

Union Calendar No. 233

116TH CONGRESS
1ST SESSION

H. R. 2247

[Report No. 116–290]

To amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Mr. HECK (for himself and Mr. KILMER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

NOVEMBER 14, 2019

Additional sponsors: Mr. SMITH of Washington, Mr. LARSEN of Washington, Ms. DELBENE, Ms. JAYAPAL, and Ms. SCHRIER

NOVEMBER 14, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 10, 2019]

A BILL

To amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, 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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Promoting United Gov-*
 5 *ernment Efforts to Save Our Sound Act” or the “PUGET*
 6 *SOS Act”.*

7 **SEC. 2. PUGET SOUND COORDINATED RECOVERY.**

8 *Title I of the Federal Water Pollution Control Act (33*
 9 *U.S.C. 1251 et seq.) is amended by adding at the end the*
 10 *following:*

11 **“SEC. 124. PUGET SOUND.**

12 *“(a) DEFINITIONS.—In this section, the following defi-*
 13 *nitions apply:*

14 *“(1) COASTAL NONPOINT POLLUTION CONTROL*
 15 *PROGRAM.—The term ‘Coastal Nonpoint Pollution*
 16 *Control Program’ means the State of Washington’s*
 17 *Coastal Nonpoint Pollution Control Program ap-*
 18 *proved by the Secretary of Commerce as required*
 19 *under section 6217 of the Coastal Zone Act Reauthor-*
 20 *ization Amendments of 1990.*

21 *“(2) DIRECTOR.—The term ‘Director’ means the*
 22 *Director of the Program Office.*

23 *“(3) INTERNATIONAL JOINT COMMISSION.—The*
 24 *term ‘International Joint Commission’ means the*
 25 *International Joint Commission established by the*

1 *United States and Canada under the International*
 2 *Boundary Waters Treaty of 1909 (36 Stat. 2448).*

3 “(4) *PACIFIC SALMON COMMISSION.*—*The term*
 4 *‘Pacific Salmon Commission’ means the Pacific*
 5 *Salmon Commission established by the United States*
 6 *and Canada under the Treaty between the Govern-*
 7 *ment of the United States of America and the Govern-*
 8 *ment of Canada Concerning Pacific Salmon, signed*
 9 *at Ottawa, January 28, 1985 (commonly known as*
 10 *the ‘Pacific Salmon Treaty’).*

11 “(5) *PROGRAM OFFICE.*—*The term ‘Program Of-*
 12 *fice’ means the Puget Sound Recovery National Pro-*
 13 *gram Office established by subsection (c).*

14 “(6) *PUGET SOUND ACTION AGENDA; ACTION*
 15 *AGENDA.*—*The term ‘Puget Sound Action Agenda’ or*
 16 *‘Action Agenda’ means the most recent plan developed*
 17 *by the Puget Sound National Estuary Program Man-*
 18 *agement Conference, in consultation with the Tribal*
 19 *Management Conference, and approved by the Admin-*
 20 *istrator as the comprehensive conservation and man-*
 21 *agement plan for Puget Sound under section 320.*

22 “(7) *PUGET SOUND FEDERAL LEADERSHIP TASK*
 23 *FORCE.*—*The term ‘Puget Sound Federal Leadership*
 24 *Task Force’ means the Puget Sound Federal Leader-*
 25 *ship Task Force established by subsection (d).*

1 “(8) *PUGET SOUND FEDERAL TASK FORCE.*—*The*
 2 *term ‘Puget Sound Federal Task Force’ means the*
 3 *Puget Sound Federal Task Force established in 2016*
 4 *under a memorandum of understanding among 9*
 5 *Federal agencies.*

6 “(9) *PUGET SOUND NATIONAL ESTUARY PRO-*
 7 *GRAM MANAGEMENT CONFERENCE; MANAGEMENT CON-*
 8 *FERENCE.*—*The term ‘Puget Sound National Estuary*
 9 *Program Management Conference’ or ‘Management*
 10 *Conference’ means the management conference for*
 11 *Puget Sound convened pursuant to section 320.*

12 “(10) *PUGET SOUND PARTNERSHIP.*—*The term*
 13 *‘Puget Sound Partnership’ means the State agency*
 14 *that is established under the laws of the State of*
 15 *Washington (section 90.71.210 of the Revised Code of*
 16 *Washington), or its successor agency, that has been*
 17 *designated by the Administrator as the lead entity to*
 18 *support the Puget Sound National Estuary Program*
 19 *Management Conference.*

20 “(11) *PUGET SOUND REGION.*—

21 “(A) *IN GENERAL.*—*The term ‘Puget Sound*
 22 *region’ means the land and waters in the north-*
 23 *west corner of the State of Washington from the*
 24 *Canadian border to the north to the Pacific*

1 *Ocean on the west, including Hood Canal and*
2 *the Strait of Juan de Fuca.*

3 “(B) *INCLUSION.*—*The term ‘Puget Sound*
4 *region’ includes all of the water that falls on the*
5 *Olympic and Cascade Mountains and flows to*
6 *meet Puget Sound’s marine waters.*

7 “(12) *PUGET SOUND TRIBAL MANAGEMENT CON-*
8 *ERENCE.*—*The term ‘Puget Sound Tribal Manage-*
9 *ment Conference’ means the 20 treaty Indian tribes of*
10 *western Washington and the Northwest Indian Fish-*
11 *eries Commission.*

12 “(13) *SALISH SEA.*—*The term ‘Salish Sea’*
13 *means the network of coastal waterways on the west*
14 *coast of North America that includes the Puget*
15 *Sound, the Strait of Georgia, and the Strait of Juan*
16 *de Fuca.*

17 “(14) *SALMON RECOVERY PLANS.*—*The term*
18 *‘Salmon Recovery Plans’ means the recovery plans for*
19 *salmon and steelhead species approved by the Sec-*
20 *retary of the Interior under section 4(f) of the Endan-*
21 *gered Species Act of 1973.*

22 “(15) *STATE ADVISORY COMMITTEE.*—*The term*
23 *‘State Advisory Committee’ means the advisory com-*
24 *mittee established by subsection (e).*

1 “(16) *TREATY RIGHTS AT RISK INITIATIVE*.—The
2 term ‘*Treaty Rights at Risk Initiative*’ means the re-
3 port from the treaty Indian tribes of western Wash-
4 ington entitled ‘*Treaty Rights at Risk: Ongoing*
5 *Habitat Loss, the Decline of the Salmon Resource,*
6 *and Recommendations for Change*’ and dated July
7 14, 2011, or its successor report, which outlines issues
8 and offers solutions for the protection of Tribal treaty
9 rights, recovery of salmon habitat, and management
10 of sustainable treaty and non-treaty salmon fisheries,
11 including through tribal salmon hatchery programs.

12 “(b) *CONSISTENCY*.—

13 “(1) *IN GENERAL*.—All Federal agencies rep-
14 resented on the Puget Sound Federal Leadership Task
15 Force shall act consistently with the protection of
16 Tribal, treaty-reserved rights and, to the greatest ex-
17 tent practicable given such agencies’ existing obliga-
18 tions under Federal law, act consistently with the ob-
19 jectives and priorities of the Action Agenda, Salmon
20 Recovery Plans, the Treaty Rights at Risk Initiative,
21 and the Coastal Nonpoint Pollution Control Program,
22 when—

23 “(A) conducting Federal agency activities
24 within or outside Puget Sound that affect any
25 land or water use or natural resources of Puget

1 *Sound and its tributary waters, including ac-*
2 *tivities performed by a contractor for the benefit*
3 *of a Federal agency;*

4 *“(B) interpreting and enforcing regulations*
5 *that impact the restoration and protection of*
6 *Puget Sound;*

7 *“(C) issuing Federal licenses or permits*
8 *that impact the restoration and protection of*
9 *Puget Sound; and*

10 *“(D) granting Federal assistance to State,*
11 *local, and Tribal governments for activities re-*
12 *lated to the restoration and protection of Puget*
13 *Sound.*

14 *“(2) EXEMPTIONS.—Any Federal agency activity*
15 *necessary for national security, determined by the*
16 *President to be in the paramount interest of the*
17 *United States, or determined by the Puget Sound*
18 *Federal Leadership Task Force, in consultation with*
19 *the State Advisory Committee and the Puget Sound*
20 *Tribal Management Conference, to be necessary to*
21 *complete a project that was approved prior to the*
22 *date of enactment of this section shall be exempt from*
23 *the consistency requirements established in paragraph*
24 *(1).*

1 “(c) *PUGET SOUND RECOVERY NATIONAL PROGRAM*
2 *OFFICE.*—

3 “(1) *ESTABLISHMENT.*—*There is established in*
4 *the Environmental Protection Agency a Puget Sound*
5 *Recovery National Program Office to be located in the*
6 *State of Washington.*

7 “(2) *DIRECTOR.*—

8 “(A) *IN GENERAL.*—*The Director of the*
9 *Program Office shall be a career reserved posi-*
10 *tion, as such term is defined in section*
11 *3132(a)(8) of title 5, United States Code.*

12 “(B) *QUALIFICATIONS.*—*The Director of the*
13 *Program Office shall have leadership and project*
14 *management experience and shall be highly*
15 *qualified to—*

16 “(i) *direct the integration of multiple*
17 *project planning efforts and programs from*
18 *different agencies and jurisdictions; and*

19 “(ii) *align numerous, and often con-*
20 *flicting, needs toward implementing a*
21 *shared Action Agenda with visible and*
22 *measurable outcomes.*

23 “(3) *DELEGATION OF AUTHORITY; STAFFING.*—
24 *The Administrator shall delegate to the Director such*

1 *authority and provide such staff as may be necessary*
2 *to carry out this section.*

3 “(4) *DUTIES.—The Director shall—*

4 *“(A) coordinate and manage the timely exe-*
5 *cution of the requirements of this section, includ-*
6 *ing the formation and meetings of the Puget*
7 *Sound Federal Leadership Task Force;*

8 *“(B) coordinate activities related to the res-*
9 *toration and protection of Puget Sound across*
10 *the Environmental Protection Agency;*

11 *“(C) coordinate and align the activities of*
12 *the Administrator with the Action Agenda,*
13 *Salmon Recovery Plans, the Treaty Rights at*
14 *Risk Initiative, and the Coastal Nonpoint Pollu-*
15 *tion Control Program;*

16 *“(D) promote the efficient use of Environ-*
17 *mental Protection Agency resources in pursuit of*
18 *Puget Sound restoration and protection;*

19 *“(E) serve on the Puget Sound Federal*
20 *Leadership Task Force and collaborate with, help*
21 *coordinate, and implement activities with other*
22 *Federal agencies that have responsibilities in-*
23 *volving Puget Sound restoration and protection;*

24 *“(F) provide or procure such other advice,*
25 *technical assistance, research, assessments, moni-*

1 *toring, or other support as is determined by the*
2 *Director to be necessary or prudent to most effi-*
3 *ciently and effectively fulfill the objectives and*
4 *priorities of the Action Agenda, Salmon Recov-*
5 *ery Plans, the Treaty Rights at Risk Initiative,*
6 *and the Coastal Nonpoint Pollution Control Pro-*
7 *gram consistent with the best available science*
8 *and to ensure the health of the Puget Sound eco-*
9 *system;*

10 *“(G) track the progress of the Environ-*
11 *mental Protection Agency toward meeting the*
12 *Agency’s specified objectives and priorities with-*
13 *in the Action Agenda;*

14 *“(H) implement the recommendations of the*
15 *Comptroller General, set forth in the report enti-*
16 *tled ‘Puget Sound Restoration: Additional Ac-*
17 *tions Could Improve Assessments of Progress’*
18 *and dated July 19, 2018;*

19 *“(I) serve as liaison and coordinate activi-*
20 *ties for the restoration and protection of the Sa-*
21 *lish Sea, with Canadian authorities, the Pacific*
22 *Salmon Commission, and the International*
23 *Joint Commission; and*

1 “(J) carry out such additional duties as the
2 Administrator determines necessary and appro-
3 priate.

4 “(d) *PUGET SOUND FEDERAL LEADERSHIP TASK*
5 *FORCE.*—

6 “(1) *ESTABLISHMENT.*—*There is established a*
7 *Puget Sound Federal Leadership Task Force.*

8 “(2) *DUTIES.*—

9 “(A) *GENERAL DUTIES.*—*The Puget Sound*
10 *Federal Leadership Task Force shall—*

11 “(i) *uphold Federal trust responsibil-*
12 *ities to restore and protect resources crucial*
13 *to Tribal treaty rights, including by car-*
14 *rying out government-to-government con-*
15 *sultation;*

16 “(ii) *provide a venue for dialogue and*
17 *coordination across all Federal agencies on*
18 *the Puget Sound Federal Leadership Task*
19 *Force to align Federal resources for the pur-*
20 *poses of carrying out the requirements of*
21 *this section and all other Federal laws that*
22 *contribute to the restoration and protection*
23 *of Puget Sound, including by—*

24 “(I) *enabling and encouraging the*
25 *Federal agencies represented on the*

1 *Puget Sound Federal Leadership Task*
2 *Force to act consistently with the objec-*
3 *tives and priorities of the Action Agen-*
4 *da, Salmon Recovery Plans, the Treaty*
5 *Rights at Risk Initiative, and the*
6 *Coastal Nonpoint Pollution Control*
7 *Program;*

8 *“(II) facilitating the coordination*
9 *of Federal activities that impact the*
10 *restoration and protection of Puget*
11 *Sound;*

12 *“(III) facilitating the delivery of*
13 *feedback given by Federal agencies to*
14 *the Puget Sound Partnership during*
15 *the development of the Federal Action*
16 *Plan;*

17 *“(IV) facilitating the resolution of*
18 *(and, if necessary, seek to mediate in*
19 *cooperation with the Executive Office*
20 *of the President) interagency conflicts*
21 *associated with the restoration and*
22 *protection of Puget Sound among the*
23 *agencies represented on the Puget*
24 *Sound Federal Leadership Task Force;*

1 “(V) *providing a forum for ex-*
2 *changing information among agencies*
3 *regarding activities being conducted,*
4 *including obstacles or efficiencies*
5 *found, during Puget Sound restoration*
6 *and protection activities; and*

7 “(VI) *promoting the efficient use*
8 *of government resources in pursuit of*
9 *Puget Sound restoration and protec-*
10 *tion through coordination and collabo-*
11 *ration, including by ensuring that the*
12 *Federal efforts relating to the science*
13 *necessary for restoration and protec-*
14 *tion of Puget Sound is consistent, and*
15 *not duplicative, across the Federal*
16 *Government;*

17 “(iii) *catalyze public leaders at all lev-*
18 *els to work together toward shared goals by*
19 *demonstrating interagency best practices*
20 *coming from the members of the Puget*
21 *Sound Federal Leadership Task Force;*

22 “(iv) *provide advice and support on*
23 *scientific and technical issues and act as a*
24 *forum for the exchange of scientific informa-*
25 *tion about Puget Sound;*

1 “(v) identify and inventory Federal
2 environmental research and monitoring
3 programs related to Puget Sound, and pro-
4 vide such inventory to the Puget Sound Na-
5 tional Estuary Program Management Con-
6 ference;

7 “(vi) ensure that Puget Sound restora-
8 tion and protection activities are as con-
9 sistent as practicable with ongoing restora-
10 tion and protection and related efforts in
11 the Salish Sea that are being conducted by
12 Canadian authorities, the Pacific Salmon
13 Commission, and the International Joint
14 Commission;

15 “(vii) establish any necessary working
16 groups or advisory committees necessary to
17 assist the Puget Sound Federal Leadership
18 Task Force in its duties, including public
19 policy and scientific issues;

20 “(viii) raise national awareness of the
21 significance of Puget Sound;

22 “(ix) work with the Office of Manage-
23 ment and Budget to give input on the cross-
24 cut budget under subsection (h); and

1 “(x) submit a biennial report under
2 subsection (g) on the progress made towards
3 carrying out the Federal Action Plan.

4 “(B) PUGET SOUND FEDERAL ACTION
5 PLAN.—

6 “(i) IN GENERAL.—Not later than 5
7 years after the date of enactment of this sec-
8 tion and every 5 years thereafter, the Puget
9 Sound Federal Leadership Task Force shall
10 develop and approve a Federal Action Plan
11 that leverages Federal programs across
12 agencies and serves to coordinate diverse
13 programs on a specific suite of priorities on
14 Puget Sound recovery.

15 “(ii) REVISION OF PUGET SOUND FED-
16 ERAL ACTION PLAN.—Not less often than
17 once every 5 years after the date of comple-
18 tion of the Federal Action Plan described in
19 clause (i), the Puget Sound Leadership Task
20 Force shall review, and revise as appro-
21 priate, the Federal Action Plan.

22 “(C) FEEDBACK BY FEDERAL AGENCIES.—
23 In facilitating feedback under subparagraph
24 (A)(ii)(III), the Puget Sound Federal Leadership
25 Task Force shall request Federal agencies to con-

1 *sider, at a minimum, possible Federal actions*
2 *designed to—*

3 “(i) *further the goals, targets, and ac-*
4 *tions of the Action Agenda, Salmon Recov-*
5 *ery Plans, the Treaty Rights at Risk Initia-*
6 *tive, and the Coastal Nonpoint Pollution*
7 *Control Program;*

8 “(ii) *implement and enforce this Act,*
9 *the Endangered Species Act of 1973, and all*
10 *other Federal laws that contribute to the*
11 *restoration and protection of Puget Sound,*
12 *including those that protect Tribal treaty*
13 *rights;*

14 “(iii) *prevent the introduction and*
15 *spread of invasive species;*

16 “(iv) *prevent the destruction of marine*
17 *and wildlife habitats;*

18 “(v) *protect, restore, and conserve for-*
19 *ests, wetlands, riparian zones, and near-*
20 *shore waters that provide marine and wild-*
21 *life habitat;*

22 “(vi) *promote resilience to climate*
23 *change and ocean acidification effects;*

1 “(vii) conserve and recover endangered
2 species under the Endangered Species Act of
3 1973;

4 “(viii) restore fisheries so that they are
5 sustainable and productive;

6 “(ix) preserve biodiversity;

7 “(x) restore and protect ecosystem serv-
8 ices that provide clean water, filter toxic
9 chemicals, and increase ecosystem resilience;
10 and

11 “(xi) improve water quality and re-
12 store wildlife habitat, including by pre-
13 venting and managing stormwater runoff,
14 incorporating erosion control techniques
15 and trash capture devices, using sustainable
16 stormwater practices, and mitigating and
17 minimizing nonpoint source pollution, in-
18 cluding marine litter.

19 “(3) *PARTICIPATION OF STATE ADVISORY COM-*
20 *MITTEE AND PUGET SOUND TRIBAL MANAGEMENT*
21 *CONFERENCE.*—

22 “(A) *IN GENERAL.*—*The Puget Sound Fed-*
23 *eral Leadership Task Force shall carry out its*
24 *duties with input from, and in collaboration*

1 *with, the State Advisory Committee and Puget*
2 *Sound Tribal Management Conference.*

3 “(B) *SPECIFIC ADVICE AND RECOMMENDA-*
4 *TIONS.—The Puget Sound Federal Leadership*
5 *Task Force shall seek the advice and rec-*
6 *ommendations of the State Advisory Committee*
7 *and Puget Sound Tribal Management Conference*
8 *on the actions, progress, and issues pertaining to*
9 *restoration and protection of Puget Sound.*

10 “(4) *USE OF PREVIOUS WORK.—The Puget*
11 *Sound Federal Leadership Task Force shall, to the ex-*
12 *tent practicable, use the work product produced, relied*
13 *upon, and analyzed by the Puget Sound Federal Task*
14 *Force in order to avoid duplicating the efforts of the*
15 *Puget Sound Federal Task Force.*

16 “(5) *MEMBERSHIP.—*

17 “(A) *QUALIFICATIONS.—Members appointed*
18 *under this paragraph shall have experience and*
19 *expertise in matters of restoration and protection*
20 *of large watersheds and bodies of water or re-*
21 *lated experience that will benefit the restoration*
22 *and protection effort of Puget Sound.*

23 “(B) *COMPOSITION.—The Puget Sound Fed-*
24 *eral Leadership Task Force shall be composed of*
25 *the following members:*

1 “(i) *SECRETARY OF AGRICULTURE.—*
2 *The following individuals appointed by the*
3 *Secretary of Agriculture:*

4 “(I) *A representative of the Na-*
5 *tional Forest Service.*

6 “(II) *A representative of the Nat-*
7 *ural Resources Conservation Service.*

8 “(ii) *SECRETARY OF COMMERCE.—A*
9 *representative of the National Oceanic and*
10 *Atmospheric Administration appointed by*
11 *the Secretary of Commerce.*

12 “(iii) *SECRETARY OF DEFENSE.—The*
13 *following individuals appointed by the Sec-*
14 *retary of Defense:*

15 “(I) *A representative of the Corps*
16 *of Engineers.*

17 “(II) *A representative of the Joint*
18 *Base Lewis-McChord.*

19 “(III) *A representative of the*
20 *Navy Region Northwest.*

21 “(iv) *DIRECTOR.—The Director of the*
22 *Program Office.*

23 “(v) *SECRETARY OF HOMELAND SECU-*
24 *RITY.—The following individuals appointed*
25 *by the Secretary of Homeland Security:*

1 “(I) A representative of the Coast
2 Guard.

3 “(II) A representative of the Fed-
4 eral Emergency Management Agency.

5 “(vi) SECRETARY OF THE INTERIOR.—
6 The following individuals appointed by the
7 Secretary of the Interior:

8 “(I) A representative of the Bu-
9 reau of Indian Affairs.

10 “(II) A representative of the
11 United States Fish and Wildlife Serv-
12 ice.

13 “(III) A representative of the
14 United States Geological Survey.

15 “(IV) A representative of the Na-
16 tional Park Service.

17 “(vii) SECRETARY OF TRANSPOR-
18 TATION.—The following individuals ap-
19 pointed by the Secretary of Transportation:

20 “(I) A representative of the Fed-
21 eral Highway Administration.

22 “(II) A representative of the Fed-
23 eral Transit Administration.

24 “(viii) ADDITIONAL MEMBERS.—Rep-
25 resentatives of such other agencies, pro-

1 grams, and initiatives as the Puget Sound
2 Federal Leadership Task Force determines
3 necessary.

4 “(6) *LEADERSHIP.*—The Co-Chairs shall ensure
5 the Puget Sound Federal Leadership Task Force com-
6 pletes its duties through robust discussion of all rel-
7 evant issues. The Co-Chairs shall share leadership re-
8 sponsibilities equally.

9 “(7) *CO-CHAIRS.*—The following members of the
10 Puget Sound Federal Leadership Task Force ap-
11 pointed under paragraph (5) shall serve as Co-Chairs
12 of the Puget Sound Federal Leadership Task Force:

13 “(A) *The representative of the National Oce-*
14 *anic and Atmospheric Administration.*

15 “(B) *The representative of the Puget Sound*
16 *Recovery National Program Office.*

17 “(C) *The representative of the Corps of En-*
18 *gineers.*

19 “(8) *MEETINGS.*—

20 “(A) *INITIAL MEETING.*—The Puget Sound
21 Federal Leadership Task Force shall meet not
22 later than 180 days after the date of enactment
23 of this section—

24 “(i) *to determine if all Federal agen-*
25 *cies are properly represented;*

1 “(ii) to establish the bylaws of the
2 *Puget Sound Federal Leadership Task*
3 *Force;*

4 “(iii) to establish necessary working
5 groups or committees; and

6 “(iv) to determine subsequent meeting
7 times, dates, and logistics.

8 “(B) *SUBSEQUENT MEETINGS.*—*After the*
9 *initial meeting, the Puget Sound Federal Lead-*
10 *ership Task Force shall meet, at a minimum,*
11 *twice per year to carry out the duties of the*
12 *Puget Sound Federal Leadership Task Force.*

13 “(C) *WORKING GROUP MEETINGS.*—*Meet-*
14 *ings of any established working groups or com-*
15 *mittees of the Puget Sound Federal Leadership*
16 *Task Force shall not be considered a biannual*
17 *meeting for purposes of subparagraph (B).*

18 “(D) *JOINT MEETINGS.*—*The Puget Sound*
19 *Federal Leadership Task Force shall offer to*
20 *meet jointly with the Puget Sound National Es-*
21 *tuary Program Management Conference and the*
22 *Puget Sound Tribal Management Conference, at*
23 *a minimum, once per year. A joint meeting*
24 *under this subparagraph may be considered a bi-*
25 *annual meeting of the Puget Sound Federal*

1 *Leadership Task Force for purposes of subpara-*
2 *graph (B), if agreed upon.*

3 “(E) QUORUM.—*A majority number of the*
4 *members of the Puget Sound Federal Leadership*
5 *Task Force shall constitute a quorum.*

6 “(F) VOTING.—*For the Puget Sound Fed-*
7 *eral Leadership Task Force to pass a measure, a*
8 *two-thirds percentage of the quorum must vote in*
9 *the affirmative.*

10 “(9) PUGET SOUND FEDERAL LEADERSHIP TASK
11 *FORCE PROCEDURES AND ADVICE.—*

12 “(A) ADVISORS.—*The Puget Sound Federal*
13 *Leadership Task Force, and any working group*
14 *of the Puget Sound Federal Leadership Task*
15 *Force, may seek advice and input from any in-*
16 *terested, knowledgeable, or affected party as the*
17 *Puget Sound Federal Leadership Task Force or*
18 *working group, respectively, determines necessary*
19 *to perform its duties.*

20 “(B) COMPENSATION.—*A member of the*
21 *Puget Sound Federal Leadership Task Force*
22 *shall receive no additional compensation for*
23 *service as a member on the Puget Sound Federal*
24 *Leadership Task Force.*

1 “(C) *TRAVEL EXPENSES.*—*Travel expenses*
2 *incurred by a member of the Puget Sound Fed-*
3 *eral Leadership Task Force in the performance*
4 *of service on the Puget Sound Federal Leader-*
5 *ship Task Force may be paid by the agency or*
6 *department that the member represents.*

7 “(e) *STATE ADVISORY COMMITTEE.*—

8 “(1) *ESTABLISHMENT.*—*There is established a*
9 *State Advisory Committee.*

10 “(2) *MEMBERSHIP.*—*The committee shall consist*
11 *of up to 7 members designated by the governing body*
12 *of the Puget Sound Partnership, in consultation with*
13 *the Governor of Washington, who will represent*
14 *Washington State agencies that have significant roles*
15 *and responsibilities related to Puget Sound recovery.*

16 “(f) *FEDERAL ADVISORY COMMITTEE ACT.*—*The*
17 *Puget Sound Federal Leadership Task Force, State Advi-*
18 *sory Committee, and any working group of the Puget Sound*
19 *Federal Leadership Task Force, shall not be considered an*
20 *advisory committee under the Federal Advisory Committee*
21 *Act (5 U.S.C. App.).*

22 “(g) *PUGET SOUND FEDERAL LEADERSHIP TASK*
23 *FORCE BIENNIAL REPORT ON PUGET SOUND RECOVERY*
24 *ACTIVITIES.*—

1 “(1) *IN GENERAL.*—Not later than 1 year after
2 the date of enactment of this section, and biennially
3 thereafter, the Puget Sound Federal Leadership Task
4 Force, in collaboration with the Puget Sound Tribal
5 Management Conference and the State Advisory Com-
6 mittee, shall submit to the President, Congress, and
7 the Governor of Washington a report that summarizes
8 the progress, challenges, and milestones of the Puget
9 Sound Federal Leadership Task Force on the restora-
10 tion and protection of Puget Sound.

11 “(2) *CONTENTS.*—The report under paragraph
12 (1) shall include a description of the following:

13 “(A) The roles of each State and local gov-
14 ernment entity that has jurisdiction and each
15 Federal agency carrying out restoration and
16 preservation in the Puget Sound region and the
17 progress made toward meeting the identified ob-
18 jectives and priorities of the Action Agenda,
19 Salmon Recovery Plans, the Treaty Rights at
20 Risk Initiative, and the Coastal Nonpoint Pollu-
21 tion Control Program.

22 “(B) If available, the roles and progress of
23 Tribal governments that have jurisdiction in the
24 Puget Sound region toward meeting the identi-
25 fied objectives and priorities of the Action Agen-

1 *da, Salmon Recovery Plans, the Treaty Rights at*
2 *Risk Initiative, and the Coastal Nonpoint Pollu-*
3 *tion Control Program.*

4 “(C) *A summary of the progress each Fed-*
5 *eral agency has made in implementing their spe-*
6 *cific responsibilities under the Action Agenda,*
7 *Salmon Recovery Plans, the Treaty Rights at*
8 *Risk Initiative, and the Coastal Nonpoint Pollu-*
9 *tion Control Program.*

10 “(D) *The role of each Federal agency in*
11 *protecting Tribal treaty rights, including by car-*
12 *rying out its tribal trust responsibilities, and a*
13 *summary of the progress each agency has made*
14 *in protecting those rights.*

15 “(E) *A summary of specific recommenda-*
16 *tions concerning implementation of the Action*
17 *Agenda, including challenges, barriers, and an-*
18 *ticipated milestones, targets, and timelines.*

19 “(F) *A summary of progress made by Fed-*
20 *eral agencies toward the priorities identified in*
21 *the Federal Action Plan.*

22 “(h) *CROSSCUT BUDGET REPORT.—*

23 “(1) *FINANCIAL REPORT.—Not later than 1 year*
24 *after the date of enactment of this section, and every*
25 *5 years thereafter, the Director of the Office of Man-*

1 *agement and Budget, in consultation with the Puget*
 2 *Sound Federal Leadership Task Force, shall submit to*
 3 *Congress and make available to the public, including*
 4 *on the internet, a financial report that is certified by*
 5 *the head of each agency represented by the Puget*
 6 *Sound Federal Leadership Task Force.*

7 “(2) *CONTENTS.—The report shall contain an*
 8 *interagency crosscut budget relating to Puget Sound*
 9 *restoration and protection activities that displays—*

10 “(A) *the proposed funding for any Federal*
 11 *restoration and protection activity to be carried*
 12 *out in the succeeding fiscal year, including any*
 13 *planned interagency or intra-agency transfer, for*
 14 *each of the Federal agencies that carry out res-*
 15 *toration and protection activities;*

16 “(B) *the estimated expenditures for Federal*
 17 *restoration and protection activities from the*
 18 *preceding 2 fiscal years, the current fiscal year,*
 19 *and the succeeding fiscal year; and*

20 “(C) *the estimated expenditures for Federal*
 21 *environmental research and monitoring pro-*
 22 *grams from the preceding 2 fiscal years, the cur-*
 23 *rent fiscal year, and the succeeding fiscal year.*

24 “(3) *INCLUDED RECOVERY ACTIVITIES.—With re-*
 25 *spect to activities described in the report, the report*

1 *shall only describe activities that have funding*
 2 *amounts not less than \$100,000.*

3 “(4) *SUBMISSION TO CONGRESS.—The Director*
 4 *of the Office of Management and Budget shall submit*
 5 *the report to—*

6 “(A) *the Committee on Appropriations, the*
 7 *Committee on Natural Resources, the Committee*
 8 *on Energy and Commerce, and the Committee on*
 9 *Transportation and Infrastructure of the House*
 10 *of Representatives; and*

11 “(B) *the Committee on Appropriations, the*
 12 *Committee on Environment and Public Works,*
 13 *and the Committee on Commerce, Science, and*
 14 *Transportation of the Senate.*

15 “(i) *AUTHORIZATION OF APPROPRIATIONS.—In addi-*
 16 *tion to any other funds authorized to be appropriated for*
 17 *activities related to Puget Sound, there is authorized to be*
 18 *appropriated to carry out this section \$50,000,000 for each*
 19 *of fiscal years 2020 through 2024.*

20 “(j) *PRESERVATION OF TREATY OBLIGATIONS AND EX-*
 21 *ISTING FEDERAL STATUS.—*

22 “(1) *TRIBAL TREATY RIGHTS.—Nothing in this*
 23 *section affects any right reserved by treaty between*
 24 *the United States and 1 or more Indian Tribes.*

1 “(2) *OTHER FEDERAL LAW.*—*Nothing in this*
2 *section affects the requirements and procedures of*
3 *other Federal law.*

4 “(k) *CONSISTENCY.*—*Actions authorized or imple-*
5 *mented under this section shall be consistent with—*

6 “(1) *the Endangered Species Act of 1973 and the*
7 *Salmon Recovery Plans of the State of Washington;*

8 “(2) *the Coastal Zone Management Act of 1972*
9 *and the Coastal Nonpoint Pollution Control Program;*

10 “(3) *the water quality standards of the State of*
11 *Washington approved by the Administrator under*
12 *section 303; and*

13 “(4) *other applicable Federal requirements.*”.

Union Calendar No. 233

116TH CONGRESS
1ST Session

H. R. 2247

[Report No. 116-290]

A BILL

To amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes.

NOVEMBER 14, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed