

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3764  
OFFERED BY MR. HUFFMAN**

At the end of title IX, insert the following:

1 **SEC. 909. GRANTS FOR CONSERVING, RECOVERING, AND**  
2 **MAINTAINING KELP FOREST ECOSYSTEMS.**

3 (a) ESTABLISHMENT.—The Administrator of the Na-  
4 tional Oceanic and Atmospheric Administration shall es-  
5 tablish a grant program (in this section referred to as the  
6 “Program”) under which the Administrator shall award  
7 grants to eligible entities described in subsection (b) to  
8 carry out projects relating to the conservation, restoration,  
9 or management of kelp forest ecosystems.

10 (b) ELIGIBLE ENTITY.—To be eligible for a grant  
11 under this section, an entity shall—

12 (1) be a member of the fishing industry, an  
13 academic community, a relevant nonprofit organiza-  
14 tion, a federally recognized Indian Tribe, or a rel-  
15 evant State agency;

16 (2) propose or be conducting a project relating  
17 to the conservation, restoration, or management of  
18 kelp forest ecosystems developed through consulta-

1           tion with any of the other entities described in para-  
2           graph (1); and

3           (3) submit to the Administrator an application  
4           describing such project at such time, in such man-  
5           ner, and containing such information as the Admin-  
6           istrator may require, including information about  
7           what criteria will be used to monitor and evaluate  
8           the effectiveness of the project.

9           (c) ELIGIBLE PROJECTS.—The Administrator shall  
10          award grants to eligible entities for projects that—

11           (1) address greatest relative regional declines in  
12          kelp forest ecosystems;

13           (2) focus on—

14                   (A) long term ecosystem resilience;

15                   (B) long term socioeconomic resilience;

16                   (C) kelp forest seeding and connectivity;

17                   (D) urchin removal and predator control  
18          efforts;

19                   (E) monitoring and assessment of kelp for-  
20          est ecosystems; or

21                   (F) other efforts to restore kelp forest eco-  
22          systems and prevent large scale losses of kelp  
23          forests; or

1           (3) are identified by Federal or State restora-  
2           tion and management plans as focal areas for recov-  
3           ery of kelp forests and associated species.

4           (d) MATCHING REQUIREMENT.—

5           (1) IN GENERAL.—Except as provided in para-  
6           graph (2), the total amount of Federal funding re-  
7           ceived under the Program by an eligible entity may  
8           not exceed 85 percent of the total cost of the project  
9           for which a grant is awarded. For the purposes of  
10          this subparagraph, the non-Federal share of project  
11          costs may be provided by in-kind contributions and  
12          other noncash support.

13          (2) WAIVER.—The Administrator may waive all  
14          or part of the requirement in paragraph (1) if the  
15          Administrator determines that no reasonable means  
16          are available through which an eligible entity apply-  
17          ing for a grant under this section can meet such re-  
18          quirement and the probable benefit of such project  
19          outweighs the public interest in such requirement.

20          (e) DEFINITIONS.—In this section—

21               (1) the term “academic community” means fac-  
22               ulty, researchers, professors, and representatives of  
23               State-accredited colleges and universities;

1           (2) the term “fishing industry” means proc-  
2           essors, commercial fishermen, and recreational fish-  
3           ermen;

4           (3) the term “kelp forest ecosystem” means a  
5           naturally occurring, biotic system dominated by can-  
6           opy forming benthic macroalgae and associated taxa;  
7           and

8           (4) the term “nonprofit organization” means an  
9           organization described in section 501(c)(3) of the  
10          Internal Revenue Code of 1986 and exempt from tax  
11          under section 501(a) of such Code.

12          (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
13          authorized to be appropriated to the Administrator  
14          \$50,000,000 for each of the fiscal years 2022 through  
15          2026 to carry out this section.

16          (g) SENSE OF CONGRESS.—It is the sense of Con-  
17          gress that the purposes of this section and the grants au-  
18          thorized by this section are to support wild kelp forest eco-  
19          systems and restoration of wild kelp to enable long term  
20          recovery of naturally functioning kelp forest ecosystems  
21          that do not involve commercial or mechanized harvesting.

