

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**40**

**OFFERED BY MR. SARBANES OF MARYLAND**

Add at the end the following:

1 **TITLE V—CHESAPEAKE BAY**  
2 **SCIENCE, EDUCATION, AND**  
3 **ECOSYSTEM ENHANCEMENT**

4 **SEC. 501. SENSE OF CONGRESS.**

5 It is the sense of Congress that the National Oceanic  
6 and Atmospheric Administration’s Chesapeake Bay Office  
7 should be the primary representative of the National Oce-  
8 anic and Atmospheric Administration in the Chesapeake  
9 Bay watershed.

10 **SEC. 502. REAUTHORIZATION OF THE NATIONAL OCEANIC**  
11 **AND ATMOSPHERIC ADMINISTRATION**  
12 **CHESAPEAKE BAY OFFICE.**

13 Section 307 of the National Oceanic and Atmospheric  
14 Administration Authorization Act of 1992 (15 U.S.C.  
15 1511d) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1) by striking “(in this  
18 section” and all that follows and inserting a pe-  
19 riod;

1 (B) by amending paragraph (2) to read as  
2 follows:

3 “(2) The Office shall be headed by a Director,  
4 who—

5 “(A) shall have knowledge and experience  
6 in research or resource management efforts in  
7 the Chesapeake Bay; and

8 “(B) shall be responsible for the adminis-  
9 tration and operation of the office and the im-  
10 plementation of this Act.”; and

11 (C) by striking paragraph (3);

12 (2) in subsection (b)—

13 (A) in paragraph (2), by striking “Sec-  
14 retary of Commerce” and inserting “Adminis-  
15 trator”;

16 (B) in paragraph (3)—

17 (i) by striking “, the Chesapeake Bay  
18 Regional Sea Grant Programs, and the  
19 Chesapeake Bay units of the National Es-  
20 tuarine Research Reserve System,” and in-  
21 serting “that relate to the Chesapeake Bay  
22 watershed in furtherance of such Adminis-  
23 tration’s coastal resource stewardship mis-  
24 sion,”;

25 (ii) in subparagraph (A)—

1 (I) in clause (vi), by striking  
2 “and” at the end; and

3 (II) by adding at the end the fol-  
4 lowing:

5 “(viii) coastal hazards and climate  
6 change; and”; and

7 (iii) in subparagraph (B)—

8 (I) in clause (iii), by striking  
9 “and” at the end;

10 (II) in clause (iv), by inserting  
11 “and” after the semicolon; and

12 (III) by adding at the end the  
13 following:

14 “(v) integrated ecosystem assess-  
15 ments;”;

16 (C) in paragraph (4)—

17 (i) by striking “Environmental Pro-  
18 tection Agency” and inserting “Chesapeake  
19 Executive Council”; and

20 (ii) by inserting before the semicolon  
21 at the end the following: “as appropriate to  
22 further the purposes of this section”;

23 (D) by striking paragraphs (5) and (7);

24 (E) by redesignating paragraph (6) as  
25 paragraph (5); and

1 (F) by adding at the end the following:

2 “(6) perform any functions necessary to sup-  
3 port the programs referred to in paragraph (3).”;

4 and

5 (3) by striking subsections (c), (d), and (e); and

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

7 “(c) PROGRAM ACTIVITIES.—

8 “(1) IN GENERAL.—The Administrator,  
9 through the Director, shall implement the program  
10 activities authorized by this section to support the  
11 activity of the Chesapeake Executive Council and to  
12 further the purposes of this section.

13 “(2) ENSURING SCIENTIFIC AND TECHNICAL  
14 MERIT.—The Director shall—

15 “(A) establish and use an effective and  
16 transparent mechanism to ensure that projects  
17 funded under this section have undergone ap-  
18 propriate peer review; and

19 “(B) provide other appropriate means to  
20 determine that such projects have acceptable  
21 scientific and technical merit for the purpose of  
22 achieving maximum use of available funds and  
23 resources to benefit the Chesapeake Bay area.

24 “(3) CONSULTATION WITH CHESAPEAKE EXEC-  
25 UTIVE COUNCIL.—The Director shall, in the imple-

1       mentation of the program activities authorized under  
2       this section, consult with the Chesapeake Executive  
3       Council, to ensure that the activities of the Office  
4       are consistent with the purposes and priorities of the  
5       Chesapeake Bay Agreement and plans developed  
6       pursuant to the such agreement.

7               “(4) INTEGRATED COASTAL OBSERVATIONS.—

8                       “(A) IN GENERAL.—The Administrator,  
9                       through the Director, may collaborate with sci-  
10                      entific and academic institutions, State and  
11                      Federal agencies, non-governmental organiza-  
12                      tions, and other constituents in the Chesapeake  
13                      Bay watershed, to support an integrated obser-  
14                      vations system for the Chesapeake Bay con-  
15                      sistent with the purposes of the Integrated  
16                      Coastal and Ocean Observation System Act of  
17                      2009 (33 U.S.C. 3601 et seq.).

18                      “(B) SPECIFIC REQUIREMENTS.—To sup-  
19                      port the system referred to in subparagraph (A)  
20                      and provide a complete set of environmental in-  
21                      formation for the Chesapeake Bay, the Director  
22                      shall—

23                               “(i) coordinate existing monitoring  
24                               and observation activities in the Chesa-  
25                               peake Bay;

1           “(ii) identify new data collection needs  
2           and deploy new technologies, as appro-  
3           priate;

4           “(iii) collect and analyze the scientific  
5           information necessary for the management  
6           of living marine resources and the marine  
7           habitat associated with such resources; and

8           “(iv) organize the information de-  
9           scribed in clause (iii) into products that  
10          are useful to policy makers, resource man-  
11          agers, scientists, and the public.

12          “(C) CHESAPEAKE BAY INTERPRETIVE  
13          BUOY SYSTEM.—To further the development  
14          and implementation of the Chesapeake Bay In-  
15          terpretive Buoy System, the Director may—

16               “(i) support the establishment and  
17               implementation of the Captain John Smith  
18               Chesapeake National Historic Trail;

19               “(ii) delineate key waypoints along the  
20               trail and provide appropriate real-time  
21               data and information for trail users;

22               “(iii) interpret data and information  
23               for use by educators and students to in-  
24               spire stewardship of Chesapeake Bay; and

1 “(iv) incorporate the Chesapeake Bay  
2 Interpretive Buoy System into the Inte-  
3 grated Ocean Observing System regional  
4 network of observatories.

5 “(5) CHESAPEAKE BAY WATERSHED EDU-  
6 CATION AND TRAINING PROGRAM.—

7 “(A) IN GENERAL.—The Administrator,  
8 through the Director, may establish a Chesa-  
9 peake Bay watershed education and training  
10 program. The program shall—

11 “(i) continue and expand the Chesa-  
12 peake Bay watershed education programs  
13 offered by the Office immediately before  
14 the enactment of the Chesapeake Bay  
15 Science, Education, and Ecosystem En-  
16 hancement Act of 2019;

17 “(ii) improve the understanding of el-  
18 ementary and secondary school students  
19 and teachers of the living resources of the  
20 ecosystem of the Chesapeake Bay;

21 “(iii) provide community education to  
22 improve watershed protection; and

23 “(iv) meet the educational goals of the  
24 Chesapeake Bay Agreement.

1           “(B) GRANT PROGRAM.—The Director  
2           may award grants for the purposes of this para-  
3           graph. Grants awarded under this subpara-  
4           graph may be used to support education and  
5           training projects that enhance understanding  
6           and assessment of a specific environmental  
7           problem in the Chesapeake Bay watershed or a  
8           goal of the Chesapeake Bay Program, or pro-  
9           tect or restore living resources of the Ches-  
10          apeake Bay watershed, including projects that—

11                   “(i) provide classroom education, in-  
12                   cluding the development and use of dis-  
13                   tance learning and other innovative tech-  
14                   nologies, related to the Chesapeake Bay  
15                   watershed;

16                   “(ii) provide watershed educational  
17                   experiences in the Chesapeake Bay water-  
18                   shed;

19                   “(iii) provide professional development  
20                   for teachers related to the Chesapeake Bay  
21                   watershed and the dissemination of perti-  
22                   nent education materials oriented to vary-  
23                   ing grade levels;



1           “(iv) demonstrate or disseminate envi-  
2           ronmental educational tools and materials  
3           related to the Chesapeake Bay watershed;

4           “(v) demonstrate field methods, prac-  
5           tices, and techniques including assessment  
6           of environmental and ecological conditions  
7           and analysis of environmental problems;

8           “(vi) build the capacity of organiza-  
9           tions to deliver high quality environmental  
10          education programs; and

11          “(vii) educate local land use officials  
12          and decision makers on the relationship of  
13          land use to natural resource and watershed  
14          protection.

15          “(C) COORDINATION.—The Director shall  
16          implement the education and training program  
17          in coordination with the heads of other Federal  
18          agencies, as the Director determines appro-  
19          priate.

20          “(6) COASTAL AND LIVING RESOURCES MAN-  
21          AGEMENT AND HABITAT PROGRAM.—

22          “(A) IN GENERAL.—The Administrator,  
23          through the Director, may establish a Chesa-  
24          peake Bay Coastal Living Resources Manage-  
25          ment and Habitat Program to support coordi-

1 nated management, protection, characterization,  
2 and restoration of priority Chesapeake Bay  
3 habitats and living resources, including oysters,  
4 blue crabs, and submerged aquatic vegetation.

5 “(B) ACTIVITIES.—Under the Chesapeake  
6 Bay Coastal Living Resources Management and  
7 Habitat Program, the Director may carry out  
8 or enter into grants, contracts, and cooperative  
9 agreements and provide technical assistance to  
10 support—

11 “(i) native oyster—

12 “(I) research; and

13 “(II) restoration;

14 “(ii) fish and shellfish aquaculture  
15 that is carried out in accordance with a  
16 valid Federal or State permit;

17 “(iii) establishment of submerged  
18 aquatic vegetation propagation programs;

19 “(iv) the development of programs  
20 that restore, protect, and build the resil-  
21 ience of critical coastal habitats;

22 “(v) habitat mapping, characteriza-  
23 tion, and assessment techniques necessary  
24 to identify, assess, and monitor restoration  
25 actions;

1           “(vi) application and transfer of ap-  
2           plied scientific research and ecosystem  
3           management tools to fisheries and habitat  
4           managers;

5           “(vii) collection, synthesis, and shar-  
6           ing of information to inform and influence  
7           coastal and living resource management  
8           issues; and

9           “(viii) other activities that the director  
10          determines are appropriate to carry out  
11          the purposes of such program.

12       “(d) DELEGATION.—

13           “(1) AUTHORITY.—The Administrator shall del-  
14          egate to the Director such authority as may be nec-  
15          essary to carry out this section.

16           “(2) STAFF.—The Administrator shall delegate  
17          to the Director appropriate staff representing exper-  
18          tise that covers the breadth of the duties of the Of-  
19          fice.

20       “(e) REPORTS.—

21           “(1) IN GENERAL.—The Administrator,  
22          through the Director, shall submit a biennial report  
23          to the Congress and the Secretary of Commerce on  
24          the activities of the Office and on progress made in

1 protecting and restoring the living resources and  
2 habitat of the Chesapeake Bay.

3 “(2) ACTION PLAN.—Each such report shall in-  
4 clude an action plan for the 2-year period following  
5 submission of the report, consisting of—

6 “(A) a list of recommended research, moni-  
7 toring, and data collection activities necessary  
8 to continue implementation of the strategy  
9 under subsection (b)(2); and

10 “(B) recommendations to integrate Na-  
11 tional Oceanic and Atmospheric Administration  
12 activities with the activities of the partners in  
13 the Chesapeake Bay Program to meet the com-  
14 mitments of the Chesapeake Bay Agreement  
15 and subsequent agreements.

16 “(f) AGREEMENTS.—

17 “(1) IN GENERAL.—The Administrator,  
18 through the Director, may enter into and perform  
19 such contracts, leases, grants, or cooperative agree-  
20 ments as may be necessary to carry out the purposes  
21 of this Act.

22 “(2) USE OF OTHER RESOURCES.—For pur-  
23 poses related to the understanding, protection, and  
24 restoration of Chesapeake Bay, the Director may  
25 use, with consent and with or without reimburse-

1       ment, the land, services, equipment, personnel, and  
2       facilities of any Department, agency, or instrumen-  
3       tality of the United States, or of any State, local  
4       government, Indian Tribe, or of any political sub-  
5       division thereof.

6           “(3) DONATIONS.—The Director may accept  
7       donations of funds, other property, and services for  
8       use in understanding, protecting, and restoring the  
9       Chesapeake Bay. Donations accepted under this sec-  
10      tion shall be considered as a gift or bequest to or for  
11      the use of the United States. The Director may re-  
12      ject such gift if such rejection is in the interest of  
13      the Government.

14          “(g) DEFINITIONS.—In this section:

15           “(1) ADMINISTRATOR.—The term ‘Adminis-  
16      trator’ means the Administrator of the National  
17      Oceanic and Atmospheric Administration.

18           “(2) CHESAPEAKE BAY AGREEMENT.—The  
19      term ‘Chesapeake Bay Agreement’ means the for-  
20      mal, voluntary agreements executed to achieve the  
21      goal of restoring and protecting the Chesapeake Bay  
22      ecosystem and the living resources of the Chesa-  
23      peake Bay ecosystem and are signed by the Chesa-  
24      peake Executive Council.

1           “(3) CHESAPEAKE EXECUTIVE COUNCIL.—The  
2 term ‘Chesapeake Executive Council’ means the rep-  
3 resentatives from the Commonwealth of Virginia, the  
4 State of Maryland, the Commonwealth of Pennsyl-  
5 vania, the Environmental Protection Agency, Dela-  
6 ware, New York, West Virginia, the District of Co-  
7 lumbia, and the Chesapeake Bay Commission, who  
8 are signatories to the Chesapeake Bay Agreement,  
9 and any future signatories to that agreement.

10           “(4) DIRECTOR.—The term ‘Director’ means  
11 the Director of the Office.

12           “(5) OFFICE.—The term ‘Office’ means the  
13 Chesapeake Bay Office established under this sec-  
14 tion.

15           “(h) AUTHORIZATION OF APPROPRIATIONS.—

16           “(1) There is authorized to be appropriated to  
17 the Secretary to carry out this section—

18                   “(A) \$12,000,000 for fiscal year 2021;

19                   “(B) \$20,700,000 for fiscal year 2022;

20                   “(C) \$22,570,000 for fiscal year 2023; and

21                   “(D) \$24,627,000 for fiscal year 2024.

22           “(2) Of the amounts appropriated pursuant to  
23 paragraph (1), not less than \$2,000,000 in each fis-

1 cal year may be used for purposes described in sub-  
2 section (c)(6)(B)(i)(II).”.

