

**PART A - TEXT OF THE AMENDMENT IN THE NATURE OF A  
SUBSTITUTE TO H.R. 3644 TO BE MADE IN ORDER**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3644, AS REPORTED  
OFFERED BY MRS. CAPPS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Ocean, Coastal, and  
3 Watershed Education Act".

4 **SEC. 2. FINDINGS AND PURPOSE.**

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

6 (1) The United States faces major challenges,  
7 such as mitigating and adapting to the impacts of  
8 climate change, stewarding critical coastal and ma-  
9 rine resources including fish and wildlife habitat  
10 while sustaining the commercial and recreational ac-  
11 tivities that depend on these resources, and improv-  
12 ing resilience to natural disasters, that collectively  
13 threaten human health, sustainable economic devel-  
14 opment, environmental quality, and national secu-  
15 rity.

16 (2) Communities in coastal watersheds are par-  
17 ticularly vulnerable to these increasingly urgent,  
18 interconnected, and complex challenges and need

1 support for teacher professional development and ex-  
2 periential learning among students of all ages.

3 (3) These challenges can be met with the help  
4 of comprehensive programs specifically targeted to  
5 engage coastal watershed communities, school-  
6 children, and the general public to develop engaged  
7 and environmentally literate citizens who are better  
8 able to understand complex environmental issues, as-  
9 sess risk, evaluate proposed plans, and understand  
10 how individual decisions affect the environment at  
11 local, regional, national, and global scales.

12 (4) The intrinsic social and conservation values  
13 of wildlife-dependent and other outdoor recreation  
14 can play an important role in outdoor educational  
15 programs that address the myriad of coastal and  
16 ocean concerns, as well as instill a sustainable con-  
17 servation ethic that will enable them to face those  
18 challenges to the betterment of both the environment  
19 and coastal communities.

20 (5) The economic importance of coastal areas  
21 and resources to the overall economy of the United  
22 States is significant. According to the U.S. Commis-  
23 sion on Ocean Policy, coastal and ocean-related ac-  
24 tivities support millions of American jobs and gen-  
25 erate more than \$1 trillion, or one tenth of the Na-

1 tion's annual gross domestic product. Sustainable  
2 use of the Nation's natural resources can provide  
3 additional economic opportunities to the United  
4 States economy.

5 (b) PURPOSE.—The purpose of this Act is to advance  
6 environmental literacy, develop public awareness and ap-  
7 preciation of the economic, social, recreational, and envi-  
8 ronmental benefits of coastal watersheds, and emphasize  
9 stewardship and sustainable economic development of crit-  
10 ical coastal and marine resources, including an under-  
11 standing of how climate change is impacting those re-  
12 sources, through the establishment of—

- 13 (1) an Environmental Literacy Grant Program;  
14 and  
15 (2) regional programs under the B-WET Pro-  
16 gram.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

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

22 (2) BAY-WATERSHED EDUCATION.—The term  
23 “bay-watershed education” means environmental  
24 education focused on watersheds, with an emphasis  
25 on stewardship and sustainable economic develop-

1       ment of critical coastal and marine resources, includ-  
2       ing an understanding of how climate change is im-  
3       pacting those resources.

4           (3) B-WET PROGRAM.—The term “B-WET  
5       Program” means the Bay-Watershed Education and  
6       Training Program of the National Oceanic and At-  
7       mospheric Administration, as in effect immediately  
8       before the enactment of this Act and modified under  
9       this Act or any subsequently enacted Act.

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

19          (5) ENVIRONMENTAL EDUCATION.—The term  
20       “environmental education” means interdisciplinary  
21       formal and informal learning about the relevant  
22       interrelationships between dynamic environmental  
23       and human systems, including economic systems  
24       that depend on coastal, watershed and marine re-  
25       sources for job creation and economic growth, that

1 results in increasing the learner's capacity for deci-  
2 sionmaking, stewardship, and sustainable economic  
3 development of natural and community resources.

4 (6) ENVIRONMENTAL LITERACY.—The term  
5 “environmental literacy” means the capacity to per-  
6 ceive and interpret the relative health of environ-  
7 mental systems and the interrelationships between  
8 natural, economic, and social systems and tech-  
9 nology, and to assess options and take appropriate  
10 action to maintain, restore, or improve the health of  
11 those systems and promote sustainable economic de-  
12 velopment.

13 (7) HIGH-LEVERAGE PROJECTS.—The term  
14 “high-leverage projects” means projects supported  
15 by grants authorized under this Act that use Fed-  
16 eral, State and nongovernmental financial, technical,  
17 and other resources in such a manner that the po-  
18 tential beneficial outcomes are highly magnified or  
19 enhanced.

20 (8) STATE.—The term “State” means each of  
21 the several States of the United States, the District  
22 of Columbia, the Commonwealth of Puerto Rico, the  
23 Virgin Islands, Guam, American Samoa, the Com-  
24 monwealth of the Northern Mariana Islands, any

1 other territory or possession of the United States,  
2 and any Indian tribe.

3 **SEC. 4. ENVIRONMENTAL LITERACY GRANT PROGRAM.**

4 (a) **IN GENERAL.**—The Administrator shall establish  
5 a national competitive grant program, to be known as the  
6 “Environmental Literacy Grant Program”, under which  
7 the Administrator shall provide, subject to the availability  
8 of appropriations, financial assistance to—

9 (1) expand the adoption of coastal, ocean, Great  
10 Lakes, and climate on all time scales education;

11 (2) build administrative and technical capacity  
12 with coastal, ocean, and watershed communities and  
13 stakeholder groups to enhance their effectiveness;

14 (3) encourage water-dependent, wildlife-depend-  
15 ent, and other outdoor recreation, experiential learn-  
16 ing, and hands-on involvement with coastal and wa-  
17 tershed resources as a method of promoting steward-  
18 ship and sustainable economic development of those  
19 resources;

20 (4) develop and implement new approaches to  
21 advance coastal, ocean, Great Lakes, and climate on  
22 all time scales education and environmental literacy  
23 at national, regional, and local levels; and

24 (5) encourage formal and informal environ-  
25 mental education about the systemic interrelation-

1       ships between healthy coastal, watershed, and ma-  
2       rine resources and sustainable economic systems  
3       that depend on such resources for job creation and  
4       economic development.

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

11      (c) GUIDELINES.—No later than 180 days after the  
12      date of enactment of this Act and after consultation with  
13      appropriate stakeholders, the Administrator shall publish  
14      in the Federal Register guidelines regarding the imple-  
15      mentation of this grant program, including publication of  
16      criteria for eligible entities, identification of national prior-  
17      ities, establishment of performance measures to evaluate  
18      program effectiveness, information regarding sources of  
19      non-Federal matching funds or in-kind contributions, and  
20      reporting requirements for grant award recipients.

21      (d) LIMITATION ON USE OF FUNDS BY ADMINIS-  
22      TRATOR.—Of the amounts made available to implement  
23      this section—

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

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

4           (3) no less than 10 percent of the annual funds  
5           appropriated for the program authorized under this  
6           section shall be used to fund contracts or cooperative  
7           agreements to conduct strategic planning, promote  
8           communications among grant recipients and within  
9           communities, coordinate grant activities to foster an  
10          integrated program, and oversee national evaluation  
11          efforts.

12 **SEC. 5. B-WET PROGRAM.**

13          (a) **EXISTING PROGRAM.**—The Administrator shall  
14          conduct the B-WET Program, including each of the re-  
15          gional programs conducted or under active consideration  
16          for creation under such program immediately before the  
17          enactment of this Act.

18          (b) **NEW REGIONAL PROGRAMS.**—

19               (1) **IN GENERAL.**—The Administrator may cre-  
20               ate new regional programs under the B-WET Pro-  
21               gram in accordance with a strategy issued under  
22               this subsection.

23               (2) **STRATEGY.**—

1 (A) IN GENERAL.—The Administrator  
2 shall issue a strategy for establishing such new  
3 regional programs

4 (B) CONTENTS.—The strategy shall in-  
5 clude the following:

6 (i) Evaluation of the need for new re-  
7 gional program in areas that are not  
8 served under the B-WET Program on the  
9 date of enactment of this Act.

10 (ii) Identification of potential new re-  
11 gional programs, including a listing of po-  
12 tential principal non-Federal partners.

13 (iii) A comprehensive budget for fu-  
14 ture expansion of the B-WET Program  
15 over the period for which appropriations  
16 are authorized under this Act.

17 (iv) Such other information as the Ad-  
18 ministrator considers necessary.

19 (C) CONSULTATION AND PUBLIC COM-  
20 MENT.—The Administrator shall consult with  
21 relevant stakeholders and provide opportunity  
22 for public comment in the development of the  
23 strategy.

24 (D) SUBMISSION TO CONGRESS.—The Ad-  
25 ministrator shall submit the strategy to the

1 Committee on Natural Resources of the House  
2 of Representatives and the Committee on Com-  
3 merce, Science, and Transportation of the Sen-  
4 ate by not later than 270 days after the date  
5 of enactment of this Act.

6 (3) PRIORITY CONSIDERATION.—In creating  
7 new regional programs under this subsection, the  
8 Administrator shall give priority consideration to the  
9 needs of—

10 (A) United States territories, including  
11 Guam, the Commonwealth of Puerto Rico, the  
12 Virgin Islands, the Commonwealth of the  
13 Northern Mariana Islands, and American  
14 Samoa;

15 (B) the Great Lakes States;

16 (C) Alaska; and

17 (D) the mid-Atlantic region.

18 (e) MODIFICATION OF B-WET PROGRAM.—

19 (1) IN GENERAL.—The Administrator may  
20 modify or realign regional programs under the B-  
21 WET Program, based on—

22 (A) changes in regional needs;

23 (B) mutual interest between the Adminis-  
24 trator and relevant stakeholders within a region  
25 or regions;

1 (C) changes in resources available to the  
2 Administrator to implement the B-WET Pro-  
3 gram; and

4 (D) other circumstances as determined  
5 necessary by the Administrator.

6 (2) CONSULTATION AND PUBLIC COMMENT.—

7 The Administrator shall—

8 (A) consult with the persons conducting a  
9 regional program and provide opportunity for  
10 public comment prior to making a final decision  
11 to modify or realign such regional program; and

12 (B) publish public notice of such a decision  
13 no less than 30-days before the effective date of  
14 such a modification or realignment.

15 (d) REGIONAL PROGRAM MANAGERS.—

16 (1) APPOINTMENT OF REGIONAL PROGRAM  
17 MANAGER.—The Administrator shall be responsible  
18 for the selection, appointment, and when necessary  
19 replacement of a regional program manager for each  
20 regional program under the B-WET Program.

21 (2) QUALIFICATIONS.—To qualify for appoint-  
22 ment as a regional program manager, an individual  
23 must—

24 (A) reside in the region for which ap-  
25 pointed; and

1 (B) demonstrate competence and expertise  
2 in bay-watershed education and training.

3 (3) FUNCTIONS.—Each regional program man-  
4 ager shall—

5 (A) be responsible for managing and ad-  
6 ministering the B-WET Program in the region  
7 for which appointed, in accordance with this  
8 Act;

9 (B) determine the most appropriate com-  
10 munities within the region to be served by the  
11 B-WET Program;

12 (C) encourage water-dependent, wildlife-de-  
13 pendent, and other outdoor recreation, experi-  
14 ential learning experiences for students, and  
15 hands-on involvement with coastal and water-  
16 shed resources as a method of promoting stew-  
17 ardship and sustainable economic development  
18 of those resources and complementing core  
19 classroom curriculum;

20 (D) support communication and collabora-  
21 tion among educators, natural resource plan-  
22 ners and managers, and governmental and non-  
23 governmental stakeholders;

24 (E) share and distribute information re-  
25 garding educational plans, strategies, learning

1 activities, and curricula to all stakeholders with-  
2 in its region;

3 (F) provide financial and technical assist-  
4 ance pursuant to the guidelines developed by  
5 the Administrator under this section; and

6 (G) perform any additional duties as nec-  
7 essary to carry out the functions of the pro-  
8 gram.

9 (e) PROGRAM GUIDELINES.—No later than 180 days  
10 after the date of enactment of this Act and after consulta-  
11 tion with appropriate stakeholders, the Administrator  
12 shall publish in the Federal Register guidelines regarding  
13 the implementation of the B-WET Program, as follows:

14 (1) CONTRACTS.—The Administrator shall cre-  
15 ate guidelines through which each regional program  
16 manager may enter into contracts (subject to the  
17 availability of appropriations) to support projects to  
18 design, demonstrate, evaluate, or disseminate prac-  
19 tices, methods, or techniques related to Bay-water-  
20 shed education and training.

21 (2) GRANT MAKING AND COOPERATIVE AGREE-  
22 MENTS.—

23 (A) IN GENERAL.—The Administrator  
24 shall create guidelines through which each re-  
25 gional program manager may provide financial

1 assistance in the form of a grant (subject to the  
2 availability of appropriations) or cooperative  
3 agreement to support projects that advance the  
4 purpose of this Act. The guidelines shall include  
5 criteria for eligible entities, identification of na-  
6 tional priorities, establishment of performance  
7 measures to evaluate program effectiveness, and  
8 reporting requirements for grant award recipi-  
9 ents.

10 (B) PRIORITY.—In making grants under  
11 this paragraph, each regional program manager  
12 shall give priority to those projects that will—

13 (i) promote bay-watershed education  
14 throughout the region concerned;

15 (ii) advance strategic initiatives to in-  
16 corporate bay-watershed education into  
17 formal and informal education systems;

18 (iii) build capacity within bay-water-  
19 shed education communities and stake-  
20 holder groups for expanding and strength-  
21 ening their work;

22 (iv) build bay-watershed education  
23 into professional development or training  
24 activities for educators; and

1 (v) broadly replicate existing, proven  
2 bay-watershed education programs.

3 (f) NON-FEDERAL SHARE.—

4 (1) IN GENERAL.—In awarding grants under  
5 this section, the regional program managers shall  
6 give priority consideration to a project for which the  
7 Federal share does not exceed 75 percent of the ag-  
8 gregate cost of such project.

9 (2) IN-KIND CONTRIBUTION.—The non-Federal  
10 share of the costs of any project supported by an  
11 award of grant funding under this section may be  
12 cash or the fair market value of services, equipment,  
13 donations, or any other form of in-kind contribution.

14 (3) OTHER PRIORITY.—The regional program  
15 managers shall give priority consideration to a  
16 project that will be conducted by or benefit any  
17 under-served community, any community that has  
18 an inability to draw on other sources of funding be-  
19 cause of the small population or low income of the  
20 community, or any other person for any other reason  
21 the Administrator considers appropriate and con-  
22 sistent with the purpose of this Act.

23 (g) REGIONAL PROGRAM COORDINATION.—Within  
24 the National Oceanic and Atmospheric Administration,  
25 the Office of Education shall work with regional program

1 managers on the following regional B-WET Program  
2 functions:

- 3 (1) Strategic planning efforts.
- 4 (2) Integration and coordination of programs.
- 5 (3) Coordination of national evaluation efforts.
- 6 (4) Promotion of network wide communications.
- 7 (5) Selection of new Regional Program Man-  
8 agers.
- 9 (6) Management, tracking, and oversight of the  
10 B-WET Program.

11 (h) LIMITATION ON USE OF FUNDS BY ADMINIS-  
12 TRATOR.—Of the amounts made available to implement  
13 this section—

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

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

20 **SEC. 6. BIENNIAL REPORT.**

21 Not later than December 31, 2011, and biennially  
22 thereafter, the Administrator shall submit to Congress a  
23 report on the grant programs authorized under this Act.  
24 Each such report shall include a description of the eligible  
25 activities carried out with grants awarded under the Act

1 during the previous two fiscal years, an assessment of the  
2 success and impact of such activities, and a description  
3 of the type of programs carried out with such grant,  
4 disaggregated by State.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to the Ad-  
7 ministrator—

8 (1) to carry out the Environmental Literacy  
9 Grant Program authorized by section 4 (including  
10 administrative expenses for preparing the report  
11 under section 6)—

12 (A) for fiscal year 2011, \$13,200,000;

13 (B) for fiscal year 2012, \$14,500,000;

14 (C) for fiscal year 2013, \$16,000,000;

15 (D) for fiscal year 2014, \$17,600,000; and

16 (E) for fiscal year 2015, \$19,300,000; and

17 (2) to carry out the B-WET Program author-  
18 ized by section 5 (including administrative expenses  
19 for preparing the report under section 6)—

20 (A) for fiscal year 2011, \$10,700,000;

21 (B) for fiscal year 2012, \$11,700,000;

22 (C) for fiscal year 2013, \$12,900,000;

23 (D) for fiscal year 2014, \$14,200,000; and

24 (E) for fiscal year 2015, \$15,600,000.

