

118TH CONGRESS
2D SESSION

S. 2620

AN ACT

To establish the Chesapeake National Recreation Area as a unit of the National Park System, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Chesapeake National
3 Recreation Area Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **ADVISORY COMMISSION.**—The term “Advi-
7 sory Commission” means the Chesapeake National
8 Recreation Area Advisory Commission established
9 under section 9(a).

10 (2) **BAY.**—The term “Bay” means the Chesa-
11 peake Bay, including its tidal tributaries, in Mary-
12 land and Virginia.

13 (3) **BAY PROGRAM.**—The term “Bay Program”
14 means the Chesapeake Bay Program authorized
15 under section 117 of the Federal Water Pollution
16 Control Act (33 U.S.C. 1267).

17 (4) **CHESAPEAKE GATEWAYS.**—The term
18 “Chesapeake Gateways” means the Chesapeake Bay
19 Gateways and Watertrails Network authorized under
20 section 502 of the Chesapeake Bay Initiative Act of
21 1998 (54 U.S.C. 320101 note; Public Law 105–
22 312).

23 (5) **MAP.**—The term “Map” means the map en-
24 titled “Chesapeake National Recreation Area Pro-
25 posed Boundary”, numbered P99/189631, and dated
26 June 2023 (5 pages).

1 (6) NATIONAL RECREATION AREA.—The term
2 “National Recreation Area” means the Chesapeake
3 National Recreation Area established by section
4 3(a).

5 (7) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (8) YOUTH REPRESENTATIVE.—The term
8 “youth representative” means a member of the Advi-
9 sory Commission who—

10 (A) has not attained the age of 22 as of
11 the date on which the member is appointed or
12 reappointed; and

13 (B) is tasked with representing the inter-
14 ests of children and young adults in the State
15 from which the member is appointed.

16 **SEC. 3. ESTABLISHMENT AND BOUNDARIES OF CHESA-**
17 **PEAKE NATIONAL RECREATION AREA.**

18 (a) ESTABLISHMENT.—

19 (1) IN GENERAL.—Subject to paragraph (2),
20 there is established the Chesapeake National Recre-
21 ation Area in the States of Maryland and Virginia
22 as a unit of the National Park System to preserve,
23 protect, interpret, and provide for the public enjoy-
24 ment of, and access to, the natural, cultural, his-

1 toric, and recreational resources relating to the Bay
2 and surrounding areas.

3 (2) DETERMINATION BY THE SECRETARY.—

4 The National Recreation Area shall not be estab-
5 lished until the date on which the Secretary deter-
6 mines that a sufficient quantity of land or interests
7 in land has been acquired to constitute a manage-
8 able park unit.

9 (3) NOTICE.—Not later than 30 days after the
10 Secretary makes a determination under paragraph
11 (2), the Secretary shall publish in the Federal Reg-
12 ister notice of the establishment of the National
13 Recreation Area.

14 (b) BOUNDARY.—The boundary of the National
15 Recreation Area shall include any area acquired by the
16 Secretary from sites depicted on the Map.

17 (c) AVAILABILITY OF MAP.—The Map shall be on file
18 and available for public inspection in the appropriate of-
19 fices of the National Park Service.

20 (d) REVISION OF FORT MONROE NATIONAL MONU-
21 MENT BOUNDARY.—

22 (1) IN GENERAL.—At such time as the Sec-
23 retary determines that the land identified on the
24 Map within the boundary of Fort Monroe National
25 Monument established by Proclamation 8750, dated

1 November 1, 2011 (54 U.S.C. 320301 note; 76 Fed.
2 Reg. 68625), has been remediated and is appro-
3 priate for inclusion in the National Recreation
4 Area—

5 (A) administrative jurisdiction over the
6 land shall be transferred from the Secretary of
7 the Army to the Secretary for inclusion in the
8 National Recreation Area; and

9 (B) the boundary of the Fort Monroe Na-
10 tional Monument shall be revised to exclude all
11 land and interests in land within the North
12 Beach area of the Monument (as in existence
13 on the day before the date of enactment of this
14 Act), as generally depicted on the Map.

15 (2) REFERENCES TO NATIONAL RECREATION
16 AREA.—Any reference in any law, regulation, docu-
17 ment, record, map, or other paper of the United
18 States to the land described in paragraph (1) shall
19 be considered to be a reference to the National
20 Recreation Area.

21 (3) INTERIM ADMINISTRATION.—Until the date
22 on which administrative jurisdiction over the land is
23 transferred to the Secretary under paragraph (1),
24 the Secretary of the Army shall continue to admin-
25 ister the land described in that paragraph that was

1 under the jurisdiction of the Secretary of the Army
2 as of the day before the date of enactment of this
3 Act in accordance with the memorandum of agree-
4 ment between the Secretary of the Army and the
5 Secretary entitled “Memorandum of Agreement Be-
6 tween the Department of the Army and the Depart-
7 ment of the Interior for Fort Monroe National
8 Monument” and dated December 9, 2016.

9 (4) BOUNDARY REVISION.—On transfer of ad-
10 ministrative jurisdiction over the land to the Sec-
11 retary under paragraph (1), the boundary of the Na-
12 tional Recreation Area shall be revised to include the
13 land transferred under that paragraph, which shall
14 be administered in accordance with the laws applica-
15 ble to the National Recreation Area.

16 **SEC. 4. ACQUISITION OF LAND FOR THE CHESAPEAKE NA-**
17 **TIONAL RECREATION AREA.**

18 (a) IN GENERAL.—Subject to subsection (c), the Sec-
19 retary may acquire land or interests in land within the
20 boundary of the National Recreation Area by—

21 (1) donation;

22 (2) purchase from a willing seller with donated
23 or appropriated funds;

24 (3) exchange; or

25 (4) transfer from another Federal agency.

1 (b) ADDITIONAL SITES.—The Secretary, in consulta-
2 tion with the Advisory Commission, may—

3 (1) identify additional sites near or adjacent to
4 the Bay for potential addition to the National Recre-
5 ation Area; and

6 (2) subject to the availability of appropriations,
7 assess whether sites identified under paragraph
8 (1)—

9 (A) are appropriate for addition to the Na-
10 tional Recreation Area; and

11 (B) meet National Park Service criteria
12 applicable to additions to units of the National
13 Park System.

14 (c) LIMITATION.—Any land or interest in land owned
15 by a State or a political subdivision of a State that is with-
16 in the boundary of the National Recreation Area may be
17 acquired only by donation.

18 (d) CONDEMNATION.—No land or interest in land
19 may be acquired for the National Recreation Area by con-
20 demnation.

21 **SEC. 5. ADMINISTRATION.**

22 (a) IN GENERAL.—The Secretary shall administer
23 the National Recreation Area in accordance with—

24 (1) this section; and

1 (2) the laws generally applicable to units of the
2 National Park System, including—

3 (A) sections 100101(a), 100751(a),
4 100752, 100753, and 102101 of title 54,
5 United States Code; and

6 (B) chapters 1003 and 3201 of title 54,
7 United States Code.

8 (b) HEADQUARTERS.—To facilitate coordination of
9 the National Recreation Area with the Chesapeake Gate-
10 ways program and the Bay Program, the Secretary may
11 locate the headquarters of the National Recreation Area
12 at the Chesapeake Bay Office of the National Park Serv-
13 ice.

14 (c) ADMINISTRATIVE, INTERPRETIVE, AND VISITOR
15 SERVICE SITES.—The Secretary may acquire, in accord-
16 ance with section 4(a), not more than 10 acres outside
17 the boundary of the National Recreation Area for adminis-
18 trative, interpretive, and visitor service purposes.

19 (d) COMMERCIAL AND RECREATIONAL FISHING.—
20 Nothing in this Act affects statutory or regulatory author-
21 ity with respect to navigation or regulation of commercial
22 or recreational fishing activities or shellfish aquaculture
23 in the Chesapeake Bay or its tributaries.

24 (e) STATE JURISDICTION.—Nothing in this Act en-
25 larges or diminishes the jurisdiction of a State, including

1 the jurisdiction or authority of a State with respect to fish
2 and wildlife management.

3 (f) COORDINATION.—

4 (1) IN GENERAL.—Consistent with the purposes
5 of the National Recreation Area, the Secretary shall
6 coordinate the management of the National Recre-
7 ation Area with the Chesapeake Gateways and the
8 Bay Program.

9 (2) COORDINATION WITH NATIONAL PARK
10 SERVICE SITES.—As a component of the manage-
11 ment plan required under section 8, the Secretary
12 shall, to the maximum extent practicable, coordinate
13 the development of an implementation plan to inter-
14 pret and enhance public understanding of the out-
15 standing, remarkable, and nationally significant re-
16 sources of the Bay with units of the National Park
17 System located in the Bay watershed.

18 **SEC. 6. AGREEMENTS.**

19 The Secretary may enter into an agreement with a
20 State, a political subdivision of a State, a nonprofit organi-
21 zation, or an individual to interpret and restore nationally
22 significant historic, cultural, or recreational resources re-
23 lating to the Bay if the agreement provides for reasonable
24 public access to the resources covered by the agreement.

1 **SEC. 7. CHESAPEAKE GATEWAYS.**

2 (a) IN GENERAL.—The Secretary shall administer
3 the Chesapeake Gateways in coordination with the Na-
4 tional Recreation Area.

5 (b) PERMANENT AUTHORIZATION.—Section 502(c)
6 of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C.
7 320101 note; Public Law 105–312) is amended by strik-
8 ing “is authorized” and all that follows through the period
9 at the end and inserting “are authorized to be appro-
10 priated such sums as are necessary to carry out this sec-
11 tion.”.

12 (c) EFFECT.—Nothing in this section or an amend-
13 ment made by this section modifies the eligibility criteria
14 developed under section 502(b)(2) of the Chesapeake Bay
15 Initiative Act of 1998 (54 U.S.C. 320101 note; Public
16 Law 105–312).

17 **SEC. 8. MANAGEMENT PLAN.**

18 (a) IN GENERAL.—Not later than 3 years after the
19 date on which funds are first made available for the prepa-
20 ration of a management plan for the National Recreation
21 Area, the Secretary, in consultation with the Chesapeake
22 Executive Council (as defined in section 117(a) of the
23 Federal Water Pollution Control Act (33 U.S.C. 1267(a)))
24 and the Advisory Commission, shall prepare a manage-
25 ment plan for the National Recreation Area in accordance
26 with section 100502 of title 54, United States Code.

1 (b) VISITOR FACILITIES.—In preparing the manage-
2 ment plan under subsection (a), the Secretary shall con-
3 sider the inclusion of visitor facilities for the National
4 Recreation Area in Annapolis, Maryland, and near Fort
5 Monroe.

6 (c) TRANSPORTATION PLANNING.—As part of the
7 management plan prepared under subsection (a), the Sec-
8 retary, in consultation with State and local governments,
9 shall seek to minimize park-related traffic impacts of the
10 National Recreation Area on nearby communities.

11 **SEC. 9. CHESAPEAKE NATIONAL RECREATION AREA ADVI-**
12 **SORY COMMISSION.**

13 (a) ESTABLISHMENT.—Not later than 180 days after
14 the date of enactment of this Act, the Secretary shall es-
15 tablish an advisory commission, to be known as the
16 “Chesapeake National Recreation Area Advisory Commis-
17 sion”.

18 (b) DUTIES AND AUTHORIZATIONS.—The Advisory
19 Commission—

20 (1) shall—

21 (A) make recommendations to the Sec-
22 retary on the development and implementation
23 of the management plan required under section
24 8; and

1 (B) after consultation with the States and
2 other interested parties, provide to the Sec-
3 retary recommendations on the Bay for addi-
4 tional properties on the Bay to be studied for
5 potential addition to the National Recreation
6 Area in accordance with section 4(b); and

7 (2) may establish committees relating to spe-
8 cific National Recreation Area management issues,
9 including education, tourism, transportation, natural
10 resources, cultural and historic resources, and activi-
11 ties to raise revenue for the National Recreation
12 Area, with membership on a committee established
13 under this paragraph to be open to members of the
14 Advisory Commission and individuals that are not
15 members of the Advisory Commission.

16 (c) APPLICABLE LAW.—Except as otherwise provided
17 in this section, the Advisory Commission shall be subject
18 to—

19 (1) chapter 10 of title 5, United States Code
20 (commonly known as the “Federal Advisory Com-
21 mittee Act”), except section 1013(b) of that title;
22 and

23 (2) all other applicable laws (including regula-
24 tions).

25 (d) MEMBERSHIP.—

1 (1) IN GENERAL.—The Advisory Commission
2 shall be composed of 19 members, appointed by the
3 Secretary, of whom—

4 (A) 9 shall be appointed from the State of
5 Maryland, of whom—

6 (i) 4 shall have knowledge of environ-
7 mental, recreational, cultural, or historic
8 resources, education, or interpretation;

9 (ii) 1 shall represent commercial fish-
10 ing interests on the Bay;

11 (iii) 1 shall represent agricultural in-
12 terests in the watershed of the Bay;

13 (iv) 1 shall be a youth representative;

14 (v) 1 shall be selected after consid-
15 ering recommendations by the Governor of
16 the State of Maryland; and

17 (vi) 1 shall be a representative of a
18 federally recognized Indian Tribe or State-
19 recognized Indian Tribe that is tradition-
20 ally associated with the Bay;

21 (B) 9 shall be appointed from the State of
22 Virginia, of whom—

23 (i) 4 shall have knowledge of environ-
24 mental, recreational, cultural, or historic
25 resources, education, or interpretation;

1 (ii) 1 shall represent commercial fish-
2 ing interests on the Bay;

3 (iii) 1 shall represent agricultural in-
4 terests in the watershed of the Bay;

5 (iv) 1 shall be a youth representative;

6 (v) 1 shall be selected after consid-
7 ering recommendations by the Governor of
8 the State of Virginia; and

9 (vi) 1 shall be a representative of a
10 federally recognized Indian Tribe or State-
11 recognized Indian Tribe that is tradition-
12 ally associated with the Bay; and

13 (C) 1 shall be the Executive Director of
14 the Chesapeake Bay Commission.

15 (2) REQUIREMENT.—In appointing the mem-
16 bers described in subparagraphs (A)(i) and (B)(i) of
17 paragraph (1), the Secretary shall seek to ensure
18 representation from communities around the Bay
19 and broad practicable representation of the areas of
20 knowledge described in those subparagraphs.

21 (e) TERMS.—

22 (1) IN GENERAL.—A member of the Advisory
23 Commission shall be appointed for a term of 3 years.

1 (2) SUCCESSION AND REAPPOINTMENT.—On
2 expiration of the term of a member of the Advisory
3 Commission, the member—

4 (A) shall continue to serve until a suc-
5 cessor is appointed; and

6 (B) may be reappointed to serve an addi-
7 tional 3-year term.

8 (f) VACANCIES.—A vacancy on the Advisory Commis-
9 sion shall be filled in the same manner as the original ap-
10 pointment.

11 (g) ELECTED POSITIONS.—

12 (1) CHAIRPERSON.—The Advisory Commission
13 shall have a Chairperson who shall—

14 (A) be elected by the Advisory Commis-
15 sion; and

16 (B) serve for a term of 1 year, unless re-
17 elected pursuant to procedures established by
18 the Advisory Commission under subsection
19 (h)(1).

20 (2) VICE CHAIRPERSON.—The Advisory Com-
21 mission shall have a Vice Chairperson who shall—

22 (A) be elected by the Advisory Commis-
23 sion;

24 (B) serve for a term of 1 year, unless re-
25 elected pursuant to procedures established by

1 the Advisory Commission under subsection
2 (h)(1); and

3 (C) serve as Chairperson in the absence of
4 the Chairperson.

5 (3) OTHER POSITIONS.—The Advisory Commis-
6 sion may establish other positions and elect members
7 to serve in those positions as the Advisory Commis-
8 sion determines to be appropriate, subject to sub-
9 section (h).

10 (h) PROCEDURES.—

11 (1) IN GENERAL.—Subject to paragraphs (2)
12 through (6) and any applicable laws (including regu-
13 lations), the Advisory Commission may establish
14 such rules and procedures for conducting the affairs
15 of the Advisory Commission as the Advisory Com-
16 mission determines to be necessary.

17 (2) MEETINGS.—The Advisory Commission
18 shall meet at the call of—

19 (A) the Chairperson; or

20 (B) a majority of the appointed members.

21 (3) QUORUM.—A quorum shall consist of not
22 less than 11 of the members of the Advisory Com-
23 mission.

24 (4) ACTIONS OF THE ADVISORY COMMISSION.—

25 Any action of the Advisory Commission shall require

1 a majority vote of the members present at any meet-
2 ing.

3 (5) VIRTUAL MEETINGS.—

4 (A) IN GENERAL.—Meetings of the Advi-
5 sory Commission may be conducted virtually, in
6 whole or in part.

7 (B) REQUEST.—Any member of the Advi-
8 sory Commission may request permission from
9 the Chairperson of the Advisory Commission to
10 participate virtually in—

11 (i) a meeting; and

12 (ii) all activities for that meeting.

13 (6) ELECTIONS.—Not less than $\frac{3}{4}$ of the mem-
14 bers of the Advisory Commission must be present,
15 virtually or in-person, for elections carried out under
16 subsection (g).

17 (i) ADVISORY COMMISSION PERSONNEL MATTERS.—

18 (1) COMPENSATION OF MEMBERS.—

19 (A) IN GENERAL.—Members of the Advi-
20 sory Commission shall serve without compensa-
21 tion.

22 (B) TRAVEL EXPENSES.—Members of the
23 Advisory Commission shall be allowed travel ex-
24 penses, including per diem in lieu of subsist-
25 ence, at rates authorized for an employee of an

1 agency under subchapter 1 of chapter 57 of
2 title 5, United States Code, while away from
3 the home or regular place of business of the
4 member in the performance of services for, or
5 the duties of, the Commission.

6 (2) STAFF.—

7 (A) IN GENERAL.—The Secretary may
8 provide the Advisory Commission with any staff
9 or technical assistance that the Secretary, after
10 consultation with the Advisory Commission, de-
11 termines to be appropriate to enable the Advi-
12 sory Commission to carry out its duties.

13 (B) DETAIL OF EMPLOYEES.—The Advi-
14 sory Commission may accept the services of
15 personnel detailed from a State or any political
16 subdivision of a State.

17 (j) TERMINATION.—The Advisory Commission shall
18 terminate on the date that is 10 years after the date of
19 enactment of this Act.

Passed the Senate December 18 (legislative day, De-
cember 16), 2024.

Attest:

Secretary.

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To establish the Chesapeake National Recreation Area as a unit of the National Park System, and for other purposes.