

108TH CONGRESS
1ST SESSION

S. 831

To establish programs to enhance protection of the Chesapeake Bay, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2003

Mr. SARBANES (for himself, Mr. WARNER, Mr. ALLEN, and Ms. MIKULSKI)
introduced the following bill; which was read twice and referred to the
Committee on Commerce, Science, and Transportation

A BILL

To establish programs to enhance protection of the
Chesapeake Bay, 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. SHORT TITLE.**

4 This Act may be cited as the “NOAA Chesapeake
5 Bay Watershed Education, Training, and Restoration
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) CENTER.—The term “Center” means the
2 Coastal Prediction Center for the Chesapeake Bay
3 established under paragraph (1) of section 3(a).

4 (2) CHESAPEAKE 2000 AGREEMENT.—The term
5 “Chesapeake 2000 agreement” means the agreement
6 between the United States, the States of Maryland,
7 Pennsylvania, and Virginia, and the District of Co-
8 lumbia entered into on June 28, 2000.

9 (3) CHESAPEAKE EXECUTIVE COUNCIL.—The
10 term “Chesapeake Executive Council” has the mean-
11 ing given that term in subsection (d) of section 307
12 of the National Oceanic and Atmospheric Adminis-
13 tration Authorization Act of 1992 (15 U.S.C.
14 1511d).

15 (4) DIRECTOR.—The term “Director” means
16 the Director of the Chesapeake Bay Office appointed
17 under paragraph (2) of section 307(a) of the Na-
18 tional Oceanic and Atmospheric Administration Au-
19 thorization Act of 1992 (15 U.S.C. 1511d).

20 (5) ELIGIBLE ENTITY.—The term “eligible enti-
21 ty” means a State government, an institution of
22 higher education, including a community college, a
23 not-for-profit organization, or an appropriate private
24 entity.

1 (6) CHESAPEAKE BAY OFFICE.—The term
 2 “Chesapeake Bay Office” means the Chesapeake
 3 Bay Office within the National Oceanic and Atmos-
 4 pheric Administration established under paragraph
 5 (1) of section 307(a) of the National Oceanic and
 6 Atmospheric Administration Authorization Act of
 7 1992 (15 U.S.C. 1511d).

8 **SEC. 3. COASTAL PREDICTION CENTER.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—Not later than 1 year after
 11 the date of enactment of this Act, the Director, in
 12 collaboration with scientific institutions located in
 13 the Chesapeake Bay watershed, shall establish a
 14 Coastal Prediction Center for the Chesapeake Bay.

15 (2) PURPOSES.—The purposes of the Center es-
 16 tablished under paragraph (1) are to serve as a
 17 knowledge bank for—

18 (A) assembling, integrating, and modeling
 19 coastal information and data related to the
 20 Chesapeake Bay and the tributaries of the
 21 Chesapeake Bay from appropriate government
 22 agencies and scientific institutions;

23 (B) interpreting such information and
 24 data; and

1 (C) organizing such information and data
 2 into predictive products that are useful to policy
 3 makers, resource managers, scientists, and the
 4 public.

5 (b) ACTIVITIES.—

6 (1) INFORMATION AND PREDICTION SYSTEM.—

7 The Center shall develop an Internet-based informa-
 8 tion system for integrating, interpreting, and dis-
 9 seminating coastal information and predictions con-
 10 cerning the Chesapeake Bay and the tributaries of
 11 the Chesapeake Bay related to—

12 (A) climate;

13 (B) land use;

14 (C) coastal pollution;

15 (D) coastal environmental quality;

16 (E) ecosystem health and performance;

17 (F) aquatic living resources and habitat
 18 conditions; and

19 (G) weather, tides, currents, and circula-
 20 tion that affect the distribution of sediments,
 21 nutrients, and organisms, coastline erosion, and
 22 related physical and chemical events.

23 (2) AGREEMENTS TO PROVIDE DATA, INFORMA-
 24 TION, AND SUPPORT.—The Director may enter into
 25 agreements with other entities of the National Oce-

anic and Atmospheric Administration, other appropriate Federal, State, and local government agencies, and academic institutions, to provide and interpret data and information, and provide appropriate support, relating to the activities of the Center.

(3) AGREEMENTS RELATING TO INFORMATION PRODUCTS.—The Director may enter into grants, contracts, and interagency agreements with eligible entities for the collection, processing, analysis, interpretation, and electronic publication of information products for the Center.

SEC. 4. CHESAPEAKE BAY WATERSHED EDUCATION AND TRAINING PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Director, in cooperation with the Chesapeake Executive Council, shall establish a Chesapeake Bay watershed education and training program.

(2) PURPOSES.—The program established under paragraph (1) shall continue and expand the Chesapeake Bay watershed education programs offered by the Chesapeake Bay Office for the purposes of—

(A) improving the understanding of elementary and secondary school students and

1 teachers of the living resources of the ecosystem
 2 of the Chesapeake Bay; and

3 (B) meeting the educational goals of the
 4 Chesapeake 2000 agreement.

5 (b) GRANT PROGRAM.—

6 (1) AUTHORIZATION.—The Director is author-
 7 ized to award grants to pay the Federal share of the
 8 cost of a project described in paragraph (3)—

9 (A) to a not-for-profit institution;

10 (B) to a consortia of not-for-profit institu-
 11 tions;

12 (C) to an elementary or secondary school
 13 located within the Chesapeake Bay watershed;

14 (D) to a teacher at a school described in
 15 subparagraph (C); or

16 (E) a State Department of Education if
 17 any part of such State is within the Chesapeake
 18 Bay watershed.

19 (2) CRITERIA.—The Director is authorized to
 20 award grants under this section based on the experi-
 21 ence of the applicant in providing environmental
 22 education and training projects regarding the Ches-
 23 apeake Bay watershed to a range of participants and
 24 in a range of settings.

1 (3) FUNCTIONS AND ACTIVITIES.—Grants
2 awarded under this section may be used to support
3 education and training projects that—

4 (A) provide classroom education, including
5 the use of distance learning technologies, on the
6 issues, science, and problems of the living re-
7 sources of the Chesapeake Bay watershed;

8 (B) provide meaningful outdoor experience
9 on the Chesapeake Bay, or on a stream or in
10 a local watershed of the Chesapeake Bay, in the
11 design and implementation of field studies,
12 monitoring and assessments, or restoration
13 techniques for living resources;

14 (C) provide professional development for
15 teachers related to the science of the Ches-
16 apeake Bay watershed and the dissemination of
17 pertinent education materials oriented to vary-
18 ing grade levels;

19 (D) demonstrate or disseminate environ-
20 mental educational tools and materials related
21 to the Chesapeake Bay watershed;

22 (E) demonstrate field methods, practices,
23 and techniques including assessment of environ-
24 mental and ecological conditions and analysis of
25 environmental problems; and

1 (F) develop or disseminate projects de-
 2 signed to—

3 (i) enhance understanding and assess-
 4 ment of a specific environmental problem
 5 in the Chesapeake Bay watershed or of a
 6 goal of the Chesapeake Bay Program; or

7 (ii) protect or restore living resources
 8 of the Chesapeake Bay watershed.

9 (4) FEDERAL SHARE.—The Federal share of
 10 the cost of a project authorized under paragraph (1)
 11 shall not exceed 75 percent of the total cost of that
 12 project.

13 (c) REPORT.—Not later than December 31, 2006, the
 14 Director, in consultation with the Chesapeake Executive
 15 Council, shall submit to Congress a report through the Ad-
 16 ministrator of National Oceanic and Atmospheric Admin-
 17 istration regarding the program established under sub-
 18 section (a) and, on the appropriate role of Federal, State,
 19 and local governments in continuing such program.

20 **SEC. 5. STOCK ENHANCEMENT AND HABITAT RESTORA-**
 21 **TION PROGRAM.**

22 (a) ESTABLISHMENT.—

23 (1) IN GENERAL.—Not later than 1 year after
 24 the date of enactment of this Act, the Director, in
 25 cooperation with the Chesapeake Executive Council,

1 shall establish a Chesapeake Bay watershed stock
 2 enhancement and habitat restoration program.

3 (2) PURPOSES.—The purposes of the program
 4 established in paragraph (1) are to support the res-
 5 toration of oysters and submerged aquatic vegetation
 6 in the Chesapeake Bay and enhance education pro-
 7 grams related to aquaculture.

8 (b) ACTIVITIES.—To carry out the purpose of the
 9 program established in paragraph (1) of subsection (a),
 10 the Director is authorized to enter into grants, contracts,
 11 and cooperative agreements with an eligible entity to sup-
 12 port—

13 (1) the establishment of oyster hatcheries;

14 (2) the establishment of submerged aquatic
 15 vegetation propagation programs;

16 (3) the development of education programs re-
 17 lated to aquaculture; and

18 (4) other activities that the Director determines
 19 are appropriate to carry out the purposes of such
 20 program.

21 **SEC. 6. CHESAPEAKE BAY AQUACULTURE EDUCATION.**

22 The Director is authorized to make grants and enter
 23 into contracts with an institution of higher education, in-
 24 cluding a community college, for the purpose of—

- 1 (1) supporting education in Chesapeake Bay
2 aquaculture sciences and technologies; and
3 (2) developing aquaculture processes and tech-
4 nologies to improve production, efficiency, and sus-
5 tainability of disease free oyster spat and submerged
6 aquatic vegetation.

7 **SEC. 7. SHALLOW WATER MONITORING PROGRAM.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of this Act, the Director, in
11 cooperation with the Chesapeake Executive Council
12 and scientific institutions located in the Chesapeake
13 Bay watershed, shall establish a program to monitor
14 shallow water throughout the Chesapeake Bay.

15 (2) PURPOSE.—The purpose of the program es-
16 tablished in paragraph (1) shall be to provide data
17 on water quality conditions necessary for restoration
18 of living resources in near-shore and tidal tributary
19 areas of the Chesapeake Bay.

20 (b) ACTIVITIES.—To carry out the purpose of the
21 program established in paragraph (1) of subsection (a),
22 the Director is authorized to carry out, or enter into
23 grants, contracts, and cooperative agreements with an eli-
24 gible entity to carry out activities—

1 (1) to collect, analyze, and disseminate sci-
2 entific information necessary for the management of
3 living marine resources and the marine habitat asso-
4 ciated with such resources;

5 (2) to interpret the information described in
6 paragraph (1);

7 (3) to organize the information described in
8 paragraph (1) into products that are useful to policy
9 makers, resource managers, scientists, and the pub-
10 lic; or

11 (4) that will otherwise further the purpose of
12 such program.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) CHESAPEAKE BAY OFFICE.—Subsection (e) of
15 section 307 of the National Oceanic and Atmospheric Ad-
16 ministration Authorization Act of 1992 (15 U.S.C. 1511d)
17 is amended—

18 (1) by striking “\$6,000,000” and inserting
19 “\$8,000,000”; and

20 (2) by striking “2006” and inserting “2008”.

21 (b) PROGRAMS.—There is authorized to be appro-
22 priated the following amounts to carry out the provisions
23 of this Act:

1 (1) \$500,000 for each of the fiscal years 2004
2 through 2008 to carry out the provisions of section
3 3.

4 (2) \$6,000,000 for each of the fiscal years 2004
5 through 2008 to carry out the provisions of section
6 4.

7 (3) \$7,000,000 for each of the fiscal years 2004
8 through 2008 to carry out the provisions of section
9 5.

10 (4) \$1,000,000 for each of the fiscal years 2004
11 through 2008 to carry out the provisions of section
12 6.

13 (5) \$3,000,000 for each of the fiscal years 2004
14 through 2008 to carry out the provisions of section
15 7.

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