

AMENDMENT TO RULES COMMITTEE PRINT

119-22

OFFERED BY MR. HUFFMAN OF CALIFORNIA

At the end of subtitle D of title XII, insert the following:

1 **SEC. ____ . PROGRAM ON COASTAL SEAWEED FARMING.**

2 (a) PRELIMINARY STUDY ON COASTAL SEAWEED
3 FARMING.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of the enactment of this Act, the Secre-
6 taries shall jointly submit a preliminary report to
7 Congress and publish such report on such Secre-
8 taries' agency websites analyzing—

9 (A) the effects of coastal seaweed farming
10 on surrounding communities, the ecosystem,
11 and marine and coastal wildlife;

12 (B) best practices for cultivating and
13 sourcing local seeds to propagate for coastal
14 seaweed farming;

15 (C) best practices to prevent the escape or
16 spread of any organism that would alter the
17 natural ecosystem or present a biofouling risk;

1 (D) best practices relating to species selec-
2 tion, harvesting cycles, spatial planning and
3 siting, engineering and design, and environ-
4 mental aspects of coastal seaweed farming
5 that—

6 (i) maximize benefits, and avoid ad-
7 verse effects, on the marine ecosystem and
8 marine and coastal wildlife;

9 (ii) lead to optimal yields;

10 (iii) account for the impact climate
11 change may have on natural habitats and
12 coastal seaweed farming operations;

13 (iv) minimize entanglements and other
14 harmful interactions between marine life
15 and nearshore seaweed farming infrastruc-
16 ture and gear;

17 (v) account for changes in migration
18 patterns of marine mammals and highly
19 migratory species (as defined in section 3
20 of the Magnuson-Stevens Fishery Con-
21 servation and Management Act (16 U.S.C.
22 1802)); and

23 (vi) account for and avoid interference
24 with competing uses, including vessel traf-

1 fic and commercial and recreational fish-
2 ing;

3 (E) the potential for growing seaweed for
4 long-term carbon sequestration and best prac-
5 tices for measurement, reporting, and
6 verification approaches for growing seaweed for
7 long-term carbon sequestration specific to the
8 sequestration reservoir;

9 (F) the effects of co-cultivation of bivalves
10 with seaweed on the ecosystem, ocean acidifica-
11 tion, and hypoxia levels;

12 (G) the effects of coastal seaweed farming
13 on water quality;

14 (H) best practices for limiting the use of
15 plastic in coastal seaweed farming gear;

16 (I) the history and use of Indigenous and
17 traditional seaweed farming practices;

18 (J) best practices for sustainable harvest
19 and post-harvest processing of coastal seaweed
20 farming products, including methods of reduc-
21 ing energy costs;

22 (K) scalable commercial applications for
23 value-added seaweed or products derived from
24 seaweed, including as feedstock for animals and

1 other agricultural, commercial, and industrial
2 applications;

3 (L) processes for processing, storage, and
4 transportation of seaweed that are cost-effec-
5 tive, reduce carbon emissions from transpor-
6 tation, and efficient;

7 (M) assessment of existing and potential
8 markets and market capacity for major cul-
9 tivated seaweed species;

10 (N) development of baseline economic anal-
11 yses and business planning models for major
12 cultivated seaweed species;

13 (O) the effects of water quality on the
14 quality of cultivated seaweed for human con-
15 sumption, including the absorption of toxic
16 heavy metals and persistent organic pollutants;

17 (P) best practices for onshore farming
18 issues that reduce energy requirements to pump
19 water and include management of effluent, spa-
20 tial planning and address conflicting uses of the
21 onshore coastal zone; and

22 (Q) best practices in efficient and effective
23 Federal and State regulatory systems for coast-
24 al seaweed farming.

1 (2) CONSULTATION.—In preparing the report
2 under paragraph (1), the Secretaries shall consult
3 with—

4 (A) the Interagency Working Group on In-
5 digenous Traditional Ecological Knowledge,
6 with respect to—

7 (i) kelp, seaweed, and shellfish cultiva-
8 tion;

9 (ii) the use of Tribal waters for coast-
10 al seaweed farming;

11 (iii) the impact and benefits of coastal
12 seaweed farming on Tribal waters; and

13 (iv) best practices for engaging with
14 Tribes on matters relating to coastal sea-
15 weed farming;

16 (B) coastal or historically coastal federally
17 recognized Tribes, State recognized Tribes, and
18 Inter-Tribal organizations;

19 (C) the Interagency Working Group on Re-
20 search for Farming of Seaweeds and
21 Seagrasses;

22 (D) the Interagency Working Group on
23 Ocean Acidification;

1 (E) National Science and Technology
2 Council's Joint Subcommittee on Aquaculture;
3 and

4 (F) such other Federal, State, Tribal, and
5 local government agencies as the Secretary de-
6 termines appropriate.

7 (3) UPDATE.—The Secretaries shall, not later
8 than 2 years after the date on which the report re-
9 quired under paragraph (1) is submitted, submit an
10 updated report to Congress based on pertinent infor-
11 mation derived from Federal research programs, the
12 grant program established under subsection (c), and
13 other sources of information.

14 (4) REPORT ON REGULATION OF SEAWEED
15 FOOD SAFETY.—The Commissioner of Food and
16 Drugs shall, not later than 180 days after the date
17 of the enactment of this Act and in consultation
18 with such State agencies as the Commissioner deter-
19 mines appropriate, submit a report to Congress
20 making regulatory and legislative recommendations
21 to improve Federal regulation of seaweed for human
22 consumption, focusing on standards and testing
23 methods to identify, address, and prevent contami-
24 nation by bacteria, heavy metals, and pathogens.

1 (b) REGULATIONS.—The Secretaries shall, not later
2 than 1 year after the publication of the study required
3 by subsection (a), issue such regulations as the Secretaries
4 determine appropriate to—

5 (1) ensure that design, development, siting, spe-
6 cies selection, operation, and production systems of
7 coastal seaweed farming maximize potential benefits,
8 and avoid potential adverse effects, on the marine
9 ecosystem, wildlife, and fisheries and surrounding
10 communities;

11 (2) establish evaluation metrics to measure the
12 impact and benefits of coastal seaweed farming on—

13 (A) the marine ecosystem, including ma-
14 rine wildlife, biodiversity, productivity, water
15 quality, and stored carbon; and

16 (B) surrounding communities, including
17 relating to the equitable distribution of costs
18 and benefits (economic and environmental)
19 within such communities; and

20 (3) require monitoring and reporting relating
21 to—

22 (A) any adverse effects on the marine eco-
23 system and wildlife, including entanglements of
24 marine life; and

1 (B) any effects on commercial and rec-
2 reational fishing.

3 (c) INDIGENOUS SEAWEED FARMING FUND.—

4 (1) ESTABLISHMENT.—The Secretaries shall,
5 not later than 1 year after the date of the enactment
6 of this Act, jointly establish the Indigenous Seaweed
7 Farming Fund to provide grants to eligible entities
8 for the purpose of supporting coastal seaweed farm-
9 ing, including—

10 (A) obtaining, planting, growing, and
11 maintaining a coastal seaweed farm;

12 (B) purchasing equipment for coastal sea-
13 weed farm operations;

14 (C) transportation, processing, and storage
15 of coastal seaweed farm products;

16 (D) funding for development and use of
17 models and measurements to identify and miti-
18 gate adverse impacts of coastal seaweed farm-
19 ing, including monitoring and signal buoys; and

20 (E) to operate a coastal seaweed farm that
21 performs restorative ecological functions, in-
22 cluding providing essential habitat to native
23 species.

24 (2) OUTREACH.—The Secretaries shall—

1 (A) conduct outreach and use existing pro-
2 grams and initiatives to make eligible entities
3 aware of the Indigenous Seaweed Farming
4 Fund;

5 (B) solicit comments and recommendations
6 relating to each stage of the operation of the
7 grant program established under subsection (a);

8 (C) solicit scientific input from eligible en-
9 tities, including through public meetings noticed
10 in advance and in such languages as are appro-
11 priate for the community; and

12 (D) prepare, publish, and distribute to in-
13 stitutions of higher learning, including voca-
14 tional schools training materials for individuals
15 engaged in coastal seaweed farming and indi-
16 viduals seeking employment relating to such
17 farming, including Indigenous youth.

18 (3) PROHIBITION ON USE OF FUNDS.—No
19 funds provided under this subsection may be used
20 for any purpose that the Secretary of Commerce or
21 the head of a State or Tribal fishery management
22 agency determines will have an adverse affect on
23 commercial fisheries.

24 (4) LIMITATION ON SIZE OF FARMS.—The Sec-
25 retaries shall, by regulation, determine a maximum

1 size for coastal seaweed farming operations that may
2 receive funding under this subsection.

3 (5) TECHNICAL ASSISTANCE.—The Secretaries
4 shall, at the request of an applicant or grantee, pro-
5 vide technical assistance to such applicant or grantee
6 to further the purposes of this subsection.

7 (d) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the National
10 Oceanic and Atmospheric Administration.

11 (2) SEAWEED.—The term “seaweed” means
12 macroscopic multicellular marine algae species.

13 (3) ELIGIBLE ENTITY.—The term “eligible enti-
14 ty” means—

15 (A) a federally recognized Tribe, Native
16 Village, or Tribal reservation;

17 (B) a State recognized Tribe (as such term
18 is defined in section 4 of the Native American
19 Housing Assistance and Self-Determination Act
20 of 1996);

21 (C) a Native person of—

22 (i) Hawaii;

23 (ii) a Pacific Island;

24 (iii) Puerto Rico; or

25 (iv) the United States Virgin Islands;

1 (D) Native Hawaiian organization;

2 (E) Native Community Development Fi-
3 nancial Institution

4 (F) a member of an entity described in
5 subparagraphs (A) or (B); or

6 (G) any entity owned entirely by an entity
7 described in subparagraphs (A) through (C)

8 (4) **FEDERALLY RECOGNIZED TRIBE.**—The
9 term “federally recognized Tribe” has the meaning
10 given to the term “Indian Tribe” in section 4 of the
11 Indian Self-Determination and Education Assistance
12 18 Act (25 U.S.C. 5304).

13 (5) **NATIVE HAWAIIAN ORGANIZATION.**—The
14 term “Native Hawaiian organization” has the mean-
15 ing given the term in the Native Hawaiian Edu-
16 cation Act (20 U.S.C. 7517) 2 (including the Office
17 of Hawaiian Affairs).

18 (6) **COASTAL SEAWEED FARMING.**—The term
19 “coastal seaweed farming” means the onshore or
20 nearshore propagation and harvesting of seaweed
21 and seaweed products within the coastal zone (as
22 such term is defined in section 304 of the Coastal
23 Zone Management Act of 1972 (16 U.S.C. 1453))
24 that—

25 (A) does not use—

1 (i) synthetic pesticides (as the term
2 “pesticide” is defined in section 2 of the
3 Federal Insecticide, Fungicide, and
4 Rodenticide Act (7 U.S.C. 136)); and

5 (ii) plastics, unless a suitable replace-
6 ment does not exist; and

7 (B) does not produce fin fish for commer-
8 cial purposes.

9 (6) SECRETARIES.—The term “Secretaries”
10 means the Secretary of Agriculture and the Sec-
11 retary of Commerce, acting through the Under Sec-
12 retary for Oceans and Atmosphere.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated—

15 (1) \$5,000,000 for the period of fiscal years
16 2027 through 2031 to carry out subsections (a) and
17 (b); and

18 (2) \$20,000,000 for each of the fiscal years
19 2027 through 2031 to carry out subsections (c), (d),
20 and (e).

