

1 Title: To provide for the standardization, consolidation, and publication of data relating to public  
2 outdoor recreational use of Federal waterways, and for other 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 “Modernizing Access to Our Public Oceans Act”.

## 9 SEC. 2. DEFINITIONS.

10 In this Act:

11 (1) FEDERAL FISHING RESTRICTION AREA.—The term “Federal fishing restriction area”  
12 means a defined area in which all or certain fishing activities are temporarily or  
13 permanently banned or restricted by the National Oceanic and Atmospheric Administration.

14 (2) FEDERAL WATERWAY.—The term “Federal waterway” means any portion of a body of  
15 water managed in part or in entirety by the Secretary.

16 (3) FEDERAL WATERWAY RESTRICTION.—The term “Federal waterway restriction” means  
17 a restriction on access to or use of a Federal waterway applied under applicable law by the  
18 Secretary.

19 (4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

## 20 SEC. 3. DATA STANDARDIZATION.

21 Not later than 30 months after the date of the enactment of this Act, the Secretary, in  
22 consultation with relevant stakeholders, shall develop and adopt standards with respect to the  
23 collection and dissemination of geospatial data relating to public outdoor recreational use of  
24 Federal waterways and Federal fishing restriction areas, including such data made available  
25 under section 4.

## 26 SEC. 4. DATA CONSOLIDATION AND PUBLICATION.

27 (a) Federal Waterway Restrictions.—Not later than 4 years after the date of the enactment of  
28 this Act, the Secretary, to the maximum extent practicable, shall digitize and make available on a  
29 publicly accessible website geographic information system data that includes, with respect to  
30 Federal waterway restrictions—

31 (1) information with respect to the conditions under which Federal waterways are open or  
32 closed to entry, watercraft, low-elevation aircraft, or diving;

33 (2) the areas of Federal waterways with restrictions on motorized propulsion,  
34 horsepower, or gasoline fuel;

35 (3) the areas of Federal waterways with anchoring restrictions, no-wake zones, or vessel  
36 speed restrictions; and

37 (4) the types of watercraft that are restricted on each area of a Federal waterway,

1 including the permissibility of—

- 2 (A) motorboats;
- 3 (B) non-motorized watercraft;
- 4 (C) personal watercraft;
- 5 (D) airboats;
- 6 (E) amphibious aircraft; and
- 7 (F) oceangoing ships.

8 (b) Federal Waterway Access and Navigation Information.—The Secretary shall, to the  
9 maximum extent practicable, continue to make available on a publicly accessible website  
10 digitized geographic information system data that includes, with respect to access to Federal  
11 waterways—

- 12 (1) navigation information;
- 13 (2) bathymetric information; and
- 14 (3) depth charts.

15 (c) Federal Fishing Restriction Areas.—Not later than 4 years after the date of the enactment  
16 of this Act, the Secretary, to the maximum extent practicable, shall digitize and make available  
17 on a publicly accessible website geographic information system data that describes—

- 18 (1) the location and geographic boundaries of Federal fishing restriction areas,  
19 including—
  - 20 (A) any zones where, and periods when, fishing is limited under paragraphs (2), (3),  
21 and (4) of section 303(b)(2) of the Magnuson-Stevens Fishery Conservation and  
22 Management Act (16 U.S.C. 1853(b)(2));
  - 23 (B) full and partial closures, in terms of both area and duration, as well as seasonal  
24 closures;
  - 25 (C) no-catch zones; and
  - 26 (D) Federal fishing restrictions within or surrounding marine protected areas; and
- 27 (2) to the maximum extent practicable, restrictions imposed by the National Oceanic and  
28 Atmospheric Administration on method of catch, such as requirements relating to the use of  
29 circle hooks, descending devices, and trolling.

30 (d) Public Comment.—The Secretary shall develop a process to allow members of the public  
31 to submit questions or comments regarding the information described in subsections (a) and (b).

32 (e) Updates.—The Secretary, to the maximum extent practicable, shall update—

- 33 (1) the data described in subsections (a) and (b) not less frequently than 2 times each  
34 year; and
- 35 (2) the data described in subsection (c) in real time as changes to Federal fishing  
36 restriction areas take effect.

37 (f) Nondisclosure of Certain Information.—The Secretary may not disclose, in any geographic

1 information system data made publicly available under this section, information regarding the  
2 nature, location, character, or ownership of historic, paleontological, or archaeological resources,  
3 consistent with applicable law.

## 4 **SEC. 5. COOPERATION AND COORDINATION.**

5 (a) Community Partners and Third-party Providers.—For purposes of carrying out this Act,  
6 the Secretary may—

7 (1) coordinate and partner with non-Federal agencies and private sector and nonprofit  
8 entities, including—

9 (A) technology companies;

10 (B) geospatial data companies;

11 (C) interstate marine fisheries commissions; and

12 (D) experts in data science, analytics, and operations research; and

13 (2) enter into agreements with experts from technology, geospatial data, data science,  
14 analytics, and operations research industries to carry out any provision of this Act.

15 (b) Interagency Coordination.—The Secretary shall, to the maximum extent practicable, work  
16 with the relevant offices of the Department of the Interior, the Department of Agriculture, the  
17 Army Corps of Engineers, and the Interagency Working Group on Ocean and Coastal Mapping  
18 codified by section 12203 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3502) to  
19 ensure compatibility and interoperability among applicable Federal databases with respect to the  
20 collection and dissemination of geospatial data relating to public outdoor recreational use of  
21 Federal waterways and Federal fishing restriction areas.

22 (c) Applicability of Federal, State, and Tribal Regulations.—The Secretary, in developing and  
23 distributing geospatial data under this Act, shall make clear that the data are subject to—

24 (1) applicable Federal regulations; and

25 (2) applicable State and Tribal regulations.

## 26 **SEC. 6. RULE OF CONSTRUCTION.**

27 Nothing in this Act may be construed—

28 (1) to modify or alter the definition of the term “navigable waters” under any provision of  
29 Federal law;

30 (2) to affect the jurisdiction or authority of Federal or State agencies to regulate navigable  
31 waters; or

32 (3) to increase or diminish the responsibility or authority of Federal or State agencies to  
33 manage fisheries.