

115TH CONGRESS
1ST SESSION

S. 110

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2017

Ms. BALDWIN (for herself, Ms. MURKOWSKI, Mr. SULLIVAN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Digital Coast Act”.

3 **SEC. 2. FINDINGS.**

4 Congress makes the following findings:

5 (1) The Digital Coast is a model approach for
6 effective Federal partnerships with State and local
7 government, nongovernmental organizations, and the
8 private sector.

9 (2) Access to current, accurate, uniform, and
10 standards-based geospatial information, tools, and
11 training to characterize the United States coastal re-
12 gion is critical for public safety and for the environ-
13 ment, infrastructure, and economy of the United
14 States.

15 (3) More than half of all people of the United
16 States (153,000,000) currently live on or near a
17 coast and an additional 12,000,000 are expected in
18 the next decade.

19 (4) Coastal counties in the United States aver-
20 age 300 persons per square mile, compared with the
21 national average of 98.

22 (5) On a typical day, more than 1,540 permits
23 for construction of single-family homes are issued in
24 coastal counties, combined with other commercial,
25 retail, and institutional construction to support this
26 population.

1 (6) Over half of the economic productivity of
2 the United States is located within coastal regions.

3 (7) Highly accurate, high-resolution remote
4 sensing and other geospatial data play an increas-
5 ingly important role in decision making and manage-
6 ment of the coastal zone and economy, including
7 for—

8 (A) flood and coastal storm surge pre-
9 diction;

10 (B) hazard risk and vulnerability assess-
11 ment;

12 (C) emergency response and recovery plan-
13 ning;

14 (D) community resilience to longer range
15 coastal change;

16 (E) local planning and permitting;

17 (F) habitat and ecosystem health assess-
18 ments; and

19 (G) landscape change detection.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) COASTAL REGION.—The term “coastal re-
23 gion” means the area of United States waters ex-
24 tending inland from the shoreline to include coastal
25 watersheds and seaward to the territorial sea.

1 (2) COASTAL STATE.—The term “coastal
2 State” has the meaning given the term “coastal
3 state” in section 304 of the Coastal Zone Manage-
4 ment Act of 1972 (16 U.S.C. 1453).

5 (3) FEDERAL GEOGRAPHIC DATA COM-
6 MITTEE.—The term “Federal Geographic Data
7 Committee” means the interagency committee that
8 promotes the coordinated development, use, sharing,
9 and dissemination of geospatial data on a national
10 basis.

11 (4) REMOTE SENSING AND OTHER
12 GEOSPATIAL.—The term “remote sensing and other
13 geospatial” means collecting, storing, retrieving, or
14 disseminating graphical or digital data depicting
15 natural or manmade physical features, phenomena,
16 or boundaries of the Earth and any information re-
17 lated thereto, including surveys, maps, charts, sat-
18 ellite and airborne remote sensing data, images,
19 LiDAR, and services performed by professionals
20 such as surveyors, photogrammetrists, hydrog-
21 raphers, geodesists, cartographers, and other such
22 services.

23 (5) SECRETARY.—The term “Secretary” means
24 the Secretary of Commerce, acting through the Ad-

1 administrator of the National Oceanic and Atmos-
2 pheric Administration.

3 **SEC. 4. ESTABLISHMENT OF THE DIGITAL COAST.**

4 (a) ESTABLISHMENT.—

5 (1) IN GENERAL.—The Secretary shall establish
6 a program for the provision of an enabling platform
7 that integrates geospatial data, decision-support
8 tools, training, and best practices to address coastal
9 management issues and needs. Under the program,
10 the Secretary shall strive to enhance resilient com-
11 munities, ecosystem values, and coastal economic
12 growth and development by helping communities ad-
13 dress their issues, needs, and challenges through
14 cost-effective and participatory solutions.

15 (2) DESIGNATION.—The program established
16 under paragraph (1) shall be known as the “Digital
17 Coast” (in this section referred to as the “pro-
18 gram”).

19 (b) PROGRAM REQUIREMENTS.—In carrying out the
20 program, the Secretary shall ensure that the program pro-
21 vides data integration, tool development, training, docu-
22 mentation, dissemination, and archive by—

23 (1) making data and resulting integrated prod-
24 ucts developed under this section readily accessible
25 via the Digital Coast Internet website of the Na-

1 tional Oceanic and Atmospheric Administration, the
2 GeoPlatform.gov and data.gov Internet websites, and
3 such other information distribution technologies as
4 the Secretary considers appropriate;

5 (2) developing decision-support tools that use
6 and display resulting integrated data and provide
7 training on use of such tools;

8 (3) documenting such data to Federal Geo-
9 graphic Data Committee standards; and

10 (4) archiving all raw data acquired under this
11 Act at the appropriate National Oceanic and Atmos-
12 pheric Administration data center or such other
13 Federal data center as the Secretary considers ap-
14 propriate.

15 (c) COORDINATION.—The Secretary shall coordinate
16 the activities carried out under the program to optimize
17 data collection, sharing and integration, and to minimize
18 duplication by—

19 (1) consulting with coastal managers and deci-
20 sion makers concerning coastal issues, and sharing
21 information and best practices, as the Secretary con-
22 siders appropriate, with—

23 (A) coastal States;

24 (B) local governments; and

1 (C) representatives of academia, the pri-
2 vate sector, and nongovernmental organizations;

3 (2) consulting with other Federal agencies, in-
4 cluding interagency committees, on relevant Federal
5 activities, including activities carried out under the
6 Ocean and Coastal Mapping Integration Act (33
7 U.S.C. 3501 et seq.), the Coastal Zone Management
8 Act of 1972 (16 U.S.C. 1451 et seq.), the Integrated
9 Coastal and Ocean Observation System Act of 2009
10 (33 U.S.C. 3601 et seq.), and the Hydrographic
11 Services Improvement Act of 1998 (33 U.S.C. 892
12 et seq.);

13 (3) participating, pursuant to section 216 of the
14 E-Government Act of 2002 (Public Law 107-347;
15 44 U.S.C. 3501 note), in the establishment of such
16 standards and common protocols as the Secretary
17 considers necessary to assure the interoperability of
18 remote sensing and other geospatial data with all
19 users of such information within—

20 (A) the National Oceanic and Atmospheric
21 Administration;

22 (B) other Federal agencies;

23 (C) State and local government; and

24 (D) the private sector;

1 (4) coordinating with, seeking assistance and
2 cooperation of, and providing liaison to the Federal
3 Geographic Data Committee pursuant to Office of
4 Management and Budget Circular A-16 and Execu-
5 tive Order 12906 of April 11, 1994 (59 Fed. Reg.
6 17671), as amended by Executive Order 13286 of
7 February 28, 2003 (68 Fed. Reg. 10619); and

8 (5) developing and maintaining a best practices
9 document that sets out the best practices used by
10 the Secretary in carrying out the program and pro-
11 viding such document to the United States Geologi-
12 cal Survey, the Corps of Engineers, and other rel-
13 evant Federal agencies.

14 (d) FILLING NEEDS AND GAPS.—In carrying out the
15 program, the Secretary shall—

16 (1) maximize the use of remote sensing and
17 other geospatial data collection activities conducted
18 for other purposes and under other authorities;

19 (2) focus on filling data needs and gaps for
20 coastal management issues, including with respect to
21 areas that, as of the date of the enactment of this
22 Act, were underserved by coastal data and the areas
23 of the Arctic that are under the jurisdiction of the
24 United States;

1 (3) pursuant to the Ocean and Coastal Map-
2 ping Integration Act (33 U.S.C. 3501 et seq.), sup-
3 port continue improvement in existing efforts to co-
4 ordinate the acquisition and integration of key data
5 sets needed for coastal management and other pur-
6 poses, including—

7 (A) coastal elevation data;

8 (B) land use and land cover data;

9 (C) socioeconomic and human use data;

10 (D) critical infrastructure data;

11 (E) structures data;

12 (F) living resources and habitat data;

13 (G) cadastral data; and

14 (H) aerial imagery; and

15 (4) integrate the priority supporting data set
16 forth under paragraph (3) with other available data
17 for the benefit of the broadest measure of coastal re-
18 source management constituents and applications.

19 (e) FINANCIAL AGREEMENTS AND CONTRACTS.—

20 (1) IN GENERAL.—In carrying out the program,
21 the Secretary—

22 (A) may enter into financial agreements to
23 carry out the program, including—

1 (i) support to non-Federal entities
2 that participate in implementing the pro-
3 gram; and

4 (ii) grants, cooperative agreements,
5 interagency agreements, contracts, or any
6 other agreement on a reimbursable or non-
7 reimbursable basis, with other Federal,
8 tribal, State, and local governmental and
9 nongovernmental entities; and

10 (B) may, to the maximum extent prac-
11 ticable, enter into such contracts with private
12 sector entities for such products and services as
13 the Secretary determines may be necessary to
14 collect, process, and provide remote sensing and
15 other geospatial data and products for purposes
16 of the program.

17 (2) FEES.—

18 (A) ASSESSMENT AND COLLECTION.—The
19 Secretary may assess and collect fees for the
20 conduct of any training, workshop, or con-
21 ference that advances the purposes of the pro-
22 gram.

23 (B) AMOUNTS.—The amount of a fee
24 under this paragraph may not exceed the sum
25 of costs incurred, or expected to be incurred, by

1 the Secretary as a direct result of the conduct
2 of the training, workshop, or conference, includ-
3 ing for subsistence expenses incidental to the
4 training, workshop, or conference, as applicable.

5 (C) USE OF FEES.—Amounts collected by
6 the Secretary in the form of fees under this
7 paragraph may be used to pay for—

8 (i) the costs incurred for conducting
9 an activity described in subparagraph (A);
10 or

11 (ii) the expenses described in subpara-
12 graph (B).

13 (3) SURVEY AND MAPPING.—Contracts entered
14 into under paragraph (1)(B) shall be considered
15 “surveying and mapping” services as such term is
16 used in and as such contracts are awarded by the
17 Secretary in accordance with the selection proce-
18 dures in chapter 11 of title 40, United States Code.

19 (f) OCEAN ECONOMY.—The Secretary may establish
20 publically available tools that track ocean and Great Lakes
21 economy data for each coastal State.

22 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Secretary \$4,000,000

1 for each fiscal year 2018 through 2022 to carry out the
2 program.

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