

Calendar No. 660

114TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 114-369

DIGITAL COAST ACT OF 2015

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 2325



OCTOBER 27, 2016.—Ordered to be printed
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

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Mr. THUNE, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 2325]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 2325) 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, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The purpose of S. 2325 is to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration (NOAA), 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 to support collection of priority coastal geospatial data to inform local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

BACKGROUND AND NEEDS

Thirty-nine percent of the population lives in shoreline-adjacent counties. These coastal cities account for \$7.6 trillion or 46 percent of the total United States Gross Domestic Product.¹ The size of the population residing in coastal communities is projected to continue rising, with an additional 12 million individuals anticipated to move to coastal communities in the next decade alone.² Recent extreme weather has highlighted the particular vulnerability of these regions to the devastating effects of natural disasters. In order to ensure these communities remain safe and continue to prosper economically, planners in coastal regions need access to high-quality, accurate data.

The Digital Coast Program (Program) helps coastal communities better prepare for storms, cope with varying water levels, and strengthen coastal economic development planning efforts. NOAA's Office for Coastal Management currently assembles and hosts the web-based Program, a collaborative online database of the most up-to-date coastal information available to both the public and private sectors. The Program provides tools for coastal communities to decipher and use high-tech mapping data to make accurate decisions and smart investments in coastal communities. Some tools the Program provides include a historical hurricane tracker, which allows users to search storms by name, latitude and longitude, or geographic region, as well as a sea level rise viewer, which allows users to examine how tidal flooding may impact a given region.

The Committee intends that the program that would be established under this bill would support further development of the current Program, including increasing access to uniform, up-to-date data to help communities get the coastal data they need to respond to emergencies, plan for long-term coastal resilience, and manage their water resources. Additionally, the bill would provide for documentation, dissemination, and archiving of data, and require NOAA to focus on filling data needs and gaps and enter into financial agreements to support the Program.

From its inception in fiscal year (FY) 2007 through the end of FY 2012, costs associated with the Program totaled \$5.4 million—\$4.5 million from the NOAA Coastal Services Center and nearly \$1 million from Program partners. Appropriations for the core Program were just over \$1 million in FY 2010. Since then, costs have increased more modestly and are projected to remain constant at just over \$1.4 million annually.³

The Program has a wide-range of Federal, State, and county, as well as non-governmental, private, and academic partners, such as the American Planning Association, Ayres Associates, Association of State Floodplain Managers, Coastal States Organization, Continental Mapping Consultants, Inc., The National Association of Counties, The Nature Conservancy, Management Association for Private Photogrammetric Surveyors (MAPPS), National Society of

¹National Oceanic and Atmospheric Administration (NOAA), "Coastal Economic Packet Guide 2016," 2016, at <http://www.ppi.noaa.gov/wp-content/uploads/Coastal-Economic-Packet-Guide-2016.pdf>.

²Ibid.

³NOAA Coastal Services Center. 2012. "Benefits and Costs of the Digital Coast." Charleston, SC: NOAA Coastal Services Center, accessed April 18, 2016, at https://coast.noaa.gov/digitalcoast/_pdf/Benefits_and_Costs_of_the_Digital_Coast.pdf.

Professional Surveyors (NSPS), National States Geographic Information Council, 1000 Friends of Wisconsin, and Ozaukee County Planning and Parks Department.

SUMMARY OF PROVISIONS

If enacted, S. 2325 would do the following:

- Ensure that the Program provides data integration, tool development, training, documentation, and archiving via the Internet website.
- Ensure that activities carried out under the Program are coordinated with coastal managers and decision makers from coastal States and local governments, and representatives of academia, the private sector, and non-governmental agencies, and that Federal agencies are consulted.
- Maximize the use of remote sensing and other geospatial data collection activities.
- Allow the Secretary of Commerce to enter into financial agreements to carry out the Program.
- Direct the Secretary of Commerce to develop a best practices document for carrying out the Program that can be given to other Federal agencies such as United States Geological Survey and the United States Army Corps of Engineers, among others.
- Allow the Secretary of Commerce to establish publicly available tools that track ocean and Great Lakes economy data for each coastal State.

LEGISLATIVE HISTORY

S. 2325 was introduced by Senator Baldwin on November 19, 2015. Senators Murkowski, Sullivan, and Booker are cosponsors. An identical bill (H.R. 4738) was introduced in the House of Representatives by Representatives Ruppertsberger and Young on March 14, 2016. Similar legislation has been introduced in the 113th Congress (S. 2890, H.R. 1382), 112th Congress (H.R. 6475), and 111th Congress (H.R. 6215).

On April 27, 2016, the Committee met in open Executive Session and, by a voice vote, ordered S. 2325 to be reported favorably with an amendment in the nature of a substitute. Amendments were offered by Senators Thune and Markey—both were accepted. The amendment offered by Senator Thune would require the Secretary of Commerce to develop a best practices document to be shared with other Federal agencies.

The amendment offered by Senator Markey would require the Secretary of Commerce to establish a publicly available tool to track ocean and Great Lakes economy data for each coastal State.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 2325—Digital Coast Act of 2015

S. 2325 would authorize the appropriation of such sums as may be necessary through 2020 to continue the Digital Coast program.

Under that program, the National Oceanic and Atmospheric Administration (NOAA) makes geospatial data, decision-support tools, and best practices available on a public website.

In 2015, NOAA allocated appropriated funds totaling \$4 million to carry out the Digital Coast program. On that basis, CBO estimates that implementing the bill would cost \$16 million over the 2017–2021 period, assuming appropriation of the estimated amounts.

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 2325 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2325 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit state, local, and tribal governments by authorizing federal financial and technical assistance for coastal communities. Any costs incurred by those entities, including matching contributions, would result from participation in a voluntary federal program.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 2325, as reported, does not create any new programs or impose any new regulatory requirements, and therefore would not subject any individuals or businesses to new regulations.

ECONOMIC IMPACT

The legislation is not expected to have a negative impact on the Nation's economy.

PRIVACY

The reported bill is not expected to impact the personal privacy of individuals.

PAPERWORK

S. 2325 would require the Secretary of Commerce to develop a best practices document that sets out the best practices used in carrying out the Program and provide such document to the United States Geological Survey, the United States Army Corps of Engineers, and other relevant Federal agencies.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section would provide the short title of the bill, “Digital Coast Act of 2015.”

Section 2. Findings.

This section would list findings regarding the Digital Coast and data on coastal population size, density, and the number of coastal construction permits in the United States.

Section 3. Definitions.

This section would define “coastal region,” “Federal geographic data committee,” “remote sensing and other geospatial,” and “Secretary.” It also would define “coastal State” as it is defined in section 304 of the Coastal Zone Management Act of 1992 (16 U.S.C. 1453) which means a State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes, and includes certain territories.

Section 4. Establishment of the Digital Coast.

This section would establish and designate a constituent-driven program. It also would provide program requirements and designate the Secretary of Commerce to coordinate the activities carried out under the program. This section would require the Secretary of Commerce to fill certain needs and gaps, and would allow the Secretary of Commerce to enter into financial agreements to carry out the program. It also would direct the Secretary of Commerce to develop and maintain a best practices document that would provide guidance to other Federal agencies interested in establishing a similar program or contributing data to the program. The Committee believes that inland areas would benefit if the applicable Federal agencies made certain data, such as flood plain maps, more accessible and that the lessons learned under the program could provide valuable insight.

This section also would allow the Secretary of Commerce to establish publicly available tools that track ocean and Great Lakes economy data for each coastal State. This section would authorize to be appropriated to the Secretary of Commerce such sums as may be necessary to carry out the program in each of FYs 2016 through 2020.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.