

1 Title: To designate certain communities as resilient waterfront communities, and for other
2 purposes.
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5 Be it enacted by the Senate and House of Representatives of the United States of America in
6 Congress assembled,

7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “Waterfront Community Revitalization and Resiliency Act of
9 2024”.

10 SEC. 2. WORKING WATERFRONTS.

11 (a) In General.—Part C of subtitle V of title 46, United States Code, is amended by adding
12 after chapter 543 the following:

13 “CHAPTER 544—WATERFRONT COMMUNITIES

14 “Sec.

15 “54401. Definitions.

16 “54402. Purpose.

17 “54403. Resilient waterfront communities designation.

18 “54404. Resilient waterfront communities network.

19 “54401. Definitions

20 “In this chapter:

21 “(1) BLUE ECONOMY.—The term ‘blue economy’ means industries related to the Great
22 Lakes, oceans, bays, estuaries, and coasts in the economy of the United States, including
23 living resources, marine construction, marine transportation, offshore energy development
24 and siting, including for renewable energy, offshore mineral production, ship- and boat-
25 building, tourism, recreation, subsistence, commercial, recreational, and charter fishing,
26 seafood processing, and other fishery-related businesses, aquaculture (such as kelp and
27 shellfish), and other industries the Secretary of Commerce considers appropriate.

28 “(2) COVERED ENTITY.—The term ‘covered entity’ means the following:

29 “(A) A State.

30 “(B) A political subdivision of a State, or a local government.

31 “(C) A public agency or publicly chartered authority established by 1 or more States.

32 “(D) A special purpose district with a transportation function.

33 “(E) An Indian Tribe or a Native Hawaiian organization.

34 “(F) A multistate or multijurisdictional group of entities described in subparagraphs
35 (A) through (E).

1 “(G) A lead entity described in subparagraph (A) through (F), jointly with an
2 additional entity or group of entities that may include—

3 “(i) a nonprofit organization with relevant expertise;

4 “(ii) an institution of higher education (as defined in section 101(a) of the
5 Higher Education Act of 1965 (20 U.S.C. 1001(a)); or

6 “(iii) a private entity.

7 “(3) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given the term in section 4
8 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

9 “(4) NATIVE HAWAIIAN ORGANIZATION.—The term ‘Native Hawaiian organization’ has
10 the meaning given the term under section 6207 of the Elementary and Secondary Education
11 Act of 1965 (20 U.S.C. 7517).

12 “(5) PORT.—The term ‘port’ means—

13 “(A) any port on the navigable waters of the United States; and

14 “(B) any harbor, marine terminal, or other shore side facility used principally for the
15 movement of goods on inland waters.

16 “(6) PROJECT.—The term ‘project’ means construction, reconstruction, environmental
17 rehabilitation, acquisition of property, including land related to the project and
18 improvements to the land, equipment acquisition, and operational improvements.

19 “(7) RESILIENT.—The term ‘resilient’ means the ability to anticipate, prepare for, adapt
20 to, withstand, respond to, and recover from operational disruptions including disruptions
21 caused by natural or manmade hazards or extreme weather events.

22 “(8) RESILIENT WATERFRONT COMMUNITY.—The term ‘resilient waterfront community’
23 means a resilient waterfront community designated under section 54403.

24 “(9) WORKING WATERFRONT.—The term ‘working waterfront’ means real property
25 (including support structures over water and other facilities) that provides access to coastal
26 and Great Lakes waters to persons engaged in commercial and recreational fishing,
27 recreational fishing and boating businesses, boatbuilding, aquaculture, or other water-
28 dependent, coastal-related business and is used for, or that supports, commercial and
29 recreational fishing, recreational fishing and boating businesses, boatbuilding, aquaculture,
30 or other water-dependent, coastal-related business and recreation.

31 “54402. Purpose

32 “The purpose of this chapter is to promote the recognition and support of resilient waterfront
33 communities so that such communities may support working waterfronts, resilience, economic
34 development, port infrastructure, natural infrastructure, coastal activities, public access, the
35 associated blue economy, and related projects.

36 “54403. Resilient waterfront communities designation

37 “(a) Designation as Resilient Waterfront Communities.—

38 “(1) IN GENERAL.—

1 “(A) DESIGNATION.—Subject to paragraphs (2) and (3), the Secretary of Commerce
2 (referred to in this section as the ‘Secretary’), in coordination with the Secretary of
3 Transportation, shall designate certain communities that submit a plan to the Secretary
4 as ‘resilient waterfront communities’, based on the extent to which the community plan
5 meets the criteria described in subsection (b).

6 “(B) ELIGIBLE COMMUNITIES.—A community shall be eligible to be designated
7 under subparagraph (A) if it is a local government, an Indian Tribe, or a Native
8 Hawaiian community that operates in an area with a working waterfront that is bound
9 in part by—

10 “(i) at least one of the Great Lakes; or

11 “(ii) the ocean.

12 “(2) COLLABORATION.—In carrying out this section, the Secretary shall work with the
13 Secretary of Transportation and the heads of other Federal agencies, as the Secretary
14 determines necessary.

15 “(3) ENGAGEMENT.—In carrying out this section, the Secretary shall engage with Indian
16 Tribes and Native Hawaiian communities.

17 “(4) TECHNICAL ASSISTANCE.—In carrying out this section, the Secretary shall provide
18 technical assistance to communities seeking to be designated as a resilient waterfront
19 community. Technical assistance shall include—

20 “(A) providing information about relevant programs under sections 25010 and
21 21205 of the Infrastructure Investment and Jobs Act (49 U.S.C. 102 note; 116 note;
22 Public Law 117–58);

23 “(B) providing information about relevant grants;

24 “(C) providing information about best practices;

25 “(D) providing copies of relevant studies and research; and

26 “(E) other support, as determined by the Secretary.

27 “(b) Resilient Waterfront Community Plan.—A community seeking to be designated as a
28 resilient waterfront community shall submit a resilient waterfront community plan to the
29 Secretary. Such plan shall be a community-driven vision and plan that is developed—

30 “(1) voluntarily at the discretion of the community—

31 “(A) to respond to local needs; or

32 “(B) to take advantage of new water-oriented opportunities;

33 “(2) with the leadership of the relevant governmental entity, Indian Tribe, or Native
34 Hawaiian community, and with the active participation of—

35 “(A) community residents;

36 “(B) utilities; and

37 “(C) interested business and nongovernmental stakeholders;

38 “(3) as a new document or by amending or compiling community planning documents, as

1 necessary, at the discretion of the Secretary;

2 “(4) to address economic competitive strengths; and

3 “(5) to complement and incorporate the objectives and recommendations of applicable
4 regional economic plans.

5 “(c) Components of a Resilient Waterfront Community Plan.—A resilient waterfront
6 community plan shall—

7 “(1) consider all, or a portion of, the relevant waterfront area and adjacent land and water
8 to which the waterfront is connected ecologically, economically, or through local
9 governmental or Tribal boundaries; and

10 “(2) describe a vision and plan for the community to be developed or preserved as a vital
11 and resilient waterfront community, integrating consideration of—

12 “(A) the economic opportunities resulting from water proximity and access,
13 including—

14 “(i) water-dependent industries;

15 “(ii) water-oriented commerce; and

16 “(iii) recreation and tourism;

17 “(B) the community relationship to the water, including—

18 “(i) quality of life;

19 “(ii) public health;

20 “(iii) community and economic heritage, such as maritime and waterfront
21 industries; and

22 “(iv) public access;

23 “(C) the environment;

24 “(D) ecosystem challenges and projections, including—

25 “(i) unresolved and emerging impacts to the health and safety of the applicable
26 waterfront;

27 “(ii) the impact of natural disasters and weather events on the physical and
28 financial security of residents, based on forward-looking, long-term
29 meteorological data; and

30 “(iii) projections for extreme weather and water conditions;

31 “(E) infrastructure needs and opportunities, such as—

32 “(i) docks, piers, and harbor facilities;

33 “(ii) protection against storm surges, waves, and flooding; and

34 “(iii) natural infrastructure; and

35 “(F) other community facilities and private development.

36 “(d) Duration.—After the designation of a community as a resilient waterfront community

1 under subsection (a), a resilient waterfront community plan developed in accordance with this
2 section shall have a duration effective for the 10-year period beginning on the date on which the
3 Secretary approves the resilient waterfront community plan.

4 “(e) Withdrawal of Designation.—A covered entity that represents a community that is
5 designated as a resilient waterfront community under subsection (a) may submit a request at any
6 time to the Secretary that such designation be withdrawn.

7 “(f) Updates.—A resilient waterfront community plan under this section may be updated by a
8 covered entity, and submitted to the Secretary for approval, before the expiration of the 10-year
9 period described in subsection (d).

10 “(g) Approval.—The Secretary shall approve or disapprove a resilient waterfront community
11 plan submitted under subsection (b), or an update to such plan submitted under subsection (f), by
12 not later than 180 days after the date of receipt of the plan.

13 “54404. Resilient waterfront communities network

14 “(a) In General.—The Secretary shall develop and maintain a resilient waterfront communities
15 network to facilitate the sharing of best practices among communities that have been designated
16 as resilient waterfront communities under section 54403.

17 “(b) Public Recognition.—In consultation with designated resilient waterfront communities,
18 the Secretary shall provide formal public recognition of the designated resilient waterfront
19 communities to promote tourism, recreational activities, commercial investment, or other
20 community benefits.

21 “(c) Website.—The Secretary of Commerce shall establish, and update periodically, a publicly
22 accessible website to provide information for communities—

23 “(1) to access best practices in establishing a designation under section 54403,
24 including—

25 “(A) the technological, economic, environmental, social, and cultural impacts of
26 resiliency planning and investment;

27 “(B) the barriers communities face to successfully planning, implementing, and
28 achieving short and long-term benefits from resiliency and revitalization activities, as
29 well as solutions to diagnose, understand, and overcome those barriers; and

30 “(C) changing environmental and economic conditions and information on
31 incorporating forward-looking projections into strategic community decisionmaking;
32 and

33 “(2) about funding opportunities throughout the Federal Government, including technical
34 assistance opportunities that could support the implementation of resilient waterfront
35 community plans.”.

36 (b) Table of Chapters Amendment.—The table of chapters at the beginning of subtitle V of
37 title 46, United States Code, is amended by adding at the end of the items relating to part C the
38 following new item:

39 544. Waterfront Communities

1 54401

2 (c) Special Grants.—Section 205(b) of the National Sea Grant College Program Act (33
3 U.S.C. 1124(b)) is amended—

4 (1) by redesignating paragraphs (1) through (3) as clauses (i) through (iii), respectively,
5 moving such clauses to follow paragraph (2)(A) (as designated under paragraph (4) of this
6 subsection), and adjusting the margins accordingly;

7 (2) by striking “The Secretary” and inserting the following:

8 “(1) SPECIAL GRANTS GENERALLY.—

9 “(A) IN GENERAL.—The Secretary”;

10 (3) by inserting “and activities under paragraph (3)” after “section 202(b)”;

11 (4) by striking “No grant may be made under this subsection” and inserting the following:

12 “(2) SPECIAL GRANTS.—

13 “(A) IN GENERAL.—With respect to a grant under this subsection that is not a grant
14 described in paragraph (3), no grant may be made”.

15 (5) by striking “The total amount” and inserting the following:

16 “(B) AMOUNT.—Except with respect to grants described under paragraph (3), the
17 total amount”; and

18 (6) by adding at the end the following:

19 “(3) SPECIAL GRANTS FOR WORKING WATERFRONTS.—

20 “(A) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary
21 may make special grants under this subsection to support covered entities (as defined
22 in section 54401 of title 46, United States Code) for the purposes of—

23 “(i) development of the plan described under section 54403(b) of title 46,
24 United States Code, including by—

25 “(I) conducting economic and community development marketing and
26 outreach;

27 “(II) updating zoning regulations;

28 “(III) conducting environmental reviews;

29 “(IV) completing engineering and landscape architecture design plans;

30 “(V) collaborating across local agencies and regional, State, Tribal, and
31 Federal agencies to identify, understand, and develop responses to changing
32 ecosystems and economic circumstances; and

33 “(VI) conducting such other planning activities as the Secretary considers
34 to be necessary for the development of a resilient waterfront community plan
35 that responds to revitalization and resiliency issues faced by such covered
36 entity;

37 “(ii) carrying out projects that enable the execution of the plan described under

1 section 54403(b) of title 46, United States Code, including—

2 “(I) site preparation;

3 “(II) acquiring easements or land for uses such as green infrastructure,
4 public amenities, or assembling development sites;

5 “(III) construction of—

6 “(aa) public waterfront or boating amenities; and

7 “(bb) public spaces;

8 “(IV) infrastructure upgrades to improve coastal resiliency, including
9 green infrastructure; and

10 “(V) other activities, at the discretion of the Secretary; and

11 “(iii) executing other projects that are consistent with the plan described under
12 section 54403(b) of title 46, United States Code.

13 “(B) DEFINITIONS.—In this paragraph:

14 “(i) TITLE 46 TERMS.—The terms ‘covered entity’, ‘resilient’, and ‘working
15 waterfront’ have the meanings given those terms in section 54401 of title 46,
16 United States Code.

17 “(ii) PROJECT.—The term ‘project’ has the meaning given that term in section
18 54401 of title 46, United States Code, except that such term shall only apply to
19 activities—

20 “(I) within the boundary of a working waterfront; or

21 “(II) outside the boundary of a working waterfront, if the projects are
22 directly related to the working waterfront or such plan.

23 “(C) ELIGIBILITY; TERMS AND CONDITIONS.—

24 “(i) ELIGIBILITY AND PROCEDURE.—The provisions of subsection (c) shall apply
25 with respect to grants under this paragraph, except that only covered entities shall
26 be eligible to receive a grant under this paragraph. Notwithstanding such
27 subsection (c), the Secretary shall not be required to prescribe application
28 requirements and procedures for grants under this paragraph by regulation.

29 “(ii) TERMS AND CONDITIONS.—Paragraphs (1) through (3) of subsection (d)
30 shall not apply with respect to grants under this paragraph.

31 “(D) PROJECT SELECTION CRITERIA.—

32 “(i) IN GENERAL.—The Secretary may select a project described in this
33 paragraph for funding under this subsection if the Secretary determines that—

34 “(I) the project is consistent with the plan under section 54403(b) of title
35 46, United States Code;

36 “(II) the covered entity has authority to carry out the project;

37 “(III) the covered entity has sufficient funding to execute the project or

1 phase of the project;

2 “(IV) the project will be completed without unreasonable delay; and

3 “(V) the project cannot be easily and efficiently completed without
4 Federal funding or financial assistance available to the covered entity.

5 “(ii) ADDITIONAL CONSIDERATIONS.—In selecting projects described in this
6 paragraph for funding under this subsection, the Secretary shall give consideration
7 to—

8 “(I) the utilization of non-Federal contributions; and

9 “(II) the net benefits of the funds awarded under this subsection.

10 “(E) PROCEDURAL SAFEGUARDS.—The Secretary shall issue guidelines to establish
11 appropriate accounting, reporting, and review procedures for grants made under this
12 paragraph to ensure that—

13 “(i) grant funds are used for the purposes for which those funds were made
14 available;

15 “(ii) each grantee properly accounts for all expenditures of grant funds; and

16 “(iii) grant funds not used for such purposes and amounts not obligated or
17 expended are returned.”.

18 (d) Technical Amendments.—Section 205 of the National Sea Grant College Program Act (33
19 U.S.C. 1124) is further amended—

20 (1) in subsection (c), by striking “Any person” and inserting “Subject to subsection
21 (b)(3), any person”; and

22 (2) in subsection (d)(1), by striking “Any grant” and inserting “Subject to subsection
23 (b)(3), any grant”.

24 SEC. 3. RESILIENT WATERFRONT COMMUNITIES 25 REPORT.

26 Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to
27 Congress a report describing—

28 (1) the participation in the program of designating resilient waterfront communities under
29 chapter 544 of title 46, United States Code, the results of such program, and the Secretary’s
30 plans to improve outreach, implementation, and best practice guidance regarding such
31 program; and

32 (2) the participation in the program of special grants for working waterfronts described in
33 paragraph (3) of section 205(b) of the National Sea Grant College Program Act (33 U.S.C.
34 1124(b)), the results of such program, and the Secretary’s plans to improve outreach,
35 implementation, and best practice guidance regarding such program.