

116TH CONGRESS
2D SESSION

H. R. 5684

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2020

Mr. SARBANES (for himself, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. RUPPERSBERGER, Ms. WEXTON, Mr. HOYER, Mr. TRONE, Mr. BEYER, Mrs. LURIA, Mr. McEACHIN, Ms. SPANBERGER, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Natural 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. SHORT TITLE.**

4 This act may be cited as the “Chesapeake Bay
5 Science, Education, and Ecosystem Enhancement Act of
6 2019”.

1 **SEC. 2. SENSE OF CONGRESS.**

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

7 **SEC. 3. REAUTHORIZATION OF THE NATIONAL OCEANIC**
8 **AND ATMOSPHERIC ADMINISTRATION**
9 **CHESAPEAKE BAY OFFICE.**

10 Section 307 of the National Oceanic and Atmospheric
11 Administration Authorization Act of 1992 (15 U.S.C.
12 1511d) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1) by striking “(in this
15 section” and all that follows and inserting a pe-
16 riod;

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

19 “(2) The Office shall be headed by a Director,
20 who—

21 “(A) shall have knowledge and experience
22 in research or resource management efforts in
23 the Chesapeake Bay; and

24 “(B) shall be responsible for the adminis-
25 tration and operation of the office and the im-
26 plementation of this Act.”; and

1 (C) by striking paragraph (3);

2 (2) in subsection (b)—

3 (A) in paragraph (2), by striking “Sec-
4 retary of Commerce” and inserting “Adminis-
5 trator”;

6 (B) in paragraph (3)—

7 (i) by striking “, the Chesapeake Bay
8 Regional Sea Grant Programs, and the
9 Chesapeake Bay units of the National Es-
10 tuarine Research Reserve System,” and in-
11 serting “that relate to the Chesapeake Bay
12 watershed in furtherance of such Adminis-
13 tration’s coastal resource stewardship mis-
14 sion,”;

15 (ii) in subparagraph (A)—

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

18 (II) by adding at the end the fol-
19 lowing:

20 “(viii) coastal hazards and climate
21 change; and”; and

22 (iii) in subparagraph (B)—

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

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

3 (III) by adding at the end the
4 following:

5 “(v) integrated ecosystem assess-
6 ments;”;

7 (C) in paragraph (4)—

8 (i) by striking “Environmental Pro-
9 tection Agency” and inserting “Chesapeake
10 Executive Council”; and

11 (ii) by inserting before the semicolon
12 at the end the following: “as appropriate to
13 further the purposes of this section”;

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

15 (E) by redesignating paragraph (6) as
16 paragraph (5); and

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

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

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

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

23 “(c) PROGRAM ACTIVITIES.—

24 “(1) IN GENERAL.—The Administrator,
25 through the Director, shall implement the program

1 activities authorized by this section to support the
2 activity of the Chesapeake Executive Council and to
3 further the purposes of this section.

4 “(2) ENSURING SCIENTIFIC AND TECHNICAL
5 MERIT.—The Director shall—

6 “(A) establish and use an effective and
7 transparent mechanism to ensure that projects
8 funded under this section have undergone ap-
9 propriate peer review; and

10 “(B) provide other appropriate means to
11 determine that such projects have acceptable
12 scientific and technical merit for the purpose of
13 achieving maximum use of available funds and
14 resources to benefit the Chesapeake Bay area.

15 “(3) CONSULTATION WITH CHESAPEAKE EXEC-
16 UTIVE COUNCIL.—The Director shall, in the imple-
17 mentation of the program activities authorized under
18 this section, consult with the Chesapeake Executive
19 Council, to ensure that the activities of the Office
20 are consistent with the purposes and priorities of the
21 Chesapeake Bay Agreement and plans developed
22 pursuant to the such agreement.

23 “(4) INTEGRATED COASTAL OBSERVATIONS.—

24 “(A) IN GENERAL.—The Administrator,
25 through the Director, may collaborate with sci-

entific and academic institutions, State and Federal agencies, non-governmental organizations, and other constituents in the Chesapeake Bay watershed, to support an integrated observations system for the Chesapeake Bay consistent with the purposes of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3601 et seq.).

“(B) SPECIFIC REQUIREMENTS.—To support the system referred to in subparagraph (A) and provide a complete set of environmental information for the Chesapeake Bay, the Director shall—

“(i) coordinate existing monitoring and observation activities in the Chesapeake Bay;

“(ii) identify new data collection needs and deploy new technologies, as appropriate;

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

“(iv) organize the information described in clause (iii) into products that

1 are useful to policy makers, resource man-
2 agers, scientists, and the public.

3 “(C) CHESAPEAKE BAY INTERPRETIVE
4 BUOY SYSTEM.—To further the development
5 and implementation of the Chesapeake Bay In-
6 terpretive Buoy System, the Director may—

7 “(i) support the establishment and
8 implementation of the Captain John Smith
9 Chesapeake National Historic Trail;

10 “(ii) delineate key waypoints along the
11 trail and provide appropriate real-time
12 data and information for trail users;

13 “(iii) interpret data and information
14 for use by educators and students to in-
15 spire stewardship of Chesapeake Bay; and

16 “(iv) incorporate the Chesapeake Bay
17 Interpretive Buoy System into the Inte-
18 grated Ocean Observing System regional
19 network of observatories.

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

22 “(A) IN GENERAL.—The Administrator,
23 through the Director, may establish a Chesa-
24 peake Bay watershed education and training
25 program. The program shall—

1 “(i) continue and expand the Chesa-
2 peake Bay watershed education programs
3 offered by the Office immediately before
4 the enactment of the Chesapeake Bay
5 Science, Education, and Ecosystem En-
6 hancement Act of 2019;

7 “(ii) improve the understanding of el-
8 ementary and secondary school students
9 and teachers of the living resources of the
10 ecosystem of the Chesapeake Bay;

11 “(iii) provide community education to
12 improve watershed protection; and

13 “(iv) meet the educational goals of the
14 Chesapeake Bay Agreement.

15 “(B) GRANT PROGRAM.—The Director
16 may award grants for the purposes of this para-
17 graph. Grants awarded under this subpara-
18 graph may be used to support education and
19 training projects that enhance understanding
20 and assessment of a specific environmental
21 problem in the Chesapeake Bay watershed or a
22 goal of the Chesapeake Bay Program, or pro-
23 tect or restore living resources of the Chesa-
24 peake Bay watershed, including projects that—

1 “(i) provide classroom education, in-
2 cluding the development and use of dis-
3 tance learning and other innovative tech-
4 nologies, related to the Chesapeake Bay
5 watershed;

6 “(ii) provide watershed educational
7 experiences in the Chesapeake Bay water-
8 shed;

9 “(iii) provide professional development
10 for teachers related to the Chesapeake Bay
11 watershed and the dissemination of perti-
12 nent education materials oriented to vary-
13 ing grade levels;

14 “(iv) demonstrate or disseminate envi-
15 ronmental educational tools and materials
16 related to the Chesapeake Bay watershed;

17 “(v) demonstrate field methods, prac-
18 tices, and techniques including assessment
19 of environmental and ecological conditions
20 and analysis of environmental problems;

21 “(vi) build the capacity of organiza-
22 tions to deliver high quality environmental
23 education programs; and

24 “(vii) educate local land use officials
25 and decision makers on the relationship of

1 land use to natural resource and watershed
2 protection.

3 “(C) COORDINATION.—The Director shall
4 implement the education and training program
5 in coordination with the heads of other Federal
6 agencies, as the Director determines appro-
7 priate.

8 “(6) COASTAL AND LIVING RESOURCES MAN-
9 AGEMENT AND HABITAT PROGRAM.—

10 “(A) IN GENERAL.—The Administrator,
11 through the Director, may establish a Chesa-
12 peake Bay Coastal Living Resources Manage-
13 ment and Habitat Program to support coordi-
14 nated management, protection, characterization,
15 and restoration of priority Chesapeake Bay
16 habitats and living resources, including oysters,
17 blue crabs, and submerged aquatic vegetation.

18 “(B) ACTIVITIES.—Under the Chesapeake
19 Bay Coastal Living Resources Management and
20 Habitat Program, the Director may carry out
21 or enter into grants, contracts, and cooperative
22 agreements and provide technical assistance to
23 support—

24 “(i) native oyster research and res-
25 toration;

1 “(ii) fish and shellfish aquaculture
2 that is carried out in accordance with a
3 valid Federal or State permit;

4 “(iii) establishment of submerged
5 aquatic vegetation propagation programs;

6 “(iv) the development of programs
7 that restore, protect, and build the resil-
8 ience of critical coastal habitats;

9 “(v) habitat mapping, characteriza-
10 tion, and assessment techniques necessary
11 to identify, assess, and monitor restoration
12 actions;

13 “(vi) application and transfer of ap-
14 plied scientific research and ecosystem
15 management tools to fisheries and habitat
16 managers;

17 “(vii) collection, synthesis, and shar-
18 ing of information to inform and influence
19 coastal and living resource management
20 issues; and

21 “(viii) other activities that the director
22 determines are appropriate to carry out
23 the purposes of such program.

24 “(d) DELEGATION.—

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

4 “(2) STAFF.—The Administrator shall delegate
5 to the Director appropriate staff representing exper-
6 tise that covers the breadth of the duties of the Of-
7 fice.

8 “(e) REPORTS.—

9 “(1) IN GENERAL.—The Administrator,
10 through the Director, shall submit a biennial report
11 to the Congress and the Secretary of Commerce on
12 the activities of the Office and on progress made in
13 protecting and restoring the living resources and
14 habitat of the Chesapeake Bay.

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

18 “(A) a list of recommended research, moni-
19 toring, and data collection activities necessary
20 to continue implementation of the strategy
21 under subsection (b)(2); and

22 “(B) recommendations to integrate Na-
23 tional Oceanic and Atmospheric Administration
24 activities with the activities of the partners in
25 the Chesapeake Bay Program to meet the com-

1 mitments of the Chesapeake Bay Agreement
2 and subsequent agreements.

3 “(f) AGREEMENTS.—

4 “(1) IN GENERAL.—The Administrator,
5 through the Director, may enter into and perform
6 such contracts, leases, grants, or cooperative agree-
7 ments as may be necessary to carry out the purposes
8 of this Act.

9 “(2) USE OF OTHER RESOURCES.—For pur-
10 poses related to the understanding, protection, and
11 restoration of Chesapeake Bay, the Director may
12 use, with consent and with or without reimburse-
13 ment, the land, services, equipment, personnel, and
14 facilities of any Department, agency, or instrumen-
15 tality of the United States, or of any State, local
16 government, Indian Tribe, or of any political sub-
17 division thereof.

18 “(g) DEFINITIONS.—In this section:

19 “(1) ADMINISTRATOR.—The term ‘Adminis-
20 trator’ means the Administrator of the National
21 Oceanic and Atmospheric Administration.

22 “(2) CHESAPEAKE BAY AGREEMENT.—The
23 term ‘Chesapeake Bay Agreement’ means the for-
24 mal, voluntary agreements executed to achieve the
25 goal of restoring and protecting the Chesapeake Bay

1 ecosystem and the living resources of the Chesa-
2 peake Bay ecosystem and are signed by the Chesa-
3 peake Executive Council.

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

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

15 “(5) OFFICE.—The term ‘Office’ means the
16 Chesapeake Bay Office established under this sec-
17 tion.

18 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to the Secretary to carry
20 out this section—

21 “(1) \$12,000,000 for fiscal year 2021;

22 “(2) \$20,700,000 for fiscal year 2022;

23 “(3) \$22,570,000 for fiscal year 2023; and

24 “(4) \$24,627,000 for fiscal year 2024.”.

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