The Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017

Section-by-Section Summary

Sponsored by Reps. Bonamici, Kaptur, Joyce

The Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017 (HABHRCA) helps coastal communities better prepare for, mitigate, and intervene in harmful algal bloom events. These events create massive "dead zones" and release toxins that have deadly consequences for fish, shellfish, and local ecosystems. As a result, it causes significant economic harm, particularly in coastal communities. HABHRCA first passed in Congress in 1998, and the authorization expires at the end of FY18. This bill reauthorizes the program through FY2023.

Additionally, the bill improves upon existing law by:

1. Increasing inter-agency, regional, state, and local collaboration to address harmful algal bloom and hypoxia events;

2. Establishing a process for declaration of an "Event of National Significance", which triggers-disaster like funding to be available for affected communities; and

3. Allowing private donations to help fund recovery in an event of national significance.

Bill Summary

Section 1. Short Title – "Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017."

Section 2. References to the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 – Any references of an amendment to or repeal of are considered made to the original 1998 enactment (33 U.S.C. 4001 et seq.)

Section 3. Inter-Agency Task Force – Adds the Army Corps of Engineers to the algae bloom and hypoxia task force.

Section 4. Scientific Assessments of Freshwater Harmful Algal Blooms – Removes outdated scientific assessment language and updates the language to direct future scientific assessments on harmful algal blooms to include those in marine and freshwater, the Great Lakes, freshwater lakes and rivers, upper reaches of estuaries, and those that migrate to coastal waters from freshwater lakes and rivers.

Section 5. National Harmful Algal Bloom and Hypoxia Program – Directs the National Oceanic and Atmospheric Administration (NOAA) to create a website about program research and activities to monitor, mitigate, and intervene in harmful algal bloom and hypoxia events. It directs the program to accelerate the use of effective methods of intervention and mitigation to reduce the frequency, severity, and effects of harmful algal blooms and hypoxia events. It requires the program to work cooperatively to provide technical assistance to regional, state, tribal, and local government agencies and programs that address marine freshwater harmful algal

blooms and hypoxia. It adds extension programs as a partner in public outreach and adds intervention awareness to the public education goals. It directs NOAA to use unmanned systems in its efforts to assess harmful algal bloom and hypoxia events and directs NOAA to develop contingency plans for the long term monitoring of hypoxia.

Section 6. Consultation Required – This is a technical correction that clarifies that the assessments, reports, and plans are required under the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, not amendments made by it.

Section 7. Hypoxia or Harmful Algal Bloom of National Significance – Establishes a process for the Administrator of NOAA or EPA to declare an "Event of National Significance" defined as a hypoxia or harmful algal bloom that has had or will likely have a significant detrimental environmental, economic, subsistence use, or public health consequences on an affected state. This declaration would trigger state or local government access to disaster-like funds in the case of a severe algae bloom or hypoxic event. It allows donations to help fund recovery in an Event of National Significance.

Section 8. Authorization of Appropriations – Current authorization is through fiscal year 2018. It authorizes appropriations to be made for fiscal years 2019 through 2023 at $22,000,000.