

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4640

To establish a Gulf of Maine Council to promote the economic development and ensure the environmental quality of the Gulf of Maine, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 1994

Mr. ANDREWS of Maine (for himself and Mr. STUDDS) introduced the following bill; which was referred jointly to the Committees on Merchant Marine and Fisheries, Foreign Affairs, and Public Works and Transportation

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## A BILL

To establish a Gulf of Maine Council to promote the economic development and ensure the environmental quality of the Gulf of Maine, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Gulf of Maine Act of  
5       1994”.

1 **SEC. 2. FINDINGS.**

2 (a) ECONOMIC FINDINGS.—Congress makes the fol-  
3 lowing findings regarding economic activities in the Gulf  
4 of Maine region:

5 (1) The Gulf provides significant commercial  
6 benefits to the United States and Canada. The com-  
7 mercial fishing industry of the Gulf is valued at  
8 more than \$800,000,000. Approximately 20,000  
9 United States and Canadian citizens fish the marine  
10 resources of the Gulf.

11 (2) The Gulf is an important recreational re-  
12 source because the Gulf—

13 (A) is within 1 day's drive of 75,600,000  
14 people;

15 (B) contains 3 United States and Cana-  
16 dian national parks and 1 United States na-  
17 tional marine sanctuary; and

18 (C) attracts approximately 10,000,000 visi-  
19 tors annually.

20 (3) The Gulf provides diverse livelihoods rang-  
21 ing from tourism-based employment to seaweed  
22 harvesting.

23 (b) ECOLOGICAL FINDINGS.—Congress makes the  
24 following findings regarding the ecological status of the  
25 Gulf of Maine region:

1           (1) The Gulf supports a wide diversity of ma-  
2           rine life, including 100 species of birds, 73 species  
3           of fish, and 26 types of whales, porpoises, and seals,  
4           including 30 federally listed endangered species in-  
5           cluding the bald eagle, sea turtle, humpback whale,  
6           and sperm whale.

7           (2) The Gulf of Maine region is experiencing  
8           environmental problems, including—

9                   (A) high levels of toxic contaminants in  
10                  deep basin sediments of the Gulf, as well as in  
11                  organisms within the Gulf of Maine ecosystem,  
12                  including the bald eagle and the American  
13                  lobster;

14                  (B) concerns about human health that  
15                  have resulted in the closure of about  $\frac{1}{3}$  of Gulf  
16                  shellfish beds, resulting in economic losses in  
17                  communities around the Gulf;

18                  (C) the increasing loss of habitat in the  
19                  Gulf region, which results in diminished coastal  
20                  and estuarine habitats important to migratory  
21                  waterfowl and commercially valuable fish spe-  
22                  cies; and

23                  (D) the escalating impact of recreational  
24                  use on the Gulf ecosystem.

1 (c) MANAGEMENT FINDINGS.—Congress makes the  
2 following findings regarding the management of the Gulf  
3 of Maine region:

4 (1) The natural resources of the Gulf are inter-  
5 connected, forming an ecosystem that transcends po-  
6 litical boundaries and that is a public resource that  
7 needs national attention.

8 (2) The efforts of the States of Maine, Massa-  
9 chusetts, and New Hampshire, and of the Canadian  
10 Provinces of Nova Scotia and New Brunswick, to  
11 form a Gulf of Maine Council on the Marine Envi-  
12 ronment have laid a foundation for future efforts to  
13 protect and conserve the Gulf.

14 (3) There is a need to continue and expand the  
15 research, monitoring, management, and development  
16 activities within the Gulf and to coordinate the ac-  
17 tivities.

18 **SEC. 3. DEFINITIONS.**

19 As used in this Act:

20 (1) ADMINISTRATOR.—The term “Adminis-  
21 trator” means the Administrator of the Environ-  
22 mental Protection Agency.

23 (2) AGREEMENT.—The term “Agreement”  
24 means the Gulf of Maine Agreement developed  
25 under section 4(c)(1).

1           (3) COMMISSION.—The term “Commission”  
2 means the St. Croix International Waterway Com-  
3 mission established under chapter 8 of title 38 of the  
4 Maine Revised Statutes.

5           (4) GULF OF MAINE COUNCIL.—The terms  
6 “Gulf of Maine Council” and “Council” mean the  
7 Gulf of Maine Council established under section 4.

8           (5) GULF OF MAINE REGION.—The term “Gulf  
9 of Maine region” means the Bay of Fundy, the Gulf  
10 of Maine, including Georges Bank, and the streams,  
11 rivers, lakes, and other bodies of water, and the as-  
12 sociated land mass of the bodies of water, within the  
13 drainage basin of the Gulf of Maine, together with  
14 the ecological community of the Gulf of Maine.

15           (6) MANAGEMENT COUNCIL.—The term “Man-  
16 agement Council” means the New England Fishery  
17 Management Council established under section  
18 302(a)(1) of the Magnuson Fishery Conservation  
19 and Management Act (16 U.S.C. 1852(a)(1)).

20           (7) SECRETARY.—The term “Secretary” means  
21 the Secretary of Commerce.

22 **SEC. 4. GULF OF MAINE COUNCIL.**

23           (a) ESTABLISHMENT.—

24           (1) IN GENERAL.—There is authorized to be es-  
25 tablished a Gulf of Maine Council to promote the en-

1 vironmental and economic health of the Gulf of  
2 Maine region.

3 (2) PURPOSE.—The purpose of the Gulf of  
4 Maine Council shall be to facilitate the coordination  
5 of governmental and nongovernmental activities re-  
6 lated to the Gulf of Maine region, including—

7 (A) economic development, including the  
8 coordination and prioritization of applications  
9 for assistance submitted under section 5;

10 (B) environmental assessment and man-  
11 agement;

12 (C) fisheries habitat improvement and  
13 management;

14 (D) marine research; and

15 (E) education and understanding concern-  
16 ing ecological and cultural resources.

17 (3) INITIAL ORGANIZATION.—On receiving a  
18 written agreement of the Governors of Maine, Mas-  
19 sachusetts, and New Hampshire, and the Premiers  
20 of Nova Scotia and New Brunswick, that is jointly  
21 signed by each such Governor and Premier, to estab-  
22 lish the Gulf of Maine Council in accordance with  
23 this section, and the nominations of the Governors  
24 and the Premiers to the Gulf of Maine Council, Con-

1 gress shall consider the Gulf of Maine Council to be  
2 established.

3 (4) FEDERAL ADVISORY COMMITTEE ACT.—The  
4 Federal Advisory Committee Act (5 U.S.C. App. 2)  
5 shall not apply to any entity established under this  
6 Act.

7 (b) MEMBERSHIP, AUTHORITY, AND FUNDING OF  
8 COUNCIL.—

9 (1) MEMBERSHIP AND PERSONNEL.—

10 (A) MEMBERSHIP.—Not later than 180  
11 days after the date of enactment of this Act,  
12 the Governors of Maine, Massachusetts, and  
13 New Hampshire and the Premiers of Nova Sco-  
14 tia and New Brunswick shall each appoint 3  
15 representatives to the Gulf of Maine Council.  
16 The representatives of the Provinces shall be ex  
17 officio members of the Council.

18 (B) TERMS.—The term of each member of  
19 the Gulf of Maine Council shall be 3 years, ex-  
20 cept that, in the case of initial appointments,  
21 the Governors and Premiers shall each appoint  
22 1 member to a term of 2 years, 1 member to  
23 a term of 3 years, and 1 member to a term of  
24 4 years.

1 (C) EXECUTIVE SECRETARY AND STAFF.—  
2 The Gulf of Maine Council may employ an execu-  
3 tive secretary and such support staff as are  
4 necessary to assist the Council, and the Boards  
5 and Councils referred to in sections 5 through  
6 8, in carrying out their duties, including the co-  
7 ordination of plans and programs developed  
8 under sections 5 through 8.

9 (D) TRAVEL EXPENSES.—A member of the  
10 Gulf of Maine Council who is not an employee  
11 of the Federal Government or a State govern-  
12 ment, while away from the home or regular  
13 place of business of the member in performing  
14 a duty of the Council, shall be allowed travel ex-  
15 penses, including per diem in lieu of subsist-  
16 ence, in the same manner as a person employed  
17 intermittently in the Government service is al-  
18 lowed expenses under section 5703 of title 5,  
19 United States Code.

20 (2) DECISIONMAKING.—The Gulf of Maine  
21 Council—

22 (A) may establish such bylaws and deci-  
23 sionmaking processes as the Council determines  
24 are necessary; and

1 (B) shall meet not less often than annu-  
2 ally.

3 (3) FINANCIAL SUPPORT.—

4 (A) IN GENERAL.—

5 (i) ANNUAL BUDGET.—The Gulf of  
6 Maine Council shall annually adopt by con-  
7 sensus a budget for the activities of the  
8 Council.

9 (ii) STATE SUPPORT.—Each State  
10 represented on the Gulf of Maine Council  
11 shall provide to the Council a payment in  
12 an amount equal to the quotient obtained  
13 by dividing—

14 (I) the United States portion of  
15 the budget adopted under clause (i);  
16 by

17 (II) the number of States rep-  
18 resented on the Council.

19 (iii) FEDERAL CONTRIBUTIONS.—The  
20 Government of the United States may  
21 make the payment required of a State  
22 under clause (ii).

23 (B) SUPPLEMENTAL FUNDING.—The Gulf  
24 of Maine Council may accept, from the Govern-  
25 ment of the United States, the Government of

1 Canada, other agencies, corporations, organiza-  
2 tions, and individuals, funds for activities or  
3 projects to supplement funds made available to  
4 the Council under subparagraph (A).

5 (4) GULF OF MAINE ADVISORY GROUP.—

6 (A) IN GENERAL.—The Gulf of Maine  
7 Council shall establish a Gulf of Maine Advisory  
8 Group (referred to in this section as the “Advi-  
9 sory Group”) to advise the Council, the Gov-  
10 ernors of Maine, Massachusetts, and New  
11 Hampshire, and the Premiers of Nova Scotia  
12 and New Brunswick on the implementation of  
13 this Act.

14 (B) COMPOSITION.—The members of the  
15 Advisory Group shall be appointed by the Gov-  
16 ernors and Premiers in coordination with the  
17 Gulf of Maine Council and shall include not  
18 more than 15 members, including representa-  
19 tives of the public, the fishing community, the  
20 scientific community, nonprofit organizations,  
21 and local governments.

22 (c) GULF OF MAINE AGREEMENT.—

23 (1) IN GENERAL.—Not later than 2 years after  
24 the date of enactment of this Act, the Gulf of Maine  
25 Council shall develop and adopt a Gulf of Maine

1 Agreement. The Agreement shall set forth general  
2 priorities and guidelines for the protection, assess-  
3 ment, management, and sustainable development of  
4 the Gulf of Maine region for the 10 years after the  
5 date of adoption of the Agreement. The Gulf of  
6 Maine Council shall oversee the implementation of  
7 the Agreement.

8 (2) ELEMENTS OF AGREEMENT.—The Agree-  
9 ment shall, at a minimum—

10 (A) describe long-term goals for environ-  
11 mental protection and sustainable economic de-  
12 velopment in the Gulf of Maine region;

13 (B) identify opportunities for improved co-  
14 ordination of activities relating to—

15 (i) economic development;

16 (ii) fisheries management;

17 (iii) environmental assessment and  
18 protection;

19 (iv) marine research; and

20 (v) education;

21 (C) be consistent with all relevant Federal  
22 and State laws;

23 (D) incorporate, to the maximum extent  
24 practicable, ongoing planning efforts being con-

1 ducted by coastal communities and members of  
2 the fishing community;

3 (E) establish parameters and criteria to  
4 monitor and evaluate the effectiveness of ac-  
5 tions taken under this Act and measures to re-  
6 spond to evaluation results; and

7 (F) facilitate and coordinate public edu-  
8 cation and awareness concerning the environ-  
9 ment and economy of the Gulf of Maine region.

10 (3) REVIEW.—

11 (A) ADVISORY GROUP.—The Gulf of Maine  
12 Council shall provide for the participation of the  
13 Advisory Group in the development of the  
14 Agreement.

15 (B) PUBLIC REVIEW AND COMMENT.—The  
16 Gulf of Maine Council shall provide for public  
17 review and comment on the Agreement prior to  
18 adoption, including, at a minimum, a public  
19 hearing in each State and Province represented  
20 on the Gulf of Maine Council.

21 (4) ADOPTION.—After considering the com-  
22 ments of the Advisory Group and the public, the  
23 Gulf of Maine Council shall make appropriate  
24 changes to the Agreement and adopt the Agreement

1 with appropriate implementation mechanisms if the  
2 Agreement is consistent with this Act.

3 (5) PROGRESS REPORT AND REVISION OF  
4 AGREEMENT.—Not later than 5 years after the date  
5 of adoption of the Agreement, the Gulf of Maine  
6 Council shall prepare a report that assesses the ex-  
7 tent of progress in attaining the goals of this Act  
8 and make such revisions to the Agreement and the  
9 structure of the Council as the Council determines  
10 are appropriate. The report shall identify opportuni-  
11 ties to enhance mutual cooperation and coordination  
12 between the United States and Canada concerning  
13 the Gulf of Maine region. The report shall be sub-  
14 mitted to Congress, the Secretary, the Secretary of  
15 the Interior, the Administrator, and the heads of  
16 other appropriate Federal, State, and local agencies  
17 and organizations.

18 (6) EXTENT OF AUTHORITY.—

19 (A) IN GENERAL.—Subject to subpara-  
20 graph (C), the Gulf of Maine Council may re-  
21 view, to the extent consistent with applicable  
22 law, the activities of international, Federal,  
23 State, and Provincial entities in the Gulf of  
24 Maine region and make recommendations to the

1 entities regarding the compatibility of the ac-  
2 tivities with the Agreement.

3 (B) REVIEW OF PLANS.—The Gulf of  
4 Maine Council shall review plans prepared by  
5 the Boards and Councils referred to in sections  
6 5 through 8 to ensure that the plans are con-  
7 sistent with each other and with the goals and  
8 priorities established in the Agreement.

9 (C) LIMITATIONS.—No action or rec-  
10 ommendation authorized under this section—

11 (i) binds or obligates any department,  
12 agency, officer, or Act of the Federal Gov-  
13 ernment, any State government, any In-  
14 dian tribe, or any international entity es-  
15 tablished by treaty with authority relating  
16 to the Gulf of Maine region, unless this  
17 Act specifically provides otherwise; or

18 (ii) limits the authority of the United  
19 States to enter into treaties.

20 (d) REPORT.—Not later than 12 years after the date  
21 of enactment of this Act, the Gulf of Maine Council shall  
22 submit a report to Congress and the President on the ac-  
23 tivities of the Gulf of Maine Council and the effectiveness  
24 of this Act in promoting the economic and environmental  
25 health of the Gulf of Maine region. The report shall in-

1 clude recommendations for such administrative and legis-  
2 lative action as the Council considers advisable.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated such sums as are nec-  
5 essary to carry out this section.

6 **SEC. 5. ECONOMIC ASSISTANCE FOR THE GULF OF MAINE**  
7 **REGION.**

8 (a) ECONOMIC DEVELOPMENT BOARD.—

9 (1) ESTABLISHMENT.—The Gulf of Maine  
10 Council, in cooperation with the Economic Develop-  
11 ment Administration and the National Oceanic and  
12 Atmospheric Administration of the Department of  
13 Commerce, shall establish an Economic Development  
14 Board (referred to in this subsection as the  
15 “Board”) to develop and implement a long-term  
16 plan for coordinating environmentally sound eco-  
17 nomic assistance for the Gulf of Maine region pro-  
18 vided under this section and from other sources.

19 (2) PURPOSE AND DUTIES.—The purpose of the  
20 Board shall be to identify economic assistance prior-  
21 ities and projects with the greatest potential to aid  
22 the restoration of both the economic and ecological  
23 health of the Gulf of Maine region. The Board shall  
24 provide grantmaking agencies and organizations  
25 with the information referred to in the preceding

1 sentence and shall carry out the responsibilities of  
2 the Council referred to in section 4(a)(2)(A).

3 (3) MEMBERS.—The Board shall consist of  
4 such individuals as the members of the Gulf of  
5 Maine Council determine are appropriate and should  
6 include representatives of the Economic Develop-  
7 ment Administration, the Office of Sustainable De-  
8 velopment, and the Small Business Administration  
9 of the Department of Commerce, the Department of  
10 Labor, and State agencies and private entities in-  
11 volved in economic development activities in the Gulf  
12 of Maine region. The individuals who represent  
13 Provinces shall be ex officio members of the Board.

14 (4) ANNUAL PLAN.—The Board shall prepare  
15 an annual plan that identifies goals and objectives  
16 for environmentally sound economic assistance (in-  
17 cluding high-priority projects), describes the status  
18 of any ongoing projects, and reflects the goals and  
19 priorities established in the Agreement. The Board  
20 shall provide for public review of and comment on  
21 the plan. Prior to release of the plan for public re-  
22 view, the Boards and Councils referred to in sections  
23 6 through 8 shall review and comment on the plan.

24 (b) PLANNING GRANTS.—

1           (1) IN GENERAL.—In accordance with this sub-  
2           section, the Secretary may provide planning grants  
3           to the Gulf of Maine Council for a period of 1 year  
4           for 100 percent of the total project cost, as deter-  
5           mined by the Secretary. In carrying out this para-  
6           graph, the Secretary may enter into a cooperative  
7           agreement with the Council.

8           (2) ELIGIBLE ACTIVITIES.—A cooperative  
9           agreement under this subsection shall be made avail-  
10          able through the Economic Development Administra-  
11          tion of the Department of Commerce for the plan-  
12          ning of economic development programs designed  
13          specifically to retain or create full-time permanent  
14          jobs and income for individuals who are unemployed  
15          or underemployed as a result of the implementation  
16          of fishery management regulations imposed by the  
17          Federal Government that have a severe economic im-  
18          pact on communities in the Gulf of Maine region.

19          (c) TECHNICAL ASSISTANCE.—

20               (1) IN GENERAL.—In accordance with this sub-  
21               section, the Secretary may provide grants for local  
22               technical assistance to the Gulf of Maine Council  
23               through the Economic Development Administration  
24               of the Department of Commerce in an amount equal

1 to not more than 75 percent of the total project  
2 cost, as determined by the Secretary.

3 (2) ELIGIBLE ACTIVITIES.—Activities eligible  
4 for assistance under this subsection include—

5 (A) enabling the building and expansion of  
6 local organizational capacity;

7 (B) technical or market feasibility studies;

8 (C) collecting and disseminating informa-  
9 tion relevant to diversification efforts, including  
10 stock projections, market forecasts, inter-  
11 national trade opportunities, and technology  
12 needs assessment;

13 (D) conversion assistance for new  
14 nonfishing occupations, including financial sup-  
15 port for regional business development efforts,  
16 and technology needs assessment;

17 (E) restoration of natural resources, such  
18 as the building of fish passages and the restora-  
19 tion of wetlands and shellfish harvesting areas,  
20 that will enhance economic opportunities for  
21 Gulf of Maine communities; and

22 (F) otherwise responding to developmental  
23 opportunities for individuals unemployed or un-  
24 deremployed as a result of the implementation  
25 of fishery management regulations imposed by

1           the Federal Government that have a severe eco-  
2           nomic impact on communities in the Gulf of  
3           Maine region.

4           (d) ELIGIBLE APPLICANTS.—

5           (1) GRANTS.—The sole eligible applicant to re-  
6           ceive grants under this section shall be the Gulf of  
7           Maine Council, on behalf of the Gulf of Maine region  
8           which shall be deemed to be an economic develop-  
9           ment district for the purpose of part B of title IV  
10          of the Public Works and Economic Development Act  
11          of 1965 (42 U.S.C. 3171 et seq.).

12          (2) SUBGRANTS.—The Gulf of Maine Council  
13          shall use grants received under this section to pro-  
14          vide assistance for activities referred to in this sec-  
15          tion to eligible applicants, including public and pri-  
16          vate nonprofit national, State, area, district, and  
17          local organizations, units of local government, and  
18          public and private colleges and universities.

19          (e) AUTHORIZATION OF APPROPRIATIONS.—There  
20          are authorized to be appropriated such sums as are nec-  
21          essary to carry out this section.

22   **SEC. 6. FISHERY MANAGEMENT PLANS.**

23          (a) COORDINATION WITH EXISTING PROGRAM.—

24                  (1) IN GENERAL.—The Gulf of Maine Council  
25          shall cooperate with the New England Fishery Man-

1       agement Council established under title III of the  
2       Magnuson Fishery Conservation and Management  
3       Act (16 U.S.C. 1851 et seq.).

4           (2) AUTHORITY.—The Management Council  
5       shall continue to exercise the authorities and respon-  
6       sibilities established in title III of such Act (16  
7       U.S.C. 1851 et seq.) and shall also participate, as  
8       described in subsection (b)(1)(A), with the Gulf of  
9       Maine Council and with other organizations estab-  
10      lished under this Act in cooperative efforts to pro-  
11      mote the environmental and economic health of the  
12      Gulf of Maine region.

13      (b) RECOMMENDATIONS BY THE GULF OF MAINE  
14      COUNCIL.—

15           (1) RECOMMENDATIONS.—

16           (A) TO MANAGEMENT COUNCIL.—The Gulf  
17      of Maine Council may, after notice and oppor-  
18      tunity for public comment, develop rec-  
19      ommendations to submit to the Management  
20      Council on any fishery management plan being  
21      considered by the Management Council, if the  
22      Gulf of Maine Council determines that the rec-  
23      ommendations are necessary to make the fish-  
24      ery management plan reflect the goals and pri-  
25      orities established in the Agreement. The rec-

1           ommendations shall be submitted during the  
2           applicable public comment period established  
3           under title III of the Magnuson Fishery Con-  
4           servation and Management Act (16 U.S.C.  
5           1851 et seq.).

6           (B) TO SECRETARY.—The Gulf of Maine  
7           Council may, after notice and opportunity for  
8           public comment, develop recommendations,  
9           based on the Agreement, to submit to the Sec-  
10          retary regarding any fishery management plan  
11          of the Management Council being considered by  
12          the Management Council or submitted to the  
13          Secretary, including asking the Secretary to  
14          convene a negotiated rulemaking provided for  
15          under subchapter III of chapter 5 of title 5,  
16          United States Code, for the management plan.  
17          The recommendations shall be submitted during  
18          the applicable public comment period estab-  
19          lished under section 304 of the Magnuson Fish-  
20          ery Conservation and Management Act (16  
21          U.S.C. 1854).

22          (2) APPROVAL BY THE COUNCIL.—The Gulf of  
23          Maine Council may submit recommendations under  
24          paragraph (1) only if the recommendations are ap-

1 proved by a majority of the voting members of the  
2 Gulf of Maine Council.

3 (3) REVIEW.—If the Secretary receives rec-  
4 ommendations prepared by the Gulf of Maine Coun-  
5 cil, the Secretary shall commence a review of the  
6 recommendations to determine whether the rec-  
7 ommendations are necessary to make any fishery  
8 management plan consistent with the Agreement.

9 (4) CONSULTATION.—In undertaking the review  
10 required under paragraph (3), the Secretary shall—

11 (A) give careful consideration to the com-  
12 ments and recommendations of the Gulf of  
13 Maine Council; and

14 (B) provide the Gulf of Maine Council,  
15 upon request, the opportunity to meet with and  
16 present the comments or recommendations of  
17 the Council directly to the Secretary during the  
18 applicable public comment period established  
19 under section 304 of the Magnuson Fishery  
20 Conservation and Management Act (16 U.S.C.  
21 1854).

22 (5) NONACCEPTANCE BY THE SECRETARY.—If  
23 the Secretary does not accept the recommendations  
24 reviewed under paragraph (3), the Secretary shall

1 specify the reasons the recommendations were not  
2 accepted.

3 (6) FINDINGS.—Notwithstanding any other law,  
4 if the Secretary concurs with the recommendations  
5 submitted by the Gulf of Maine Council under this  
6 subsection, the Secretary shall issue a finding to the  
7 Management Council requesting that the Manage-  
8 ment Council review the fishery management plan in  
9 light of the recommendations of the Gulf of Maine  
10 Council not later than 180 days after the issuance  
11 of the finding. The Secretary shall also inform the  
12 Gulf of Maine Council of the finding.

13 **SEC. 7. ENVIRONMENTAL MANAGEMENT AND ASSESSMENT**  
14 **PROGRAM.**

15 (a) ESTABLISHMENT.—

16 (1) IN GENERAL.—There is established an En-  
17 vironmental Management and Assessment Program  
18 (referred to in this subsection as the “Program”) for  
19 the Gulf of Maine region.

20 (2) MANAGEMENT OF PROGRAM.—

21 (A) IN GENERAL.—The Program shall be  
22 managed by the Gulf of Maine Council on the  
23 Marine Environment Working Group in exist-  
24 ence on the date of enactment of this Act (re-

1           ferred to in this section as the “Working  
2           Group”).

3           (B) MEMBERS.—The Working Group shall  
4           consist of such individuals as the members of  
5           the Gulf of Maine Council who represent States  
6           determine are appropriate. Membership should  
7           include representatives of Federal, State, and  
8           local governments and nonprofit organizations  
9           that have environmental management and as-  
10          sessment programs in the Gulf of Maine region.

11          (3) PARTICIPATION IN THE PROGRAM.—The  
12          Gulf of Maine Council shall ensure that—

13                (A) all Federal and State agencies that  
14                have environmental management and assess-  
15                ment programs in the Gulf of Maine region  
16                have an opportunity to participate in the Pro-  
17                gram; and

18                (B) the Program includes representation of  
19                the environmental management and assessment  
20                efforts being carried out by nongovernmental  
21                entities in the Gulf of Maine region.

22          (b) ENVIRONMENTAL MANAGEMENT AND ASSESS-  
23          MENT PLAN.—

24                (1) IN GENERAL.—Not later than 2 years after  
25                the Agreement is adopted, and after providing for

1 public review and comment, the Working Group  
2 shall publish a plan for improved environmental  
3 management and assessment in the Gulf of Maine  
4 region. Prior to release of the plan for public review,  
5 the Boards and Councils referred to in sections 5, 6,  
6 and 8 shall review and comment on the plan.

7 (2) CONTENTS OF PLAN.—The plan required  
8 under paragraph (1) shall—

9 (A) establish a comprehensive program for  
10 the long-term monitoring and assessment of the  
11 Gulf of Maine region, based on the Gulf of  
12 Maine Monitoring Plan established in 1990 by  
13 the Governors of Maine, Massachusetts, and  
14 New Hampshire, and the Premiers of Nova  
15 Scotia and New Brunswick;

16 (B) identify environmental protection and  
17 management programs being carried out in the  
18 Gulf of Maine region and make recommenda-  
19 tions for improving the effectiveness of the pro-  
20 grams and coordination among programs;

21 (C) identify and monitor priority habitat  
22 for the fish and wildlife species in the Gulf of  
23 Maine region and recommend measures for  
24 habitat conservation, including protection and  
25 restoration; and

1 (D) reflect the goals and priorities estab-  
2 lished in the Agreement.

3 (3) PLANNING AND IMPLEMENTATION  
4 GRANTS.—The Administrator, the Secretary of Com-  
5 merce, and the Secretary of the Interior may provide  
6 planning and implementation grants to the Gulf of  
7 Maine Council in an amount equal to not more than  
8 75 percent of the total project cost, as determined  
9 by the Administrator or the Secretary, respectively,  
10 for planning and implementing environmental man-  
11 agement and assessment projects under this section.  
12 In carrying out this paragraph, the Administrator  
13 and each Secretary may enter into a cooperative  
14 agreement with the Council.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated such sums as are nec-  
17 essary to carry out this section.

18 **SEC. 8. GULF OF MAINE RESEARCH.**

19 (a) COORDINATION WITH EXISTING PROGRAM.—

20 (1) IN GENERAL.—The Gulf of Maine Council  
21 shall cooperate with the Regional Marine Research  
22 Board for the Gulf of Maine region established  
23 under title IV of the Marine Protection, Research,  
24 and Sanctuaries Act of 1972 (16 U.S.C. 1447 et

1 seq.) and the Regional Association for Research on  
2 the Gulf of Maine.

3 (2) NEW AUTHORITY.—The Regional Marine  
4 Research Board for the Gulf of Maine region shall  
5 continue to exercise the authorities and responsibil-  
6 ities established in title IV of such Act (16 U.S.C.  
7 1447 et seq.) and shall also participate with the Gulf  
8 of Maine Council and with other organizations es-  
9 tablished under this Act in cooperative efforts to  
10 promote the environmental and economic health of  
11 the Gulf of Maine region.

12 (3) REGIONAL MARINE RESEARCH PLANS.—

13 (A) SCHEDULES.—The Regional Marine  
14 Research Board for the Gulf of Maine region  
15 may, in cooperation with the Gulf of Maine  
16 Council and with the approval of the Secretary,  
17 revise schedules for the development of research  
18 plans under section 404 of such Act (16 U.S.C.  
19 1447c) as appropriate to ensure the effective  
20 coordination of the plans and programs carried  
21 out under such Act with the activities and plans  
22 carried out under this Act.

23 (B) GOALS AND PRIORITIES.—The re-  
24 search plans referred to in subparagraph (A)  
25 shall reflect the goals and priorities established

1           in the Agreement. Each research plan shall be  
2           reviewed by the Boards and Councils referred  
3           to in sections 5 through 7 prior to approval of  
4           the plan.

5           (4) CONTINUATION OF PROGRAM.—Notwith-  
6           standing section 403(f) of the Marine Protection,  
7           Research, and Sanctuaries Act of 1972 (16 U.S.C.  
8           1447b(f)), the Regional Marine Research Board for  
9           the Gulf of Maine region shall continue to exist until  
10          the termination date specified in section 10.

11          (b) MEMBERSHIP.—

12           (1) CURRENT STRUCTURE.—The membership  
13           of the Regional Marine Research Board for the Gulf  
14           of Maine region shall be as established under section  
15           403 of such Act (16 U.S.C. 1447b).

16           (2) RESEARCH ADVISORY GROUP.—The Gulf of  
17           Maine Council may establish a Gulf of Maine Re-  
18           search Advisory Group consisting of such individuals  
19           as the members of the Gulf of Maine Council who  
20           represent Provinces identify as appropriate to rep-  
21           resent the marine research interests, including fish-  
22           eries science and environmental quality, of the Prov-  
23           inces. The members of the Research Advisory Group  
24           shall, to the extent practicable, be selected in a man-

1 ner consistent with paragraphs (1) and (2) of sec-  
2 tion 403(b) of such Act (16 U.S.C. 1447b(b)).

3 (c) AUTHORIZATION OF APPROPRIATIONS.—Notwith-  
4 standing section 407 of such Act (16 U.S.C. 1447f), there  
5 are authorized to be appropriated such sums as are nec-  
6 essary to carry out this section.

7 **SEC. 9. ST. CROIX INTERNATIONAL WATERWAY COMMIS-**  
8 **SION.**

9 (a) IN GENERAL.—The Administrator may award  
10 grants to the St. Croix International Waterway Commis-  
11 sion to support the activities of the Commission.

12 (b) FEDERAL SHARE.—

13 (1) IN GENERAL.—The Federal share of a  
14 grant awarded under this section shall be 50 percent  
15 of the amount of the grant award.

16 (2) NON-FEDERAL SHARE.—The non-Federal  
17 share of a grant awarded under this section shall be  
18 50 percent of the amount of the grant award. Any  
19 person, including the State of Maine, the Province  
20 of New Brunswick, the Government of Canada, or  
21 any political subdivision thereof, may pay the non-  
22 Federal share.

23 (c) REPORTS.—

24 (1) SUBMISSION BY COMMISSION.—As a condi-  
25 tion of receiving a grant award under this section,

1 the Commission shall submit to the Administrator,  
2 by a date specified by the Administrator, an annual  
3 report on the activities of the Commission and the  
4 use by the Commission of the grant award.

5 (2) SUBMISSION BY ADMINISTRATOR.—As soon  
6 as practicable after receipt of the report under para-  
7 graph (1), the Administrator shall submit a copy of  
8 the report and any written recommendations con-  
9 cerning the report to the Committee on Environment  
10 and Public Works of the Senate and the Committee  
11 on Public Works and Transportation of the House  
12 of Representatives.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to the Environmental  
15 Protection Agency to carry out this section \$100,000 for  
16 each of fiscal years 1995 through 2000.

17 **SEC. 10. TERMINATION OF AUTHORITY.**

18 The authority provided by this Act (except for section  
19 9) shall terminate on the date that is 13 years after the  
20 date of enactment of this Act.

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