

The sanctuary is a Federal-State partnership with a unique focus on preserving the large collection of underwater cultural resources. These resources consist of 100 shipwrecks spanning more than 200 years of Great Lakes shipping history. In order to study and preserve the cultural resources present at Thunder Bay, in 2005 the National Oceanic and Atmospheric Administration and the State of Michigan established the Great Lakes Maritime Heritage Center in Michigan in Alpena, Michigan.

The Great Lakes Maritime Heritage Center allows visitors to learn about Great Lakes maritime history, explore shipwrecks via live video feeds, and see how archaeologists continue to preserve these historic sites. To continue this positive outcome, the Thunder Bay Sanctuary Advisory Council, a 15-member group representing local interests such as fishermen, the business community, educational institutions and local government, have passed a resolution recommending the sanctuary be expanded.

This legislation is supported by the State of Michigan, the local units of government, and the local chambers of commerce of each county that is affected.

H.R. 905 would extend the sanctuary's boundaries to include the waters off Alcona, Alpena and Presque Isle counties in Michigan and extend the sanctuary east to the international boundary with Canada.

Currently, the sanctuary covers 448 square miles of water and 115 miles of shoreline, protecting 116 shipwrecks. H.R. 905 would increase this area to 3,722 square miles of water and 226 miles of shoreline, adding an additional 180 shipwrecks to the sanctuary. In addition, the legislation would direct NOAA to produce updated charts of the newly designated areas and apply the protection and preservation provisions in the existing management plan to the newly added areas.

By authorizing an expansion of Thunder Bay National Marine Sanctuary, the affected local communities would receive the benefits of having additional historical resources highlighted and preserved, as well as increased tourism, which is an important driver for economic growth of this part of northeastern lower Michigan.

I urge my colleagues to support my legislation. I thank the chairperson and the ranking member for their help and support on this legislation.

Ms. BORDALLO. Mr. Speaker, I have no additional speakers, and I inquire if the minority has any additional speakers.

Mr. WITTMAN. Mr. Speaker, we have no additional speakers, and with that I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 905, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CHESAPEAKE BAY SCIENCE, EDUCATION, AND ECOSYSTEM ENHANCEMENT ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1771) to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1771

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009".*

#### SEC. 2. REAUTHORIZATION OF NOAA CHESAPEAKE BAY OFFICE.

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

*(1) in subsection (a)—*

*(A) in paragraph (1) by striking "(in this section)" and all that follows and inserting a period;*

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

*"(2) The Office shall be headed by a Director, who—*

*"(A) shall have knowledge and experience in research or resource management efforts in the Chesapeake Bay; and*

*"(B) shall be responsible for the administration and operation of the office and the implementation of this Act.";* and

*(C) by striking paragraph (3);*

*(2) in subsection (b)—*

*(A) by striking so much as precedes paragraph (1) and inserting the following:*

*"(b) PURPOSE.—The purpose of this section is to focus the relevant science, research, and resource management capabilities of the National Oceanic and Atmospheric Administration as they apply to the Chesapeake Bay and to utilize the Office to—"*

*(B) in paragraph (2), by striking "Secretary of Commerce" and inserting "Administrator";*

*(C) in paragraph (3)—*

*(i) by striking the matter preceding subparagraph (A) and inserting the following:*

*"(3) coordinate the programs and activities of the various organizations within the National Oceanic and Atmospheric Administration in furtherance of such administration's coastal resource stewardship mission, including—"*

*(ii) in subparagraph (A), by striking "and" after the semicolon at the end of clause (vi), and by inserting after clause (vii) the following:*

*"(viii) coastal hazards and climate change; and"*; and

*(iii) in subparagraph (B), by striking "and" after the semicolon at the end of clause (iii), by*

*inserting "and" after the semicolon at the end of clause (iv), and by adding at the end the following:*

*"(v) integrated ecosystem assessments;"*;

*(D) in paragraph (4)—*

*(i) by striking "Environmental Protection Agency" and inserting "Chesapeake Executive Council"; and*

*(ii) by inserting before the semicolon at the end the following: "as appropriate to further purposes of this section";*

*(E) by striking paragraphs (5) and (7);*

*(F) by redesignating paragraph (6) as paragraph (5); and*

*(G) by adding at the end the following:*

*"(6) perform any functions necessary to support the programs referred to in paragraph (3)."; and*

*(3) by striking subsection (c) and all that follows through the end of the section and inserting the following:*

*"(c) PROGRAM ACTIVITIES.—*

*"(1) IN GENERAL.—The Administrator, through the Director, shall implement the program activities authorized by this subsection to support the activity of the Chesapeake Executive Council and to further the purposes of this section.*

*"(2) ENSURING SCIENTIFIC AND TECHNICAL MERIT.—The Director shall—*

*"(A) establish and utilize an effective and transparent mechanism to ensure that projects funded under this section have undergone appropriate peer review; and*

*"(B) provide other appropriate means to determine that such projects have acceptable scientific and technical merit for the purpose of achieving maximum utilization of available funds and resources to benefit the Chesapeake Bay area.*

*"(3) CONSULTATION WITH CHESAPEAKE EXECUTIVE COUNCIL.—The Director shall, in the implementation of the program activities authorized under this section, consult with the Chesapeake Executive Council, to ensure that the activities of the Office are consistent with the purposes and priorities of the Chesapeake Bay Agreement and plans developed pursuant to the Agreement.*

*"(4) INTEGRATED COASTAL OBSERVATIONS.—*

*"(A) IN GENERAL.—The Administrator, through the Director, may collaborate with scientific 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 subtitle C of title XII of Public Law 111–11 (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 observing 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;*

*"(iv) manage and interpret the information described in clause (iii); and*

*"(v) organize the information described in clause (iii) into products that are useful to policy makers, resource managers, scientists, and the public.*

*"(C) CHESAPEAKE BAY INTERPRETIVE BUOY SYSTEM.—To further the development and implementation of the Chesapeake Bay Interpretive Buoy System, the Director may—*

*"(i) support the establishment and implementation of the Captain John Smith Chesapeake National Historic Trail;*

*"(ii) delineate key waypoints along the trail and provide appropriate real-time data and information for trail users;*

*"(iii) interpret data and information for use by educators and students to inspire stewardship of Chesapeake Bay; and*

“(iv) incorporate the Chesapeake Bay Interpretive Buoy System into the Integrated Ocean Observing System regional network of observatories.

“(5) CHESAPEAKE BAY WATERSHED EDUCATION AND TRAINING PROGRAM.—

“(A) IN GENERAL.—The Administrator, through the Director, may establish a Chesapeake Bay watershed education and training program. The program shall—

“(i) continue and expand the Chesapeake Bay watershed education programs offered by the Office immediately before the enactment of the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009;

“(ii) improve the understanding of elementary and secondary school students and teachers of the living resources of the ecosystem of the Chesapeake Bay;

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

“(iv) meet the educational goals of the Chesapeake 2000 Agreement.

“(B) GRANT PROGRAM.—The Director may award grants for the purposes of this paragraph. Grants awarded under this subparagraph may be used to support education and training projects that enhance understanding and assessment of a specific environmental problem in the Chesapeake Bay watershed or a goal of the Chesapeake Bay Program, or protect or restore living resources of the Chesapeake Bay watershed, including projects that—

“(i) provide classroom education, including the development and use of distance learning and other innovative technologies, related to the Chesapeake Bay watershed;

“(ii) provide watershed educational experiences in the Chesapeake Bay watershed;

“(iii) provide professional development for teachers related to the Chesapeake Bay watershed and the dissemination of pertinent education materials oriented to varying grade levels;

“(iv) demonstrate or disseminate environmental educational tools and materials related to the Chesapeake Bay watershed;

“(v) demonstrate field methods, practices, and techniques including assessment of environmental and ecological conditions and analysis of environmental problems;

“(vi) build the capacity of organizations to deliver high quality environmental education programs; and

“(vii) educate local land use officials and decision makers on the relationship of land use to natural resource and watershed protection.

“(C) COLLABORATION.—The Director shall implement the education and training program in collaboration with the heads of other relevant Federal agencies.

“(6) COASTAL AND LIVING RESOURCES MANAGEMENT AND HABITAT PROGRAM.—

“(A) IN GENERAL.—The Administrator, through the Director, may establish a Chesapeake Bay coastal living resources management and habitat program to support coordinated management, protection, characterization, and restoration of priority Chesapeake Bay habitats and living resources, including oysters, blue crabs, and submerged aquatic vegetation.

“(B) ACTIVITIES.—Under the program, the Director may, subject to the availability of appropriations, carry out or enter into grants, contracts, and cooperative agreements and provide technical assistance to support—

“(i) native oyster restoration;

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

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

“(iv) the development of programs that protect and restore critical coastal habitats;

“(v) habitat mapping, characterization, and assessment techniques necessary to identify, assess, and monitor restoration actions;

“(vi) application and transfer of applied scientific research and ecosystem management tools to fisheries and habitat managers;

“(vii) collection, synthesis, and sharing of information to inform and influence coastal and living resource management issues; and

“(viii) other activities that the Director determines are appropriate to carry out the purposes of such program.

“(d) REPORTS.—

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

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

“(A) a list of recommended research, monitoring, and data collection activities necessary to continue implementation of the strategy under subsection (b)(2); and

“(B) recommendations to integrate National Oceanic and Atmospheric Administration activities with the activities of the partners in the Chesapeake Bay Program to meet the commitments of the Chesapeake 2000 agreement and subsequent agreements.

“(e) AGREEMENTS.—

“(1) IN GENERAL.—The Administrator, through the Director, may, subject to the availability of appropriations, enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this Act.

“(2) USE OF OTHER RESOURCES.—For purposes related to the understanding, protection, and restoration of Chesapeake Bay, the Director may use, with their consent and with or without reimbursement, the land, services, equipment, personnel, and facilities of any Department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, or of any political subdivision thereof.

“(3) DONATIONS.—The Director may accept donations of funds, other property, and services for use in understanding, protecting, and restoring the Chesapeake Bay. Donations accepted under this section shall be considered as a gift or bequest to or for the use of the United States.

“(f) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Oceanic and Atmospheric Administration.

“(2) CHESAPEAKE BAY AGREEMENT.—The term ‘Chesapeake Bay Agreement’ means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and are signed by the Chesapeake Executive Council.

“(3) CHESAPEAKE EXECUTIVE COUNCIL.—The term ‘Chesapeake Executive Council’ means the representatives from the Commonwealth of Virginia, the State of Maryland, the Commonwealth of Pennsylvania, the Environmental Protection Agency, the District of Columbia, and the Chesapeake Bay Commission, who are signatories to the Chesapeake Bay Agreement, and any future signatories to that agreement.

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

“(5) OFFICE.—The term ‘Office’ means the Chesapeake Bay Office established under this section.

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

“(1) \$17,000,000 for fiscal year 2011;

“(2) \$18,700,000 for fiscal year 2012;

“(3) \$20,570,000 for fiscal year 2013; and

“(4) \$22,627,000 for fiscal year 2014.”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration has taken bold steps to meet the bay’s emerging challenges with ecosystem-based science, new coastal management techniques, and an effective environmental literacy program. However, these new priorities are not reflected in the office’s existing authorizing statute.

The pending measure, introduced by Mr. SARBANES of Maryland, would realign the office and improve its ability to support ecosystem-based management, research science and education, all of which are very essential in our efforts to restore the Chesapeake Bay.

I ask Members on both sides to support passage of this legislation.

I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 1771, the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009, which will authorize a number of programs within the Chesapeake Bay program. I am a cosponsor of H.R. 1771 and strongly support the efforts of my friend, Mr. SARBANES from Maryland. He has been a true leader on bay issues in this effort to improve and extend popular programs in the Chesapeake Bay watershed, which is a tremendous advancement in the effort to preserve the bay.

For example, the bill supports efforts to move forward with the Captain John Smith Chesapeake National Historic Trail. This, the Nation’s first all-water historic trail, traces John Smith’s 17th-century voyages of discovery in the bay from Jamestown in my district.

The bill also furthers efforts to extend NOAA’s smart buoy system that provides real-world weather data and historical interpretation of points of interest along the Captain John Smith Trail. My district includes two of these high-tech buoys. One buoy is located just offshore from the site of the first permanent English settlement in the New World at Jamestown. The second buoy is located off Sting Ray Point in the Rappahannock River. This marks the site where Captain John Smith nearly died from the toxic sting of a sting ray.

Mr. Speaker, these programs highlight the historical and recreational significance of the bay and are extraordinarily important to many of our constituents here in the bay watershed. And, again, I would like to thank Mr. SARBANES for his leadership on bay

issues and thank him for all of his efforts to preserve the bay.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Maryland (Mr. SARBANES), the author of this legislation, such time as he may consume.

Mr. SARBANES. Mr. Speaker, I want to thank Chairperson BORDALLO for yielding her time.

I strongly urge, as one would imagine as the original sponsor of this bill, that the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009 be adopted by the Chamber.

I want to thank Congressman WITTMAN for his cosponsorship of this bill. Congressmen KRATOVIL and CONNOLLY as well have been strong supporters of it. But I do want to emphasize Congressman WITTMAN's commitment to the Chesapeake Bay. He and I have gotten in the habit of, we sort of have a mutual admiration society going here in terms of our commitment to the bay. I think it demonstrates how the health of the Chesapeake Bay and its protection and preservation going forward is really a bipartisan concern. We hope to continue to work together with each other and with other Members in this Chamber to make sure that the Chesapeake Bay is preserved.

Now, the NOAA Chesapeake Bay office that this would reauthorize provides very important and vital scientific research and data, habitat restoration and environmental education, which all play a very critical role in the health of the Chesapeake Bay and its restoration.

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There are a number of important provisions; some have been alluded to.

Just to reiterate, this will enhance the Chesapeake Bay Interpretative Buoy System, which provides real-time weather and environmental information like wind speed, temperature, and wave heights to the public, especially to boaters and researchers.

It's got an historical and cultural component as well. I just emailed my staff so they could remind me of the toll free number (877) BUOY-BAY if you want to call and tap into this information on a real-time basis, or you can go to [www.buoybay.org](http://www.buoybay.org). This is an incredible resource for people, particularly for the next generation.

That is another thing this reauthorization will do. It will bolster the Chesapeake Bay watershed education and training program, which we know as the B-WET program which provides hands-on environmental education and teaches young people about how their everyday actions affect the health of the bay.

I'm an author of the No Child Left Inside Act, which is designed to get people, young people, outdoors and into nature. This is the kind of information and data that is then made available to them so that they can really engage firsthand in this effort on behalf of the bay.

And there are many other dimensions of this that strengthen the NOAA Chesapeake Bay office, but let me just close by acknowledging again my real thanks and appreciation for Chairman RAHALL, for Chairperson BORDALLO, for their assistance in getting this through the Natural Resources Committee. Again, a salute to Congressman WITTMAN for his continuing efforts on behalf of the bay.

We're going to turn the corner on the Chesapeake Bay—I have no doubt—and it's because of the data and the information and statistics and other things that are provided by the NOAA office. So reauthorizing that component of the Chesapeake Bay program is absolutely vital to the enterprise, and I urge my colleagues to support the bill today.

Ms. BORDALLO. Mr. Speaker, I would like to yield to the gentleman from Maryland (Mr. KRATOVIL) such time as he may consume.

Mr. KRATOVIL. Mr. Speaker, I rise in support of H.R. 1771, the Chesapeake Bay Science, Education and Ecosystem Enhancement Act, and also, with your permission, Mr. Speaker, H.R. 1053, the Chesapeake Bay Accountability and Recovery Act of 2009, which I believe is next up on the calendar.

Both bills will protect the beauty and utility of the Chesapeake Bay for future generations while building the economic base of districts like Maryland's First District, my district, whose local economies are dependent on the health of the Chesapeake Bay.

By reauthorizing much-needed funding, the Chesapeake Bay Science, Education and Ecosystem Enhancement Act will allow NOAA's Chesapeake Bay office to continue to play a vital role in the management and restoration of the bay.

Additionally, H.R. 1771 will formally authorize NOAA's Bay Watershed Education and Training, B-WET, program that you heard Congressman SARBANES discuss. Since first being established in 2002, this program has provided critical assistance for hands-on watershed education for thousands of students and teachers.

When educators are given the necessary tools to engage their students, the curriculum can foster a lifelong understanding about the importance of the bay and create future generations of stewards committed to its health and beauty.

In the short term, the bill will expand the technical assistance that NOAA can offer watermen who practice emerging aquaculture techniques. Many watermen have found success with aquaculture that has led to an increase in both the clam and oyster populations. This bill will build on these successes, keeping the seafood industry viable and protecting the overall ecosystem of the Chesapeake Bay.

Support of the legislation will help ensure the vitality of our natural resources throughout the bay in the long term, and I thank again my colleague

from Maryland, Congressman SARBANES, for introducing this bill.

Similarly, H.R. 1053, the Chesapeake Bay Accountability and Recovery Act, is legislation that will protect one of our national treasures and North America's largest estuary while applying financial responsibility and accountability practices to the funds that we appropriate to do so, and I want to thank Congressman WITTMAN for his leadership on this. As Congressman SARBANES said, he's been a leader on a number of issues related to the bay, and I congratulate him on it.

This legislation institutes performance-based measures to ensure that dollars spent on restoration activities are producing results. Every dollar we spend on the bay is money well spent, but not if we fail to track these dollars in order to determine best practices and eliminate waste and duplicity.

The bill would require the adoption of two methods: crosscut budgeting by the Office of Management and Budget; and adaptive management by the Environmental Protection Agency. These initiatives will provide a comprehensive accounting of all bay restoration activities and would be available to everyone, including Congress. By sharing this information, stakeholders can make better-informed funding decisions.

Adaptive management will provide a means to evaluate the success and efficiency of bay restoration programs. It will increase coordination, reduce overlap, and improve decisionmaking. Financial responsibility is a theme we should apply to every dollar we spend, and that includes protection of the bay. We aren't doing future generations any favors if we protect the health of the Chesapeake Bay but, at the same time, neglect to protect the health of our economy as a whole.

And again, I want to congratulate and thank Congressman WITTMAN from Virginia for introducing the bill.

Mr. Speaker, I urge support of both H.R. 1771 and H.R. 1053.

Mr. WITTMAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I'd like to recognize Mr. KRATOVIL for his work, too. He is very much a partner in making sure that we restore the bay and put forth the efforts that we need to.

We know that Maryland's First District and Virginia's First District are very, very similar. They have many, many resources in common; they have many needs in common. We all realize that restoring the bay is a good environmental effort, but it's also a good economic effort. We know it's an economic driver. We know the jobs that the bay creates. We know a healthy bay creates more jobs and creates a more vibrant economy, both for our seafood industry and for our tourism industry.

So I appreciate his effort to partner to make sure that we get things done with the bay, and I think it's a great partnership that should stand as an example of how you can, across State

lines and across party lines, work to get things done in the best interests of our natural resources.

Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1053) to require the Office of Management and Budget to prepare a cross-cut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1053

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Chesapeake Bay Accountability and Recovery Act of 2009".

##### SEC. 2. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 3 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies

for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;  
(B) current status of the project;  
(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;  
(E) project timeline, including benchmarks;

(F) references to project documents;  
(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;  
(J) funding history;  
(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to \$100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to \$50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act for which the President submits a budget to Congress.

##### SEC. 3. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;  
(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 3 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

##### SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 3 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section the term "Chesapeake Executive Council" has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567; 15 U.S.C. 1511d).

##### SEC. 5. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term "adaptive management" means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term "Chesapeake Bay State" or "State" means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term "Chesapeake Bay watershed" means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term "chief executive" means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.