

107TH CONGRESS
1ST SESSION

H. R. 642

To reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2001

Mr. GILCHREST (for himself, Mr. CARDIN, Mrs. MORELLA, Mr. CUMMINGS, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Resources

A BILL

To reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CHESAPEAKE BAY OFFICE.**

4 (a) REAUTHORIZATION OF OFFICE.—Section 307 of
5 the National Oceanic and Atmospheric Administration Au-
6 thorization Act of 1992 (15 U.S.C. 1511d) is amended
7 to read as follows:

1 **“SEC. 307. CHESAPEAKE BAY OFFICE.**

2 “(a) ESTABLISHMENT.—(1) The Secretary of Com-
3 merce shall establish, within the National Oceanic and At-
4 mospheric Administration, an office to be known as the
5 Chesapeake Bay Office (in this section referred to as the
6 ‘Office’).

7 “(2) The Office shall be headed by a Director who
8 shall be appointed by the Secretary of Commerce, in con-
9 sultation with the Chesapeake Executive Council. Any in-
10 dividual appointed as Director shall have knowledge and
11 experience in research or resource management efforts in
12 the Chesapeake Bay.

13 “(3) The Director may appoint such additional per-
14 sonnel for the Office as the Director determines necessary
15 to carry out this section.

16 “(b) FUNCTIONS.—The Office, in consultation with
17 the Chesapeake Executive Council, shall—

18 “(1) provide technical assistance to the Admin-
19 istrator, to other Federal departments and agencies,
20 and to State and local government agencies in—

21 “(A) assessing the processes that shape
22 the Chesapeake Bay system and affect its living
23 resources;

24 “(B) identifying technical and management
25 alternatives for the restoration and protection

1 of living resources and the habitats they depend
2 upon; and

3 “(C) monitoring the implementation and
4 effectiveness of management plans;

5 “(2) develop and implement a strategy for the
6 National Oceanic and Atmospheric Administration
7 that integrates the science, research, monitoring,
8 data collection, regulatory, and management respon-
9 sibilities of the Secretary of Commerce in such a
10 manner as to assist the cooperative, intergovern-
11 mental Chesapeake Bay Program to meet the com-
12 mitments of the Chesapeake Bay Agreement;

13 “(3) coordinate the programs and activities of
14 the various organizations within the National Oce-
15 anic and Atmospheric Administration, the Ches-
16 apeake Bay Regional Sea Grant Programs, and the
17 Chesapeake Bay units of the National Estuarine Re-
18 search Reserve System, including—

19 “(A) programs and activities in—

20 “(i) coastal and estuarine research,
21 monitoring, and assessment;

22 “(ii) fisheries research and stock as-
23 sessments;

24 “(iii) data management;

25 “(iv) remote sensing;

1 “(v) coastal management;

2 “(vi) habitat conservation and restora-
3 tion; and

4 “(vii) atmospheric deposition; and

5 “(B) programs and activities of the Coop-
6 erative Oxford Laboratory of the National
7 Ocean Service with respect to—

8 “(i) nonindigenous species;

9 “(ii) marine species pathology;

10 “(iii) human pathogens in marine en-
11 vironments; and

12 “(iv) ecosystem health;

13 “(4) coordinate the activities of the National
14 Oceanic and Atmospheric Administration with the
15 activities of the Environmental Protection Agency
16 and other Federal, State, and local agencies;

17 “(5) establish an effective mechanism which
18 shall ensure that projects have undergone appro-
19 priate peer review and provide other appropriate
20 means to determine that projects have acceptable
21 scientific and technical merit for the purpose of
22 achieving maximum utilization of available funds
23 and resources to benefit the Chesapeake Bay area;

24 “(6) remain cognizant of ongoing research,
25 monitoring, and management projects and assist in

1 the dissemination of the results and findings of
2 those projects; and

3 “(7) submit a biennial report to the Congress
4 and the Secretary of Commerce with respect to the
5 activities of the Office and on the progress made in
6 protecting and restoring the living resources and
7 habitat of the Chesapeake Bay, which report shall
8 include an action plan consisting of—

9 “(A) a list of recommended research, moni-
10 toring, and data collection activities necessary
11 to continue implementation of the strategy de-
12 scribed in paragraph (2); and

13 “(B) proposals for—

14 “(i) continuing any new National Oce-
15 anic and Atmospheric Administration ac-
16 tivities in the Chesapeake Bay; and

17 “(ii) the integration of those activities
18 with the activities of the partners in the
19 Chesapeake Bay Program to meet the
20 commitments of the Chesapeake 2000
21 agreement and subsequent agreements.

22 “(c) CHESAPEAKE BAY FISHERY AND HABITAT RES-
23 TORATION SMALL WATERSHED GRANTS PROGRAM.—

24 “(1) IN GENERAL.—The Director of the Ches-
25 peake Bay Office of the National Oceanic and At-

1 atmospheric Administration (in this section referred to
2 as the ‘Director’), in cooperation with the Chesapeake
3 Executive Council, shall carry out a community-based fishery and habitat restoration small
4 grants and technical assistance program in the
5 Chesapeake Bay watershed.
6

7 “(2) PROJECTS.—

8 “(A) SUPPORT.—The Director shall make
9 grants under this subsection to pay the Federal
10 share of the cost of projects that are carried
11 out by entities eligible under paragraph (3) for
12 the restoration of fisheries and habitats in the
13 Chesapeake Bay.

14 “(B) FEDERAL SHARE.—The Federal
15 share under subparagraph (A) shall not exceed
16 75 percent.

17 “(C) TYPES OF PROJECTS.—Projects for
18 which grants may be made under this sub-
19 section include—

20 “(i) the improvement of fish passage-
21 ways;

22 “(ii) the creation of natural or artificial
23 reefs or substrata for habitats;

24 “(iii) the restoration of wetland or sea
25 grass; and

1 “(iv) the production of oysters for res-
2 toration projects.

3 “(3) ELIGIBLE ENTITIES.—The following enti-
4 ties are eligible to receive grants under this sub-
5 section:

6 “(A) The government of a political subdivi-
7 sion of a State in the Chesapeake Bay water-
8 shed, and the government of the District of Co-
9 lumbia.

10 “(B) An organization in the Chesapeake
11 Bay watershed (such as an educational institu-
12 tion or a community organization)—

13 “(i) that is described in section 501(c)
14 of the Internal Revenue Code of 1986 and
15 is exempt from taxation under section
16 501(a) of that Code; and

17 “(ii) that will administer such grants
18 in coordination with a government referred
19 to in subparagraph (A).

20 “(4) ADDITIONAL REQUIREMENTS.—The Direc-
21 tor may prescribe any additional requirements, in-
22 cluding procedures, that the Director considers nec-
23 essary to carry out the program under this sub-
24 section.

1 “(d) BUDGET LINE ITEM.—The Secretary of Com-
2 merce shall identify, in the President’s annual budget to
3 the Congress, the funding request for the Office.

4 “(e) CHESAPEAKE EXECUTIVE COUNCIL.—For pur-
5 poses of this section, ‘Chesapeake Executive Council’
6 means the representatives from the Commonwealth of Vir-
7 ginia, the State of Maryland, the Commonwealth of Penn-
8 sylvania, the Environmental Protection Agency, the Dis-
9 trict of Columbia, and the Chesapeake Bay Commission,
10 who are signatories to the Chesapeake Bay Agreement,
11 and any future signatories to that Agreement.

12 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
13 is authorized to be appropriated to the Department of
14 Commerce for the Chesapeake Bay Office \$6,000,000 for
15 each of fiscal years 2002 through 2006.”.

16 (b) CONFORMING AMENDMENT.—Section 2 of the
17 National Oceanic and Atmospheric Administration Marine
18 Fisheries Program Authorization Act (Public Law 98–
19 210; 97 Stat. 1409) is amended by striking subsection (e)
20 (106 Stat. 4285).

21 (c) MULTIPLE SPECIES MANAGEMENT STRATEGY.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of enactment of this Act, the Director
24 of the Chesapeake Bay Office of the National Oce-
25 anic and Atmospheric Administration shall begin a

1 5-year study, in cooperation with the scientific com-
2 munity of the Chesapeake Bay, appropriate State
3 and interstate resource management entities, and
4 appropriate Federal agencies—

5 (A) to determine and expand the under-
6 standing of the role and response of living re-
7 sources in the Chesapeake Bay ecosystem; and

8 (B) to develop a multiple species manage-
9 ment strategy for the Chesapeake Bay.

10 (2) REQUIRED ELEMENTS OF STUDY.—In order
11 to improve the understanding necessary for the de-
12 velopment of the strategy under paragraph (1)(B),
13 the study shall—

14 (A) determine the current status and
15 trends of fish and shellfish that live in the
16 Chesapeake Bay estuaries and are selected for
17 study;

18 (B) evaluate and assess interactions among
19 the fish and shellfish referred to in subpara-
20 graph (A) and other living resources, with par-
21 ticular attention to the impact of changes with-
22 in and among trophic levels; and

- 1 (C) recommend management actions to op-
- 2 timize the return of a healthy and balanced eco-
- 3 system for the Chesapeake Bay.

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