

111TH CONGRESS  
1ST SESSION

# H. R. 4187

To amend the Water Resources Development Act of 1996 to make modifications to the Chesapeake Bay environmental restoration and protection program.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 2, 2009

Mr. SARBANES (for himself, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Mr. BARTLETT, Mr. HOYER, Mr. KRATOVIL, Mr. CASTLE, Ms. EDWARDS of Maryland, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. SCOTT of Virginia, Mr. MORAN of Virginia, and Mr. HOLDEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Water Resources Development Act of 1996 to make modifications to the Chesapeake Bay environmental restoration and protection program.

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 ENVIRONMENTAL RESTORA-**  
4 **TION AND PROTECTION PROGRAM.**

5 (a) IN GENERAL.—Section 510(a)(1) of the Water  
6 Resources Development Act of 1996 (110 Stat. 3759) is  
7 amended by striking “pilot”.

1 (b) IN-KIND SERVICES; TREATMENT OF CERTAIN  
 2 FUNDS.—Section 510(d)(2) of such Act (110 Stat. 3760)  
 3 is amended by adding at the end the following:

4 “(C) IN-KIND SERVICES.—The non-Federal  
 5 share of the project costs of a local cooperation  
 6 agreement entered into under this section may  
 7 include in-kind services.

8 “(D) TREATMENT OF CERTAIN FUNDS.—  
 9 Funds provided by a Federal department or  
 10 agency other than the Corps of Engineers for a  
 11 project under this section shall be treated as  
 12 non-Federal funds for purposes of cost sharing  
 13 requirements under this subsection.”.

14 (c) PROJECTS.—Section 510(f) of such Act (110  
 15 Stat. 3760) is amended to read as follows:

16 “(f) PROJECTS.—The Secretary may carry out  
 17 projects under this section in the Chesapeake Bay water-  
 18 shed, with the goal of carrying out projects in—

19 “(1) the States of Delaware, New York, Mary-  
 20 land, Pennsylvania, Virginia, and West Virginia; and

21 “(2) the District of Columbia.”.

22 (d) SMALL WATERSHED GRANTS.—Section 510 of  
 23 such Act (110 Stat. 3759) is amended—

24 (1) by redesignating subsections (h) and (i) as  
 25 subsections (i) and (j), respectively; and

1           (2) by inserting after subsection (g) the fol-  
2       lowing:

3       “(h) SMALL WATERSHED GRANTS.—

4           “(1) IN GENERAL.—The Secretary shall estab-  
5       lish a program, to be administered by the National  
6       Fish and Wildlife Foundation, to provide small wa-  
7       tershed grants for technical and financial assistance  
8       to local governments and nonprofit organizations in  
9       the Chesapeake Bay region.

10          “(2) USE OF FUNDS.—A local government or  
11       nonprofit organization that receives a grant under  
12       paragraph (1) shall use funds from the grant only  
13       for implementation of cooperative tributary basin  
14       and other Chesapeake Bay-wide strategies that ad-  
15       dress storm water management or the establishment,  
16       restoration, protection, or enhancement of natural  
17       habitat associated with the Chesapeake Bay eco-  
18       system.”.

19       (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
20       510(j) of such Act (as redesignated by subsection (d)(1)  
21       of this section) is amended by striking “\$40,000,000” and  
22       inserting “\$50,000,000”.

23       (f) RESTORATION OF CHESAPEAKE BAY ECO-  
24       SYSTEM.—

1           (1) IN GENERAL.—Not later than 2 years after  
2           the date of enactment of this Act, the Secretary of  
3           the Army shall develop at Federal expense and sub-  
4           mit to Congress a comprehensive plan to prioritize  
5           projects within the Chesapeake Bay watershed, in-  
6           cluding projects in the Anacostia, Elizabeth, James,  
7           Patapsco, Patuxent, Potomac, Rappahannock, Sus-  
8           quehanna, and York River basins.

9           (2) REQUIREMENTS.—The plan shall—

10           (A) focus on integrating existing and po-  
11           tential future work of the Corps of Engineers;

12           (B) be developed in consultation with the  
13           Chesapeake Bay Program under section 117 of  
14           the Federal Water Pollution Control Act (33  
15           U.S.C. 1267); and

16           (C) encompass all actions of the Corps of  
17           Engineers that are necessary to assist in the  
18           implementation of the goals of the Chesapeake  
19           Bay Agreement, an interstate agreement among  
20           the Administrator, the Chesapeake Bay Com-  
21           mission, the District of Columbia, and the  
22           States of Maryland, Virginia, and Pennsylvania,  
23           as determined by the Secretary.

1           (3) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated to carry out

3           this subsection \$1,000,000.

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