

111TH CONGRESS  
1ST SESSION

# H. R. 3644

To direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2009

Mrs. CAPPS (for herself, Mr. EHLERS, and Mr. FARR) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions.

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 “Bay-Watershed Edu-  
5 cation and Training (B-WET) Regional Program and Na-  
6 tional Environmental Literacy Grant Program Act”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) The United States faces major challenges,  
4 such as mitigating and adapting to the impacts of  
5 climate change, stewarding critical coastal and ma-  
6 rine resources including fish and wildlife habitat  
7 while sustaining the commercial and recreational ac-  
8 tivities that depend on these resources, and improv-  
9 ing resilience to natural disasters, that collectively  
10 threaten human health, economic development, envi-  
11 ronmental quality, and national security.

12 (2) Communities in coastal watersheds are par-  
13 ticularly vulnerable to these increasingly urgent,  
14 interconnected, and complex challenges and need  
15 support for teacher professional development and ex-  
16 periential learning among students of all ages.

17 (3) These challenges can be met with the help  
18 of comprehensive programs specifically targeted to  
19 engage coastal watershed communities, school-  
20 children, and the general public to develop engaged  
21 and environmentally literate citizens who are better  
22 able to understand complex environmental issues, as-  
23 sess risk, evaluate proposed plans, and understand  
24 how individual decisions affect the environment at  
25 local, regional, national, and global scales.

1 (b) PURPOSE.—The purpose of this Act is to advance  
2 environmental literacy, develop public awareness and ap-  
3 preciation of the economic, social, and environmental ben-  
4 efits of coastal watersheds, and emphasize stewardship of  
5 critical coastal and marine resources, including an under-  
6 standing of how climate change is impacting those re-  
7 sources, through the establishment of—

8 (1) a National Environmental Literacy Grant  
9 Program; and

10 (2) regional Bay-Watershed Education and  
11 Training (B-WET) programs.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

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

17 (2) ENVIRONMENTAL EDUCATION.—The term  
18 “environmental education” means interdisciplinary  
19 formal and informal learning about the relevant  
20 interrelationships between dynamic environmental  
21 and human systems, and which results in increasing  
22 the learner’s capacity for decisionmaking and stew-  
23 ardsip regarding natural and community resources.

24 (3) ENVIRONMENTAL LITERACY.—The term  
25 “environmental literacy” means the capacity to per-

1 ceive and interpret the relative health of environ-  
2 mental systems and the interrelationships between  
3 natural and social systems and technology, and to  
4 assess options and take appropriate action to main-  
5 tain, restore, or improve the health of those systems.

6 (4) BAY-WATERSHED EDUCATION.—The term  
7 “bay-watershed education” means environmental  
8 education focused on watersheds, with an emphasis  
9 on stewardship of critical coastal and marine re-  
10 sources, including an understanding of how climate  
11 change is impacting those resources.

12 (5) ELIGIBLE ENTITY.—The term “eligible enti-  
13 ty” means a State agency, local agency, school dis-  
14 trict, institution of higher education, or for-profit or  
15 non-profit nongovernmental organization, consor-  
16 tium, or other entity that the Administrator finds  
17 has demonstrated expertise and experience in the de-  
18 velopment of the institutional, intellectual, or policy  
19 resources to help environmental education become  
20 more effective and widely practiced.

21 (6) HIGH LEVERAGE PROJECTS.—The term  
22 “high leverage projects” means projects supported  
23 by grants authorized under this Act that use Fed-  
24 eral, State and nongovernmental financial, technical,  
25 and other resources in such a manner that the po-

1 potential beneficial outcomes are highly magnified or  
2 enhanced.

3 (7) NATIONAL PROGRAM.—The term “National  
4 Program” means the National Environmental Lit-  
5 eracy Grant Program established under section 4 of  
6 this Act.

7 (8) REGIONAL PROGRAM.—The term “Regional  
8 Program” means the regional Bay-Watershed Edu-  
9 cation and Training (B-WET) program established  
10 under section 5 of this Act.

11 (9) STATE.—The term “State” means each of  
12 the several States of the United States, the District  
13 of Columbia, the Commonwealth of Puerto Rico, the  
14 Virgin Islands, Guam, American Samoa, the Com-  
15 monwealth of the Northern Mariana Islands, any  
16 other territory or possession of the United States,  
17 and any Indian tribe.

18 **SEC. 4. NATIONAL ENVIRONMENTAL LITERACY GRANT**

19 **PROGRAM.**

20 (a) IN GENERAL.—The Administrator shall establish  
21 a national competitive grant program under which the Ad-  
22 ministrator shall provide, subject to the availability of ap-  
23 propriations, financial assistance to—

24 (1) expand the adoption of coastal, ocean, and  
25 watershed environmental education within main-

1 stream formal and informal educational systems and  
2 other appropriate media;

3 (2) build administrative and technical capacity  
4 with coastal, ocean, and watershed communities and  
5 stakeholder groups to enhance their effectiveness;

6 (3) encourage water-dependent and outdoor  
7 recreation, experiential learning, and hands-on in-  
8 volvement with coastal and watershed resources as a  
9 method of promoting stewardship of those resources;  
10 and

11 (4) develop and implement new approaches to  
12 advance coastal, ocean, and watershed education and  
13 environmental literacy at national, regional, and  
14 local levels.

15 (b) PRIORITIES.—In awarding grants under this sec-  
16 tion, the Administrator shall give priority consideration to  
17 innovative, strategic, high-leverage projects that dem-  
18 onstrate strong potential for being sustained in the future  
19 by a grant recipient beyond the time period in which ac-  
20 tivities are carried out with the grant.

21 (c) GUIDELINES.—No later than 180 days after the  
22 date of enactment of this Act and after consultation with  
23 appropriate stakeholders, the Administrator shall publish  
24 in the Federal Register guidelines regarding the imple-  
25 mentation of this grant program, including publication of

1 criteria for eligible entities, identification of national prior-  
2 ities, establishment of performance measures to evaluate  
3 program effectiveness, information regarding sources of  
4 non-Federal matching funds or in-kind contributions, and  
5 reporting requirements for grant award recipients.

6 (d) LIMITATION ON USE OF FUNDS BY ADMINIS-  
7 TRATOR.—Of the amounts made available to implement  
8 this section—

9 (1) no less than 80 percent shall be used for  
10 competitive grants or cooperative agreements;

11 (2) no more than 10 percent may be used by  
12 the Administrator to implement the grant program;  
13 and

14 (3) no less than 10 percent of the annual funds  
15 appropriated for the program authorized under this  
16 section shall be used to fund contracts or cooperative  
17 agreements to conduct strategic planning, promote  
18 communications among grant recipients and within  
19 communities, coordinate grant activities to foster an  
20 integrated program, and oversee national evaluation  
21 efforts.

22 **SEC. 5. BAY-WATERSHED EDUCATION AND TRAINING (B-**  
23 **WET) REGIONAL PROGRAMS.**

24 (a) ESTABLISHMENT.—The Administrator shall es-  
25 tablish the Bay-Watershed Education and Training (B-

1 WET) Regional Program, which shall be operated and  
2 carried out through regional program offices, as follows:

3 (1) The B-WET Mid-Atlantic Program Office,  
4 which shall include the States of Pennsylvania, Dela-  
5 ware, Maryland, Virginia, West Virginia, New York,  
6 New Jersey, as well as the District of Columbia.

7 (2) The B-WET California Program Office,  
8 which shall include the State of California.

9 (3) The B-WET Pacific Islands Program Of-  
10 fice, which shall include the State of Hawaii, as well  
11 as American Samoa, the Commonwealth of the  
12 Northern Mariana Islands, and the territory of  
13 Guam.

14 (4) The B-WET New England Program Office,  
15 which shall include the States of Maine, New Hamp-  
16 shire, Massachusetts, Connecticut, Vermont and  
17 Rhode Island.

18 (5) The B-WET Pacific Northwest Program  
19 Office, which shall include the States of Washington,  
20 Montana, Idaho, and Oregon.

21 (6) The B-WET Gulf Coast Program Office,  
22 which shall include the States of Texas, Louisiana,  
23 Mississippi, Alabama, and Florida.

24 (7) The B-WET Southeast Program Office,  
25 which shall include the States of Georgia, South



1 Carolina, and North Carolina, Florida, as well as  
2 Puerto Rico and the Virgin Islands.

3 (8) The B-WET Great Lakes Program Office,  
4 which shall include the States of Illinois, Indiana,  
5 Michigan, Minnesota, Wisconsin, New York, and  
6 Ohio.

7 (9) The B-WET Alaska Program Office, which  
8 shall include the State of Alaska.

9 (10) The B-WET Colorado River and Upper  
10 Mississippi/Missouri Program Office, which shall in-  
11 clude the States of Arizona, Colorado, Nevada, New  
12 Mexico, Utah, North Dakota, South Dakota, Iowa,  
13 Nebraska, and Wyoming.

14 (11) The B-WET Lower Mississippi River,  
15 which shall include the States of Kentucky, Kansas,  
16 Oklahoma, Tennessee, Missouri, and Arkansas.

17 (b) NEW AND MODIFIED REGIONAL PROGRAMS.—  
18 The Administrator may create and modify the Bay-Water-  
19 shed Education Programs based on need, interest, and  
20 available resources.

21 (c) REGIONAL PROGRAM MANAGEMENT.—The Ad-  
22 ministrator shall appoint and select a Regional Program  
23 Manager for each regional program office, who shall reside  
24 in the region, be responsible for managing and admin-  
25 istering the regional program, and demonstrate com-

1 petence and expertise in bay-watershed education and  
2 training.

3 (d) FUNCTIONS.—Each regional program office  
4 shall—

5 (1) administer the Bay-Watershed Education  
6 and Training Program in accordance with this Act;

7 (2) determine the most appropriate commu-  
8 nities within the region to be served by the Bay-Wa-  
9 tershed Education and Training Program;

10 (3) encourage water-dependent and outdoor  
11 recreation, experiential learning experiences for stu-  
12 dents, and hands-on involvement with coastal and  
13 watershed resources as a method of promoting stew-  
14 ardship of those resources and complementing core  
15 classroom curriculum;

16 (4) support communication and collaboration  
17 among educators, natural resource planners and  
18 managers, and governmental and nongovernmental  
19 stakeholders;

20 (5) share and distribute information regarding  
21 educational plans, strategies, learning activities, and  
22 curricula to all stakeholders within its region;

23 (6) provide financial and technical assistance  
24 pursuant to the guidelines developed by the Adminis-  
25 trator under this section; and

1           (7) perform any additional duties as necessary  
2           to carry out the functions of the program.

3           (e) PROGRAM GUIDELINES.—No later than 180 days  
4           after the date of enactment of this Act and after consulta-  
5           tion with appropriate stakeholders, the Administrator  
6           shall publish in the Federal Register guidelines regarding  
7           the implementation of this program, including:

8           (1) CONTRACTS.—The Administrator shall cre-  
9           ate guidelines through which each regional program  
10          may enter into contracts to support projects to de-  
11          sign, demonstrate, evaluate, or disseminate prac-  
12          tices, methods, or techniques related to Bay-water-  
13          shed education and training.

14          (2) GRANT MAKING AND COOPERATIVE AGREE-  
15          MENTS.—

16                (A) The Administrator shall create guide-  
17                lines through which each regional program may  
18                provide financial assistance in the form of a  
19                grant or cooperative agreement to support  
20                projects which advance the goals and objectives  
21                of this bill, and which shall include criteria for  
22                eligible entities, identification of national prior-  
23                ities, establishment of performance measures to  
24                evaluate program effectiveness, and reporting  
25                requirements for grant award recipients.

1 (B) In making grants pursuant to this sec-  
2 tion, the regional programs shall give priority to  
3 those projects which will—

4 (i) promote bay-watershed education  
5 throughout the region;

6 (ii) advance strategic initiatives to in-  
7 corporate bay-watershed education into  
8 formal and informal education systems;

9 (iii) build capacity within bay-water-  
10 shed education communities and stake-  
11 holder groups for expanding and strength-  
12 ening their work;

13 (iv) build bay-watershed education  
14 into professional development or training  
15 activities for educators; and

16 (v) broadly replicate existing, proven  
17 bay-watershed education programs.

18 (f) NON-FEDERAL SHARE.—

19 (1) IN GENERAL.—In awarding grants under  
20 this section, the Administrator may give priority  
21 consideration to projects in which the Federal share  
22 does not exceed 75 percent of the aggregate cost of  
23 such project.

24 (2) IN-KIND CONTRIBUTION.—The non-Federal  
25 share of the costs of any project supported by an

1 award of grant funding under this section may be  
2 cash or the fair market value of services, equipment,  
3 donations, or any other form of in-kind contribution.

4 (3) WAIVER OF REQUIREMENT.—The Adminis-  
5 trator may grant a waiver of paragraph (1) for any  
6 underserved community, for any community that has  
7 an inability to draw on other sources of funding be-  
8 cause of the small population or low income of the  
9 community, or for any other person for any other  
10 reason the Administrator considers appropriate and  
11 consistent with the purposes of the program.

12 (g) REGIONAL PROGRAM COORDINATION.—Within  
13 the National Oceanic and Atmospheric Administration,  
14 the Office of Education shall work with Regional Program  
15 Managers on the following regional B-WET functions:

16 (1) Strategic planning efforts.

17 (2) Integration and coordination of programs.

18 (3) Coordination of national evaluation efforts.

19 (4) Promotion of network wide communications.

20 (5) Selection of new Regional Program Man-  
21 agers.

22 (6) Management, tracking, and oversight of the  
23 B-WET program.

1 (h) LIMITATION ON USE OF FUNDS BY ADMINIS-  
2 TRATOR.—Of the amounts made available to implement  
3 this section—

4 (1) no less than 80 percent shall be used for  
5 implementation of regional program activities, in-  
6 cluding the award of grants; and

7 (2) no more than 20 percent may be used by  
8 the Administrator to implement the regional pro-  
9 grams and regional program coordination.

10 **SEC. 6. BIENNIAL REPORT.**

11 Not later than December 31, 2011, and biennially  
12 thereafter, the Administrator shall submit to Congress a  
13 report on the grant programs authorized under this Act.  
14 Each such report shall include a description of the eligible  
15 activities carried out with grants awarded under the Act  
16 during the previous two fiscal years, an assessment of the  
17 success and impact of such activities, and a description  
18 of the type of programs carried out with such grant,  
19 disaggregated by State.

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) IN GENERAL.—There is authorized to be appro-  
22 priated to the Administrator to carry out this Act—

23 (1) \$40,000,000 for fiscal year 2011;

24 (2) \$45,000,000 for fiscal year 2012;

25 (3) \$50,000,000 for fiscal year 2013;

1           (4) \$50,000,000 for fiscal year 2014; and

2           (5) \$50,000,000 for fiscal year 2015.

3           (b) ALLOCATION.—The amount authorized for each  
4 fiscal year under subsection (a) shall be divided equally  
5 to carry out sections 4 and section 5.

○