef Conservation Act

The Coral Reef Conservation Act of 2000 (Pub. L. 106–562; 16 U.S.C. §§ 6401 *et seq.*) requires NOAA to develop a national coral reef action strategy, initiate a matching grants program for reef conservation, and create a conservation fund to encourage public-private partnerships that promote the purposes of the Act.

Deep Seabed Hard Mineral Resources Act

The Deep Seabed Hard Mineral Resources Act of 1980 (Pub. L. 96–283; 30 U.S.C. §§ 1401 *et seq.*) authorizes NOAA to establish a domestic regulatory regime covering the exploration and commercial recovery by U.S. citizens of minerals seaward of the natural resource jurisdiction of any nation.

Deep Water Royalty Relief Act

The Deep Water Royalty Relief Act of 1995 (Pub. L. 104–58; 42 U.S.C. § 1337) amends the OCSLA to provide incentives in the form of royalty reductions for oil and gas leases in deep water areas of the Gulf of Mexico to encourage leasing and exploration and help spur the development of advanced new technologies for production of oil and gas in these areas.

Deepwater Port Act

The Deepwater Port Act of 1974 (Pub. L. 93–627; 33 U.S.C. §§ 1501 *et seq.*), as amended in 2002, authorizes and regulates the location, ownership, construction, and operation of deepwater ports (defined as a non-vessel, fixed or floating manmade structure that is used as a port or terminal for the loading, unloading, or handling of oil or natural gas for transportation to a state) in waters beyond the U.S. state seaward boundaries, sets requirements for the protection of marine and coastal environments from adverse effects of such port development, and promotes safe transport of oil and natural gas from such locations.

Disaster Mitigation Act

The Disaster Mitigation Act of 2000 (Pub. L. 106–390; 42 U.S.C. §§ 5121 *et seq.*) requires FEMA to impose more stringent hazard mitigation planning on states. States that fail to meet new criteria developed by FEMA are denied disaster assistance awards and other types of funding, while states that exceed requirements are eligible to use a greater proportion of any post-disaster funding they receive to implement hazard mitigation projects.

Endangered Species Act

The Endangered Species Act of 1973 (ESA; Pub. L. 93–205; 16 U.S.C. §§ 1531 *et seq.*) protects species of plants and animals listed as threatened or endangered. NOAA or USFWS determine the species that are endangered or threatened and are directed to designate critical habitat and develop and implement recovery plans for threatened and endangered species. Once a species is listed, federal agencies must ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of their critical habitat.

Estuary Restoration Act

The Estuary Restoration Act of 2000 (Pub. L. 106–457; 33 U.S.C. §§ 2901 *et seq.*) created an Estuary Habitat Restoration Council (EHRC) that includes USACE, NOAA, EPA, USFWS, and USDA. The Act charges EHRC to develop and implement a strategy for restoring the nation's estuaries.

See Section 2 (Commissions, Committees, and Councils): Estuary Habitat Restoration Council.

Farm Bill 1985—Food Security Act

The Farm Bill Congress enacted in 1985, formally known as the Food Security Act of 1985 (Pub. L. 99–198; 7 U.S.C. §§ 1631 *et seq.*), is landmark legislation in terms of its conservation provisions, establishing the so-called Sodbuster, Swampbuster, and the Conservation Reserve and Wetland Reserve programs. *See Section 4 (Federal Programs): Farm Bill Conservation Programs.*

Farm Bill 1990—Food, Agriculture, Conservation, and Trade Act

The Food, Agriculture, Conservation, and Trade Act of 1990 (Pub. L. 101–624; 14 U.S.C. §§ 1401 *et seq.*) maintained, with certain amendments, the conservation provisions of the 1985 Farm Bill and created new conservation programs applying to forestry activities.

See Section 4 (Federal Programs): Farm Bill Conservation Programs.

Farm Bill 1996—Federal Agriculture Improvement and Reform Act

The Federal Agriculture Improvement and Reform Act of 1996 (Pub. L. 104–127; 7 U.S.C. §§ 793 *et seq.*) made modifications to the Sodbuster, Swampbuster, and Conservation Reserve and Wetland Reserve programs, and created several new programs to address high-priority environmental protection goals, including the Environmental Quality Incentives Program, Wildlife Habitat Incentives Program, Flood Risk Reduction Program, Farmland Protection Program, Conservation Farm Option, and Conservation of Private Grazing Lands initiative.

See Section 4 (Federal Programs): Farm Bill Conservation Programs.

Farm Bill 2002—Farm Security and Rural Investment Act

The Farm Security and Rural Investment Act of 2002 (Pub. L. 107–171) greatly expanded overall funding for Farm Bill conservation programs and shifted the emphasis of funding from land retirement programs to supporting conservation measures on working agricultural lands.

See Section 4 (Federal Programs): Farm Bill Conservation Programs.

Federal Water Pollution Control Act

See: Clean Water Act.

Magnuson-Stevens Fishery Conservation and Management Act

When Congress passed the Fishery Conservation and Management Act in 1976 (Pub. L. 94–265; 16 U.S.C. §§ 1801 *et seq.*), it claimed for the nation sovereign rights and exclusive fishery management authority over all fishery resources within 200 miles of the coast, and over certain continental shelf and anadromous fishery resources even beyond 200 miles. Later renamed the Magnuson-Stevens Fishery Conservation and Management Act (M-S Act), the Act as amended established national standards for fishery conservation and management in U.S. waters. The M-S Act also created eight Regional Fishery Management Councils composed of state and federal officials and fishing industry representatives that prepare and amend fishery management plans for certain fisheries requiring conservation and management. The Act also requires that fishery management plans identify essential fish habitat and protection and conservation measures for each managed species. In 1996, the Sustainable Fisheries Act amended the M-S Act to require NMFS to undertake a number of science, management, and conservation actions to prevent overfishing, rebuild overfished stocks, protect essential fish habitat, minimize bycatch, enhance research, and improve monitoring.

See Section 2 (Commissions, Committees, and Councils): Regional Fishery Management Councils.

Marine Mammal Protection Act

Under the Marine Mammal Protection Act of 1972 (MMPA; Pub. L. 92–522; 16 U.S.C. §§ 1361 *et seq.*), NOAA has responsibility for ensuring the protection of cetaceans (whales, porpoises, and dolphins) and pinnipeds (seals and sea lions), except walruses. USFWS is responsible for ensuring the protection of walruses, sea otters, polar bears, and manatees. NOAA and USFWS are required to consult with the Marine Mammal Commission, also created by the MMPA. With several exceptions, the MMPA establishes a moratorium on the taking and importation of marine mammals and marine mammal products. *See Section 2 (Commissions, Committees, and Councils): Marine Mammal Commission.*

Marine Plastic Pollution Research and Control Act

Congress enacted the Marine Plastic Pollution Research and Control Act (Pub. L. 96–478; 33 U.S.C. §§ 1901 *et seq.*) in 1987 as an amendment to the Act to Prevent Pollution from Ships to prohibit garbage and plastic disposal in U.S. navigable waters or by U.S. flag ships.

See: Act to Prevent Pollution from Ships

Marine Protection, Research, and Sanctuaries Act

The Marine Protection, Research and Sanctuaries Act of 1972 (Pub. L. 92–532; 33 U.S.C. §§ 1401 *et seq.*) established programs to regulate ocean dumping, conduct ocean dumping research, and set aside areas of the marine environment as national marine sanctuaries. Title I is also known as the Ocean Dumping Act and seeks to prevent or strictly limit the dumping into ocean waters of any material that would adversely affect human health, welfare, or amenities, or the marine environment, ecological systems, or economic potential. Under Title I, the USACE is authorized to issue permits for dredged material disposal, and the EPA is authorized to designate appropriate dump sites, and to issue permits for dumping of material other than dredged material. Title III is also known as the National Marine Sanctuaries Act and authorizes the Secretary of Commerce to designate discrete areas of the marine environment as national marine sanctuaries to protect distinctive natural and cultural resources. NOAA administers the National Marine Sanctuary Program.

See Section 4 (Federal Programs): National Marine Sanctuary Program.

Methane Hydrate Research and Development Act

Congress enacted the Methane Hydrate Research and Development Act of 2000 (Pub. L. 106–193) to promote the research, identification, assessment, exploration, and development of methane hydrate resources by creating a federal research and development program and establishing a Methane Hydrate Advisory Committee.

National Aquaculture Act

Congress enacted the National Aquaculture Act of 1980 (Pub. L. 96–362; 16 U.S.C. §§ 2801 *et seq.*) to promote aquaculture development in the United States by mandating a national aquaculture development plan and federal coordination of aquaculture activities through a Joint Subcommittee on Aquaculture.

See Section 2 (Commissions, Committees, and Councils): Joint Subcommittee on Aquaculture.

National Environmental Policy Act

The National Environmental Policy Act (NEPA; Pub. L. 91–190; 42 U.S.C. §§ 4321 *et seq.*) requires all federal agencies to include a detailed statement of the environmental impact of a major federal action significantly affecting the human environment. A “major” federal action is one that requires substantial planning, time, resources, or expenditure that the federal agency proposes or permits. Through Environmental Assessment and Environmental Impact Statement reviews, federal agencies are required to consider environmental impacts before action is taken. In addition, NEPA mandates coordination and collaboration among federal agencies. NEPA also created the Council on Environmental Quality in the Executive Office of the President.

See Section 2 (Commissions, Committees, and Councils): Council on Environmental Quality.

National Invasive Species Act of 1996

The National Invasive Species Act of 1996 (Pub. L. 104–332; 16 U.S.C. §§ 4701 *et seq.*) substantially amended the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (Pub. L. 101–646), which is the primary federal law dealing with aquatic invasive species and ballast water management, and is the basis for Coast Guard regulations and guidelines to prevent introductions of non-native species through the uptake and discharge of ships’ ballast water.

See: Nonindigenous Aquatic Nuisance Prevention and Control Act

See also Section 2 (Commissions, Committees, and Councils): Aquatic Nuisance Species Task Force.

National Marine Sanctuaries Act

See: Marine Protection, Research and Sanctuaries Act.

National Oceanographic Partnership Act

Enacted as part of the 1997 National Defense Authorization Act, the National Oceanographic Partnership Act (Pub. L. 104–201) created the National Oceanographic Partnership Program and its governing body, the National Ocean Research Leadership Council, to promote the national interest in natural security, economic development, quality of life, and strong science education and communication through improved knowledge of the ocean.

See Section 2 (Commissions, Committees, and Councils): National Ocean Research Leadership Council.
See also Section 4 (Federal Programs): National Oceanographic Partnership Program.

National Sea Grant College Act

The National Sea Grant College Act of 1966 (Pub. L. 89–688; 33 U.S.C. §§ 1121 *et seq.*) established a network of programs at universities and scientific institutions focused on ocean, coastal, and Great Lakes research, education and outreach activities, and was modeled on the research and extension activities of the nation’s land grant universities. Sea Grant administration was originally housed at the National Science Foundation, but was transferred to the newly created NOAA in the Department of Commerce in 1970.

Nonindigenous Aquatic Nuisance Prevention and Control Act

The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (NANPCA; Pub. L. 101–646; 16 U.S.C. §§ 4701 *et seq.*) created a broad new federal program to prevent the introduction of aquatic nuisance species and control their spread. The Act established the federal interagency Aquatic Nuisance Species Task Force, whose members include USFWS, USCG, EPA, USACE, and NOAA, to develop a program of prevention, monitoring, control, and study. NANPCA was reauthorized and expanded by the National Invasive Species Act of 1996.

See: National Invasive Species Act of 1996.

See also Section 2 (Commissions, Committees, and Councils): Aquatic Nuisance Species Task Force.

Ocean Dumping Act

See: Marine Protection, Research, and Sanctuaries Act .

Ocean Thermal Energy Conversion Act

The Ocean Thermal Energy Conversion Act of 1980 (Pub. L. 96–320; 42 U.S.C. §§ 9101 *et seq.*), administered by NOAA, established a program to license facilities and plantships designed to convert thermal gradients in the ocean into electricity.

Oceans Act of 2000

The Oceans Act of 2000 (Pub. L. 106–256; 33 U.S.C. § 857–19) established the U.S. Commission on Ocean Policy to carry out a comprehensive review of marine-related issues and laws and make recommendations to Congress and the President for a coordinated and comprehensive national ocean policy and system of ocean governance.

Oil Pollution Act of 1990

The Oil Pollution Act of 1990 (OPA; Pub. L. 101–380; 33 U.S.C. §§ 2701 *et seq.*), enacted after the Exxon Valdez oil spill in Alaska’s Prince William Sound, addresses oil discharges to navigable waters and shorelines. The Act seeks to harmonize oil spill response mechanisms from the Clean Water Act, the Deepwater Port Act of 1974, the Trans-Alaska Pipeline Act, and the Outer Continental Shelf Lands Act and other federal laws with state laws, international conventions, and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). OPA requires that emergency response plans be prepared, raises liability limits, and creates an Oil Spill Liability Trust Fund to pay for removal costs and damages if the government is unable to collect cleanup costs from the liable party.

Outer Continental Shelf Lands Act

The Outer Continental Shelf Lands Act of 1953 (OCSLA; Pub. L. 83–212; 43 U.S.C. §§ 1331 *et seq.*) asserted United States jurisdiction over and ownership of the mineral resources of the continental shelf seaward of state boundaries (generally three miles offshore). The OCSLA authorizes the Secretary of the Interior to lease offshore tracts through competitive bidding, collect royalties on production of oil and natural gas, cancel leases if continued activity is likely to cause serious harm to life, including fish and other aquatic life, and consider economic, social, and environmental values of renewable and nonrenewable resources in managing the outer Continental Shelf (OCS). In 1978, Congress significantly revised the OCSLA with the Outer Continental Shelf Lands Act Amendments, requiring the Secretary of the Interior to balance energy needs with the protection of human, marine, and coastal environments, provide greater opportunities for coastal states and competing user concerns to be taken into account, and to integrate improved environmental procedures into the OCS process.

Rivers and Harbors Act Section 10

Section 10 of the Rivers and Harbors Act of 1899 (30 Stat. 1151; 33 U.S.C. §§ 403 *et seq.*) prohibits the unauthorized obstruction of navigable waters of the United States or on the outer Continental Shelf (OCS). Construction of any structure or excavation or fill in U.S. navigable waters, including the OCS, is prohibited without a permit from USACE. Courts have also interpreted such obstructions to include pollution if it destroys the navigable capacity of a navigable waterway.

Submerged Lands Act

Congress enacted the Submerged Lands Act of 1953 (SLA; Pub. L. 83–31; 43 U.S.C. §§ 1301 *et seq.*) to grant to the U.S. coastal states title to the natural resources located within three nautical miles of their coastlines (nine nautical miles for Texas and the Gulf Coast of Florida). For purposes of the SLA, the term “natural resources” comprise oil, gas, and all other minerals, and all fish and other marine animal and plant life. The SLA also preserves the control of the seabed and its resources beyond state boundaries for the federal government.

Sustainable Fisheries Act

See: Magnuson-Stevens Fishery Conservation and Management Act.

Water Resources Development Act

Congress enacts a Water Resources Development Act (most recent WRDA at Pub. L. 108–137; 33 U.S.C. §§ 2201 *et seq.*) approximately every two years. WRDAs authorize USACE to study or implement individual projects around the nation, including navigation improvements, flood and shoreline erosion control, hurricane and storm damage reduction, emergency stream bank and shoreline stabilization, recreation, and more. WRDAs also contain provisions of general applicability to USACE activities, such as directives that establish environmental protection and no-net-loss of wetlands as USACE goals, and also authorize funding for technical assistance and studies for state, local, and tribal governments.

SECTION 4

OCEAN AND COASTAL-RELATED FEDERAL PROGRAMS

Atmospheric Deposition Monitoring Programs

Numerous federal agencies, including EPA, NOAA, and a number of agencies within the Departments of Agriculture, the Interior, and Energy collaborate with dozens of academic, research, industry, and state and local government entities in a variety of networks that monitor the atmospheric deposition of pollution to water bodies. The preeminent national deposition monitoring network is the National Atmospheric Deposition Program, which monitors more than 200 sites nationwide. EPA administers the Clean Air Status and Trends Network, measuring deposition at about 80 sites.

Web: <<http://nadp.sws.uiuc.edu>>.

Centers for Ocean Science Education Excellence

The Centers for Ocean Science Education Excellence (COSEE) promote partnerships between research scientists and educators to advance ocean sciences education. The centers are a network of seven regional centers and a central coordinating office funded by the National Science Foundation with additional support from the U.S. Navy's Office of Naval Research and NOAA's National Sea Grant Program, National Ocean Service, and Office of Ocean Exploration. Launched in 2002, each center has multiple participating academic, research, and educational institutions.

Web: <<http://www.geo.nsf.gov/cgi-bin/geo/showprog.pl?id=109&div=oce>>.

Civil Works Program of USACE

The USACE Civil Works Program encompasses a vast array of programs that affect ocean and coastal resources, including permitting and implementation of wetland fill projects, offshore dumping and structures, navigational and other types of dredging, flood

control projects, beach nourishment and other shoreline protection projects, invasive species control, regional sediment management, dam removal, disaster response, and more.

Web: <<http://www.usace.army.mil/inet/functions/cw/>>. See Section 3 (*Federal Laws*): Water Resources Development Act.

Clean Water Act—Beaches Environmental Assessment and Coastal Health Act

The Beaches Environmental Assessment and Coastal Health Act of 2000 amends section 303(a) and several other sections of the Clean Water Act to require states to set certain types of water quality standards for their coastal recreational waters. It also authorizes EPA to award grants to eligible states, territories, tribes, and local governments to support testing and monitoring of coastal recreational waters.

Web: <<http://www.epa.gov/beaches/>>.

See Section 3 (*Federal Laws*): Clean Water Act.

Clean Water Act—Discharge of Dredged and Fill Material (Section 404)

EPA and the USACE jointly administer the program created by Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material into waters of the United States, including wetlands, without a permit. Such discharges may occur only when there is no alternative that is less damaging to the aquatic environment. The applicant must demonstrate efforts to avoid and minimize potential adverse impacts, and, where relevant, must provide compensation for any remaining, unavoidable impacts through activities to restore or create wetlands. EPA can veto a USACE permit decision.

Web: <<http://www.epa.gov/owow/wetlands/facts/fact10.html>>.

See Section 3 (*Federal Laws*): Clean Water Act.

Clean Water Act—National Estuary Program (Section 320)

Created by 1987 amendments to the Clean Water Act, the National Estuary Program was established to improve the quality of estuaries of national importance. EPA administers the program, providing funds and technical assistance to local stakeholders to develop plans for attaining or maintaining water quality in a designated estuary. Stakeholders create a comprehensive conservation and management plan that includes measures for protection of public water supplies, protection and propagation of shellfish, fish, and wildlife populations, allowance for recreational activities in and on the water, and control of point and nonpoint sources of pollution that supplement existing pollution control measures. There are currently twenty-eight estuaries in the program. In addition to the National Estuary Program, the Clean Water Act also authorizes several other important regional estuary programs such as the Chesapeake Bay Program and the Great Lakes Program.

Web: <<http://www.epa.gov/nep>>.

See Section 3 (Federal Laws): Clean Water Act .

Clean Water Act—National Pollutant Discharge Elimination System (Section 402)

Established by the Clean Water Act in 1972, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources (e.g., pipes or constructed ditches) that discharge pollutants into waters of the United States. Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. In most cases, the NPDES permit program is administered by authorized states.

Web: <<http://cfpub.epa.gov/npdes>>.

See Section 3 (Federal Laws): Clean Water Act.

Clean Water Act—Nonpoint Source Pollution Program (Section 319)

Under the Clean Water Act Nonpoint Source Pollution Program, EPA provides matching grants to states to develop and implement statewide programs for managing nonpoint sources of water pollution, such as runoff from farms, parking lots, and lawns. States must prepare an assessment of waters where the control of nonpoint source pollution is necessary to meet water quality standards, identify the significant sources of that pollution, and specify control measures. States also must develop a program that sets forth the best management practices necessary to remedy the problems.

Web: <<http://www.epa.gov/owow/nps/cwact.html>>.

See Section 3 (Federal Laws): Clean Water Act.

Clean Water Act—Marine Sanitation Devices (Section 312)

Section 312 of the Clean Water Act requires vessels that operate in U.S. navigable waters and that have installed toilet facilities to have operable marine sanitation devices certified as meeting certain standards. Section 312 also allows establishment of zones where discharge of sewage from vessels is completely prohibited. Section 312 does not apply beyond three nautical miles offshore.

Web: <<http://www.epa.gov/owow/oceans/regulatory/vesselsewage>>.

See Section 3 (Federal Laws): Clean Water Act.

Clean Water Act—State Revolving Fund

The Clean Water State Revolving Fund (CWSRF) provides matching grant funds to states to establish revolving loan programs that provide below-market interest rates on loans and other financial incentives to towns, counties, nonprofit organizations, farmers, and homeowners for water quality improvement projects. The funds, which may finance only capital costs (not operations and maintenance costs) are mostly used for constructing wastewater treatment plants. From its inception in 1988 to 2002, the funds have provided an average of \$3.8 billion per year for water quality improvement. Since the program's inception, \$38.7 billion has been disbursed.

Web: <<http://www.epa.gov/owm/cwfinance/index.htm>>.

See Section 3 (Federal Laws): Clean Water Act.

Clean Water Act—Total Maximum Daily Load Program (Section 303(d))

Section 303(d) of the Clean Water Act created the Total Maximum Daily Load (TMDL) program to address waters in the nation that still do not meet the Clean Water Act goal of “fishable, swimmable” after implementing pollution control technology at point sources of pollution. Under the TMDL program, states must identify and develop TMDLs for such waters with EPA oversight. A TMDL is the maximum amount of a pollutant, from both point and nonpoint sources, that can be accommodated while still meeting water quality standards. States must develop a TMDL for each pollutant of concern, and develop and implement plans to achieve and maintain TMDLs by allocating reductions among point and nonpoint sources.

Web: <<http://www.epa.gov/owow/tmdl>>.

See Section 3 (Federal Laws): Clean Water Act.

Clean Water Act—Water Quality Certification Program (Section 401)

The Clean Water Act Section 401 program, administered by EPA, requires federal agencies to obtain certification, or to require permit applicants to do so, from the state, territory, or Indian tribes before issuing permits that would result in increased pollutant loads to waters and wetlands. The certification is issued only if such increased loads would not cause or contribute to violations of water quality standards. States may grant, deny, or condition these certifications.

Web: <<http://www.epa.gov/OWOW/wetlands/regs/sec401.html>>.

See Section 3 (Federal Laws): Clean Water Act.

Coastal Barrier Resources System

Web: <<http://www.fws.gov/cep/cbrtable.html>>.

See Section 3 (Federal Laws): Coastal Barrier Resources Act.

Coastal Nonpoint Pollution Control Program

Web: <<http://coastalmanagement.noaa.gov/czm/6217>>.

See Section 3 (Federal Laws): Coastal Zone Act Reauthorization Amendments.

Coastal Program of USFWS

The USFWS Coastal Program focuses efforts to conserve fish and wildlife and their habitats in support of healthy coastal ecosystems in bays, estuaries and watersheds around the U.S. ocean coastline and Great Lakes. The program targets funding to sixteen high priority coastal ecosystems. The program provides assessment and planning tools to identify priorities for habitat protection and restoration, conserves pristine coastal habitats through voluntary conservation easements and locally initiated land acquisition, and forms partnerships to restore degraded habitat.

Web: <<http://www.fws.gov/cep/cepcode.html>>.

Coastal Zone Management Program

The Coastal Zone Management Program created by the Coastal Zone Management Act of 1972 encourages coastal and Great Lakes states to develop and implement programs to manage the use and protection of their coastal zones. NOAA is the federal agency with oversight. States with approved programs become eligible for matching grants and also gain “federal consistency” review authority.

Web: <<http://coastalmanagement.noaa.gov/czm>>.

See Section 3 (Federal Laws): Coastal Zone Management Act.

Environmental Monitoring and Assessment Program

The Environmental Monitoring and Assessment Program is a research program within EPA that develops the tools necessary to monitor and assess the status and trends of national ecological resources.

Web: <<http://www.epa.gov/emap>>.

Farm Bill Conservation Programs

Congress has enacted Farm Bills since the 1920s. Since 1985, the laws, passed approximately every five years, have included an increasing conservation focus. The programs, administered primarily by the USDA's Natural Resources Conservation Service, provide farmers and ranchers incentives to implement conservation actions and disincentives against taking actions that harm natural resources. Programs created and modified in the conservation titles of the 1985, 1990, 1996, and 2002 Farm Bills encourage compliance with minimum conservation practices, promote land retirement, and create incentives for improved farming and ranching practices to address environmental problems. Additional Farm Bill programs affecting natural resource protection include those that prevent conversion of farmland and grassland to urban uses, and a variety of programs that encourage watershed protection efforts. The 2002 Farm Bill raised anticipated spending for conservation and environmental programs over ten years to \$38.6 billion. While funding to all programs increased, the 2002 bill shifted the funding emphasis from land retirement to conservation efforts on working lands.

Web: <<http://www.usda.gov/farmbill>>.

See Section 3 (Federal Laws): Farm Bill 1985, 1990, 1996, 2002.

National Estuarine Research Reserve System

Established by the Coastal Zone Management Act in 1972, the program encourages coastal states and territories to set aside representative estuaries for long-term research, education, and stewardship purposes. Once an area is designated as a reserve, federal financial assistance is available for acquisition of property, and management, research, and education activities. NOAA is responsible for overseeing state management of the twenty-six reserves.

Web: <<http://nerrs.noaa.gov>>.

See Section 3 (Federal Laws): Coastal Zone Management Act.

National Flood Insurance Program

In 1968, Congress enacted the National Flood Insurance Program (NFIP), administered by FEMA. The NFIP maps flood-prone regions throughout the nation. Communities that voluntarily adopt NFIP building standards and land use controls intended to minimize flood damages and property losses in those areas make their residents and businesses eligible for guaranteed flood insurance coverage. About 19,000 communities participate in the program.

Web: <<http://www.fema.gov/nfip>>.

National Marine Sanctuary Program

NOAA administers the National Marine Sanctuary Program, created by Title III of the Marine Protection, Research, and Sanctuaries Act of 1972. The Act authorizes the Secretary of Commerce to designate discrete areas of the marine environment as national marine sanctuaries to protect distinctive natural and cultural resources. There are currently thirteen national marine sanctuaries in the program.

Web: <<http://www.sanctuaries.nos.noaa.gov>>.

See Section 3 (Federal Laws): Marine Protection, Research, and Sanctuaries Act.

National Oceanographic Partnership Program

The National Oceanographic Partnership Program (NOPP) promotes and funds research partnerships among federal agencies, academia, industry, and other members of the oceanographic scientific community to further ocean knowledge. Among NOPP programs is Ocean.US, which coordinates the development of the Integrated Ocean Observing System. NOPP is governed by the National Ocean Research Leadership Council.

Web: <http://www.coreocean.org/Dev2Go.web?Anchor=nopp_home_page&rnd=5308>.

See Section 2 (Federal Commissions, Committees, and Councils): National Ocean Research Leadership Council.
See also Section 3 (Federal Laws): National Oceanographic Partnership Act.

National Park System

The National Park System, administered by the National Park Service, includes a number of national parks in coastal or ocean areas, including in Florida, Alaska, Maine, Michigan, California, U.S. Virgin Islands, and American Samoa. Other ocean and coastal elements of the system include national seashores (ten national seashores on the Atlantic, Gulf and Pacific coasts), national lakeshores (four, all on the Great Lakes), and a number of national monuments (landmarks, structures, and other items of historic or scientific interest situated on federal lands).

Web: <<http://www.nps.gov>>.

National Sea Grant College Program

The National Sea Grant College Program's ocean, coastal, and Great Lakes research, education, technology transfer, and outreach activities are implemented by a network of programs at thirty universities and scientific institutions around the nation. The program was modeled on the research and extension activities of the nation's land grant universities.

NOAA administers the program.

Web: <<http://www.nsgo.seagrant.org>>.

See Section 3 (Federal Laws): National Sea Grant College Act.

National Status and Trends Program

The objective of NOAA's National Status and Trends Program is to evaluate and detect changes in the environmental quality of the nation's estuarine and coastal waters. The program conducts monitoring of contaminants and other environmental conditions at approximately 350 sites nationwide.

Web: <<http://ccma.nos.noaa.gov>>.

National Stream Quality Accounting Network

USGS conducts long-term water quality and quantity monitoring through the National Stream Quality Accounting Network at fixed locations on large rivers around the country. Currently, this program focuses on monitoring the water quality of the nation's largest rivers—the Mississippi, Columbia, Colorado, Rio Grande, and Yukon. Consequently, most coastal regions are left out of the monitoring network.

Web: <<http://water.usgs.gov/nasqan>>.

National Streamflow Information Program

USGS operates the National Streamflow Information Program, a network of about 7,000 stream gages nationwide. (About 6,000 of these stations are telemetered by an Earth-satellite-based communications system.) The majority of the stream-gaging stations are jointly funded in partnerships with more than 800 state, local, and tribal governments or other federal agencies.

Web: <<http://water.usgs.gov/nsip>>.

National Water Quality Assessment

USGS operates the National Water Quality Assessment, which uses a regional focus to study status and trends in water, sediment, and biota in forty-two major river basins and aquifer systems. This effort has made considerable progress toward assessing current water quality conditions and long-term trends.

Web: <<http://water.usgs.gov/nawqa>>.

National Wildlife Refuge System

The National Wildlife Refuge System, administered by the USFWS, encompasses over 95 million acres on more than 540 refuges and waterfowl production areas dedicated to the protection and conservation of the nation's wildlife resources. In 1966, legislation (Pub. L. 89-669; 16 U.S.C. § 668dd) codified the system, which was first established by executive order of President Theodore Roosevelt as a network of wildlife refuges and ranges, areas for the protection and conservation of fish and wildlife threatened with extinction, game ranges, wildlife management areas, and waterfowl production areas.

Web: <<http://refuges.fws.gov>>.