Reinvesting in America's Shoreline Economies & Ecosystems ("RISEE") Act

Section-by-Section Analysis

Section 1. Short Title. This Act may be cited as the "Reinvesting in America's Shoreline Economies and Ecosystems Act" or the "RISEE Act."

Section 2. National Oceans and Coastal Security Fund; Parity in Offshore Wind Revenue Sharing.

Subsection (a). Definitions in the National Oceans and Coastal Security Act. This subsection amends the definitions of "Indian tribe" and "tidal shoreline."

Subsection (b). National Oceans and Coastal Security Fund. This subsection amends the National Oceans and Coastal Security Act to list the sources of the National Oceans and Coastal Security Fund (the Fund) as revenue generated from: (1) GOMESA leases (2) future federal offshore wind revenues and (3) amounts appropriated or otherwise made available for the Fund. This Fund provides grants to coastal and Great Lake communities to respond to coastal erosion and sea level rise, restore coastal habitat, and make improvements to coastal infrastructure.

This subsection also limits how dollars from the Fund can be spent each fiscal year to: (1) a maximum of 75 percent for formula grants to coastal States, (2) a maximum of 20 percent for nationally competitive grants for oceans, coasts, and Great Lakes, and (3) a maximum of 5 percent for administrative expenses. If $34 million or less is available for the Fund in a fiscal year, then in that fiscal year available dollars will only be available for national competitive grants.

Subsection (c). Eligible uses. This subsection specifies funds shall be used to support programs and activities intended to improve the understanding and use of ocean and coastal resources and coastal infrastructure. These programs and activities may include scientific research related to changing environmental conditions, ocean observing projects, efforts to enhance resiliency of infrastructure and communities, habitat protection and restoration, and efforts to support sustainable seafood production carried out by States, local governments, Indian tribes, regional and interstate collaboratives (like regional ocean partnerships, nongovernmental organizations, public-private partnerships, and academic institutions).

Subsection (d). Grants. This subsection describes the formula used to distribute dollars to States: (1) 70 percent of available funds shall be allocated equally among coastal States; (2) 15 percent of available funds shall be allocated on the basis of the ratio of tidal shoreline miles in a coastal State to the tidal shoreline miles of all coastal States; and (3) 15 percent of available funds shall be allocated on the basis of the ratio of population density of coastal counties of a coastal State to the average population density of all coastal counties. A single coastal State shall not receive more than 5 percent of the total funds. Any amount exceeding 5 percent shall be redistributed equally among the other coastal States.

Further, each entity seeking to receive a grant is encouraged, but not required, to demonstrate that matching funds are available to supplement the grant.

Subsection (e). Annual report on operation of the National Oceans and Coastal Security Fund. This subsection specifies both the National Fish and Wildlife Foundation and the National Oceanic and Atmospheric Administration shall submit an annual report no later than 60 days after the end of each fiscal year.

Subsection (f). Repeal of authorization of appropriations for fiscal years 2017, 2018, and 2019. This subsection repeals the authorization to appropriate funds to the National Oceans and Coastal Security Fund for fiscal years 2017-2019.

Subsection (g). Parity in offshore wind revenue sharing. This subsection modifies the Outer Continental Shelf Lands Act (OCSLA) by providing terms for disposition of revenues for offshore wind projects that are located in federal waters. Operating fees, rentals, bonuses, royalties, and other payments made to the Secretary of the Department of the Interior ("Secretary") for offshore wind projects in federal waters are to be allocated as follows: (1) 12.5 percent is deposited in the Treasury for miscellaneous receipts; (2) 37.5 percent is deposited in the Fund; and (3) 50 percent is deposited in a special account in the Treasury from which the Secretary will disperse to eligible States based upon a specified formula.

For the 50 percent to be dispersed to eligible States, the Secretary shall establish a formula within 180 days of the enactment of the bill that is inversely proportional to the distances between the point on the coastline closest to the geographic center of the applicable leased tract and the geographic center of the leased tract. The minimum amount to be allocated to an eligible State for each fiscal year is at least 10 percent of the amount available.

Funds may be used for many activities including coastal restoration, hurricane protection, or infrastructure improvements. Funding may also be used to mitigate damage to fish, wildlife, and other natural resources, including through fisheries science and research. Finally, funds may be used for implementation of a federally approved marine, coastal, or comprehensive conservation management plans. The State shall not use more than 3 percent of the amount received for planning assistance and administrative costs.

Subsection (h). Exemption of certain payments from sequestration. This subsection exempts offshore wind payments to States from sequestration.

Section 3. Gulf of Mexico Outer Continental Shelf Revenues.

Subsection (a). Definition of qualified outer continental shelf ("OCS") revenues. Beginning in fiscal year 2022, this subsection amends GOMESA to make leases entered into from October 1, 2000 onward eligible for revenue sharing.

Subsection (b).Disposition of Qualified Outer Continental Shelf Revenues. This subsection amends GOMESA to increase the amount of state revenue from 37.5 percent to 50 percent. It also directs 12.5 percent of revenues to the Fund and reduced the amount provided to the Treasury to 25 percent from 50 percent. The 12.5 percent directed to the Land and Water Conservation Fund is unchanged.

Subsection (c). Elimination of limitation amount of distributed qualified OCS revenues. This subsection both reaffirms existing cap limitations through fiscal year 2021 and then removes the limitation on funding to Gulf producing States for fiscal years 2022 through 2055. Additionally, this subsection removes the $125 million cap on the Land and Water Conservation Fund state-side program for fiscal years 2022 through 2055.

Subsection (c). Exemption of certain payments from sequestration. This subsection exempts payments to States under GOMESA from sequestration.