

107TH CONGRESS
1ST SESSION

H. R. 642

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2001

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

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

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

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

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

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

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

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

23 “(1) provide technical assistance to the Admin-
24 istrator, to other Federal departments and agencies,
25 and to State and local government agencies in—

1 “(A) assessing the processes that shape
2 the Chesapeake Bay system and affect its living
3 resources;

4 “(B) identifying technical and management
5 alternatives for the restoration and protection
6 of living resources and the habitats they depend
7 upon; and

8 “(C) monitoring the implementation and
9 effectiveness of management plans;

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

18 “(3) coordinate the programs and activities of
19 the various organizations within the National Oce-
20 anic and Atmospheric Administration, the Ches-
21 apeake Bay Regional Sea Grant Programs, and the
22 Chesapeake Bay units of the National Estuarine Re-
23 search Reserve System, including—

24 “(A) programs and activities in—

1 “(i) coastal and estuarine research,
2 monitoring, and assessment;

3 “(ii) fisheries research and stock as-
4 sessments;

5 “(iii) data management;

6 “(iv) remote sensing;

7 “(v) coastal management;

8 “(vi) habitat conservation and restora-
9 tion; and

10 “(vii) atmospheric deposition; and

11 “(B) programs and activities of the Coop-
12 erative Oxford Laboratory of the National
13 Ocean Service with respect to—

14 “(i) nonindigenous species;

15 “(ii) estuarine and marine species pa-
16 thology;

17 “(iii) human pathogens in estuarine
18 and marine environments; and

19 “(iv) ecosystem health;

20 “(4) coordinate the activities of the National
21 Oceanic and Atmospheric Administration with the
22 activities of the Environmental Protection Agency
23 and other Federal, State, and local agencies;

24 “(5) establish an effective mechanism which
25 shall ensure that projects have undergone appro-

1 piate peer review and provide other appropriate
2 means to determine that projects have acceptable
3 scientific and technical merit for the purpose of
4 achieving maximum utilization of available funds
5 and resources to benefit the Chesapeake Bay area;

6 “(6) remain cognizant of ongoing research,
7 monitoring, and management projects and assist in
8 the dissemination of the results and findings of
9 those projects; and

10 “(7) submit a biennial report to the Congress
11 and the Secretary of Commerce with respect to the
12 activities of the Office and on the progress made in
13 protecting and restoring the living resources and
14 habitat of the Chesapeake Bay, which report shall
15 include an action plan consisting of—

16 “(A) a list of recommended research, moni-
17 toring, and data collection activities necessary
18 to continue implementation of the strategy de-
19 scribed in paragraph (2); and

20 “(B) proposals for—

21 “(i) continuing any new National Oce-
22 anic and Atmospheric Administration ac-
23 tivities in the Chesapeake Bay; and

24 “(ii) the integration of those activities
25 with the activities of the partners in the

1 Chesapeake Bay Program to meet the
2 commitments of the Chesapeake 2000
3 agreement and subsequent agreements.

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

6 “(1) IN GENERAL.—The Director of the Chesa-
7 peake Bay Office of the National Oceanic and At-
8 mospheric Administration (in this section referred to
9 as the ‘Director’), in cooperation with the Chesa-
10 peake Executive Council, shall carry out a commu-
11 nity-based fishery and habitat restoration small
12 grants and technical assistance program in the
13 Chesapeake Bay watershed.

14 “(2) PROJECTS.—

15 “(A) SUPPORT.—The Director shall make
16 grants under this subsection to pay the Federal
17 share of the cost of projects that are carried
18 out by entities eligible under paragraph (3) for
19 the restoration of fisheries and habitats in the
20 Chesapeake Bay.

21 “(B) FEDERAL SHARE.—The Federal
22 share under subparagraph (A) shall not exceed
23 75 percent.

1 “(C) TYPES OF PROJECTS.—Projects for
2 which grants may be made under this sub-
3 section include—

4 “(i) the improvement of fish passage-
5 ways;

6 “(ii) the creation of natural or artifi-
7 cial reefs or substrata for habitats;

8 “(iii) the restoration of wetland or sea
9 grass;

10 “(iv) the production of oysters for res-
11 toration projects; and

12 “(v) the prevention, identification, and
13 control of nonindigenous species.

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

17 “(A) The government of a political subdivi-
18 sion of a State in the Chesapeake Bay water-
19 shed, and the government of the District of Co-
20 lumbia.

21 “(B) An organization in the Chesapeake
22 Bay watershed (such as an educational institu-
23 tion or a community organization)—

24 “(i) that is described in section 501(c)
25 of the Internal Revenue Code of 1986 and

1 is exempt from taxation under section
2 501(a) of that Code; and

3 “(ii) that will administer such grants
4 in coordination with a government referred
5 to in subparagraph (A).

6 “(4) ADDITIONAL REQUIREMENTS.—The Direc-
7 tor may prescribe any additional requirements, in-
8 cluding procedures, that the Director considers nec-
9 essary to carry out the program under this sub-
10 section.

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

14 “(e) CHESAPEAKE EXECUTIVE COUNCIL.—For pur-
15 poses of this section, ‘Chesapeake Executive Council’
16 means the representatives from the Commonwealth of Vir-
17 ginia, the State of Maryland, the Commonwealth of Penn-
18 sylvania, the Environmental Protection Agency, the Dis-
19 trict of Columbia, and the Chesapeake Bay Commission,
20 who are signatories to the Chesapeake Bay Agreement,
21 and any future signatories to that Agreement.

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

1 (b) CONFORMING AMENDMENT.—Section 2 of the
2 National Oceanic and Atmospheric Administration Marine
3 Fisheries Program Authorization Act (Public Law 98–
4 210; 97 Stat. 1409) is amended by striking subsection (e).

5 (c) MULTIPLE SPECIES MANAGEMENT STRATEGY.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of enactment of this Act, the Director
8 of the Chesapeake Bay Office of the National Oce-
9 anic and Atmospheric Administration shall begin a
10 5-year study, in cooperation with the scientific com-
11 munity of the Chesapeake Bay, appropriate State
12 and interstate resource management entities, and
13 appropriate Federal agencies—

14 (A) to determine and expand the under-
15 standing of the role and response of living re-
16 sources in the Chesapeake Bay ecosystem; and

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

19 (2) REQUIRED ELEMENTS OF STUDY.—In order
20 to improve the understanding necessary for the de-
21 velopment of the strategy under paragraph (1)(B),
22 the study shall—

23 (A) determine the current status and
24 trends of fish and shellfish that live in the

1 Chesapeake Bay and its tributaries and are se-
2 lected for study;

3 (B) evaluate and assess interactions among
4 the fish and shellfish referred to in subpara-
5 graph (A) and other living resources, with par-
6 ticular attention to the impact of changes with-
7 in and among trophic levels; and

8 (C) recommend management actions to op-
9 timize the return of a healthy and balanced eco-
10 system for the Chesapeake Bay.

Passed the House of Representatives April 4, 2001.

Attest: JEFF TRANDAHL,
Clerk.