

PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE
OUR SOUND ACT

MAY 28, 2021.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 1144]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 1144) to amend the Federal Water Pol-
lution Control Act to provide assistance for programs and activities
to protect the water quality of Puget Sound, and for other pur-
poses, having considered the same, reports favorably thereon with-
out amendment and recommends that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 1144, the “Promoting United Government Efforts to Save Our Sound Act” or the “PUGET SOS Act,” introduced by Representative Kilmer (D–WA), is to establish a new regional program office within the U.S. Environmental Protection Agency (EPA) to support restoration efforts and activities in the Puget Sound, to coordinate federal restoration efforts and activities within the sound, and to authorize federal appropriations for such restoration efforts and activities.

BACKGROUND AND NEED FOR LEGISLATION

Puget Sound is a deep fjord estuary spanning much of the state of Washington and extending north into Canada. The sound is the second largest estuary in the United States, and encompasses a complex landscape featuring mountains, farmlands, urban development, rivers, forests, wetlands, and approximately 2,500 miles of shoreline.¹ The Puget Sound watershed, including its tributary waters, is one of the most ecologically diverse ecosystems in North America, with natural resources that have ecological, economic, and cultural importance both to the United States and to the 4.5 million people living within the Puget Sound watershed,² including many tribal nations. The health and productivity of sound is the cornerstone of the region’s quality of life and vibrant economy, including a nationally significant salmon fishery, as well as commercial aquaculture operations, agriculture, and commercial navigation, just to name a few.

Human development and other actions have degraded the water quality and habitat of the sound, including that of critical species like salmon and orca whales. Threats to the Puget Sound, such as water pollution, sediment contamination, environmental degradation, and habitat loss, jeopardize the economic productivity and natural resources of the region. In 1988, the Puget Sound was designated an Estuary of National Significance, and it later joined EPA’s National Estuaries Program (under section 320 of the *Clean Water Act*) to develop and implement plans for restoration and protection of the sound.

Federal restoration efforts in the Puget Sound come from a variety of federal agencies and sources, the primary sources of which are the Puget Sound Geographic program—a specific line item in EPA’s environment and program management account³—and an allocation from EPA’s National Estuary Program. The Committee has received several estimates on the amount of federal funding allocated to Puget Sound restoration efforts; however, the Committee cannot document exactly how much federal funding has gone to restoration efforts in recent years, and from what federal agencies.

In 2016, the Committee on Transportation and Infrastructure requested that the U.S. Government Accountability Office (GAO) undertake a study on federal, state, and local efforts to restore the Puget Sound. In July 2018, GAO released its report, entitled “*Puget*

¹ Puget Sound Partnership. (December 2, 2019). *State of the Sound Report*.

² Puget Sound Nutrient Reduction Project. Accessed at <https://ecology.wa.gov/Water-Shorelines/Puget-Sound/Helping-Puget-Sound/Reducing-Puget-Sound-nutrients/Puget-Sound-Nutrient-Reduction-Project>.

³ In fiscal year 2021, the Puget Sound received a federal appropriation of \$33.75 million under EPA’s Geographic Programs subaccount (P.L. 116–260).

Sound Restoration: Additional Actions Could Improve Assessments of Progress” and recommended, among other things, that the EPA work with the Puget Sound management conference to help ensure that measurable targets are developed where possible for the highest priority indicators currently lacking such targets.⁴

The report also found that involved entities engaged in a range of activities including habitat protection, water quality improvement, and monitoring.⁵ The report also looked at the efficacy of this coordination, finding that the threats the sound faces still outpace the efforts to combat them.⁶ According to GAO, further investment and a program with clear leadership and coordination of objectives will be crucial to achieving the long-term restoration and protection goals of this diverse and dynamic ecosystem.⁷

HEARINGS

For the purposes of rule XIII, clause 3(c)6(A) of the 117th Congress, no hearings were used to develop or consider H.R. 1144 in the 117th Congress; however, in the 116th Congress, the following hearing was used to develop the legislation:

On June 25, 2019, the Subcommittee on Water Resources and Environment held a hearing titled “Protecting and Restoring America’s Iconic Waters.” The Subcommittee received testimony from: Preston D. Cole, Secretary, Wisconsin Department of Natural Resources; Dave Pine, Supervisor, District 1, San Mateo County Board of Supervisors, Chair of the San Francisco Bay Restoration Authority Governing Board; Laura Blackmore, Executive Director, Puget Sound Partnership; William C. Baker, President, Chesapeake Bay Foundation; Kristi Trail, Executive Director, Lake Pontchartrain Basin Foundation; and Tom Ford, Director, Santa Monica Bay National Estuary Program, The Bay Foundation. Topics discussed included the importance of establishing a national program office, within the U.S. Environmental Protection Agency, to focus governmental and nongovernmental efforts to restore and maintain the ecological health and water quality related to the Puget Sound.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 1144 was introduced in the House on February 18, 2021, by Mr. Kilmer, Mr. Smith of Washington, and Ms. Strickland, and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 1144 was referred to the Subcommittee on Water Resources and Environment.

The Subcommittee on Water Resources and Environment was discharged from further consideration of H.R. 1144 on March 24, 2021.

The Full Committee considered H.R. 1144 on March 24, 2021, and ordered the measure to be reported to the House with a favorable recommendation, by a record vote of 54 yeas and 3 nays (Roll Call Vote No. 16).

⁴ GAO-18-453.

⁵ Id.

⁶ Id.

⁷ Id.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

H.R. 1144 was ordered to be favorably reported to the House of Representatives, by a record vote of 54 yeas and 3 nays (Roll Call Vote No. 16). The vote was as follows:

Vote: 16

Measure: H.R. 1144

On: agreeing to H.R. 1144 and ordering to be reported to the House, favorably

Member	Vote	Member	Vote
Mr. DeFazio	Yea	Mr. Graves of MO	Yea
<i>Ms. Norton</i>	Yea	Mr. Young .....	.....
Ms. Johnson of TX	Yea	Mr. Crawford .....	.....
Mr. Larsen of WA	Yea	Mr. Gibbs	Yea
Mrs. Napolitano	Yea	Mr. Webster	Yea
Mr. Cohen	Yea	Mr. Massie	Nay
Mr. Sires	Yea	Mr. Perry	Nay
Mr. Garamendi	Yea	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Yea	Mr. Katko	Yea
Mr. Carson	Yea	Mr. Babin	Yea
Ms. Titus	Yea	Mr. Graves of LA	Yea
Mr. Maloney of NY	Yea	Mr. Rouzer	Yea
Mr. Huffman	Yea	Mr. Bost	Yea
Ms. Brownley	Yea	Mr. Weber of TX	Yea
Ms. Wilson of FL .....	.....	Mr. LaMalfa	Yea
Mr. Payne	Yea	Mr. Westerman	Yea
Mr. Lowenthal	Yea	Mr. Mast	Yea
Mr. DeSaulnier	Yea	Mr. Gallagher	Yea
Mr. Lynch	Yea	Mr. Fitzpatrick	Yea
Mr. Carbajal .....	.....	<i>Miss González-Colón</i>	Yea
Mr. Brown	Yea	Mr. Balderson	Yea
Mr. Malinowski .....	.....	Mr. Stauber .....	.....
Mr. Stanton	Yea	Mr. Burchett	Nay
Mr. Allred	Yea	Mr. Johnson of SD	Yea
Ms. Davids of KS	Yea	Mr. Van Drew	Yea
Mr. García of IL	Yea	Mr. Guest .....	.....
Mr. Delgado	Yea	Mr. Nehls	Yea
Mr. Pappas	Yea	Ms. Mace	Yea
Mr. Lamb	Yea	Ms. Malliotakis	Yea
Mr. Moulton .....	.....	Ms. Van Duyne .....	.....
Mr. Auchincloss	Yea	Mr. Gimenez .....	.....
Ms. Bourdeaux	Yea	Mrs. Steel	Yea
Mr. Kahele	Yea		
Ms. Strickland .....	.....	
Ms. Williams of GA	Yea		
Ms. Newman	Yea		
<i>Vacancy</i> .....	.....	

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1144 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 21, 2021.

Hon. PETER A. DEFAZIO,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1144, the PUGET SOS Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Stephen Rabent.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 1144, PUGET SOS Act			
As ordered reported by the House Committee on Transportation and Infrastructure on March 24, 2021			
By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	223	250
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 1144 would authorize the appropriation of \$50 million annually over the 2022–2026 period for the Environmental Protection Agency (EPA) to establish and operate the Puget Sound Recovery National Program Office. The office would coordinate EPA activities to support the restoration and protection of the Puget Sound, provide grants and technical assistance for projects, and conduct research. Under the bill, the office would establish a task force composed of several federal agencies that would develop a federal action plan to support the recovery and ecological health of the Puget Sound, coordinate federal activity, review restoration and protection activities, and provide technical support. Lastly, the Of-

Office of Management and Budget would need to report every five years about federal funding for restoration and protection activities for the Puget Sound.

CBO estimates that implementing H.R. 1144 would cost \$223 million over the 2021–2026 period and \$27 million after 2026, assuming appropriation of the specified amounts. Estimated outlays are based on spending patterns for similar programs, though estimated spending in the first year is lower to account for the time required to establish the office. The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 1144

	By fiscal year, millions of dollars—						
	2021	2022	2023	2024	2025	2026	2021– 2026
Estimated Authorization	0	50	50	50	50	50	250
Estimated Outlays	0	20	55	48	50	50	223

The CBO staff contact for this estimate is Stephen Rabent. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to provide additional Federal resources for coordinated federal, state, and local, and nongovernmental efforts to restore and maintain the ecological health and water quality related to the Puget Sound.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1144 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 1144 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “Promoting United Government Efforts to Save Our Sound Act” or the “PUGET SOS Act”.

Sec. 2. Puget Sound coordinated recovery

This section amends Title 1 of the *Federal Water Pollution Control Act*, more commonly known as the *Clean Water Act*, to add a new section (section 124) that: (1) establishes within the EPA a new Puget Sound Recovery National Program Office to coordinate restoration activities carried out by the Agency in the Sound; (2) establishes a new Puget Sound Federal Leadership Task Force to align Federal restoration activities in the Sound; and (3) authorizes \$50 million annually through fiscal year 2026 to carry out this section.

Subsection (a) establishes definitions for the following terms used in this section: “Coastal Nonpoint Pollution Control”; “Director”; “International Joint Commission”; “Pacific Salmon Commission”; “Program Office”; “Puget Sound Action Agenda”; “Puget Sound Federal Leadership Task Force”; “Puget Sound Federal Task Force”; “Puget Sound National Estuary Program Management Conference”; “Puget Sound Partnership”; “Puget Sound Region”; “Puget Sound Tribal Management Conference”; “Salish Sea”; “Salmon Recovery Plans”; “State Advisory Committee”; and “Treaty Rights at Risk Initiative”.

Subsection (b) requires that all Federal agencies represented on the Puget Sound Federal Leadership Task Force carry out any Federal actions in the Puget Sound consistent with the objectives and priorities of the Puget Sound Action Agenda (developed as the comprehensive conservation and management plan for the Puget Sound under section 320 of the *Clean Water Act*), treaty obligations, existing salmon recovery plans, and the State of Washington’s coastal nonpoint pollution control program (developed under section 6217 of the *Coastal Zone Act Reauthorization Amendments of 1990*).

Subsection (c) establishes within EPA a Puget Sound Recovery National Program Office located in the State of Washington. The Puget Sound National Program Office is to be headed by a career civil servant Program Director, who would be responsible to carry out the requirements of this section.

Subsection (d) establishes a Puget Sound Federal Leadership Task Force to include representatives from the following Federal departments and offices: EPA, the Department of Agriculture, the Department of Commerce, the Department of Defense, the Department of Homeland Security, the Department of the Interior, the Department of Transportation, and any other agency, program, or initiative as the Task Force determines necessary. The Task Force would be responsible for: (1) upholding the Federal trust responsibilities to restore and protect resources crucial to Tribal treaty rights (including ongoing Tribal consultation); (2) promoting dialogue and coordination across all Federal agencies on the Task Force to align Federal resources for the restoration and protection of the Puget Sound; and (3) coordinating with State and local public leaders, international counterparts and partners in meeting the requirements of this section. In addition, subparagraph (d)(2)(B) requires the Task Force to develop, within 5 years of the date of enactment, and to periodically revise, a Federal Action Plan to coordinate (and leverage) Federal expenditures (under varying Federal authorities) for the protection and restoration of the Puget Sound.

Subsection (e) establishes a State Advisory Committee, consisting of 7 members designated by the governing body of the Puget Sound Partnership, in coordination with the Governor of the State of Washington. The Task Force is responsible for seeking advice and recommendations from the State Advisory Committee on actions, progress, and issues pertaining to the restoration and protection of the Puget Sound (subsection (d)(3) of this Act).

Subsections (g) and (h) require the development of several reports to track Federal actions related to the Puget Sound and progress in meeting restoration and protection activities.

Subsection (g) requires the Task Force to develop and submit to Congress a biennial report on Puget Sound recovery actions. Subsection (h) requires the Director of the Office of Management and Budget to develop and transmit to Congress a cross-cut budget on federally funded restoration and protection activities related to the Puget Sound.

Subsection (i) authorizes Federal appropriations of \$50 million annually through fiscal year 2026 to carry out the requirements of this section.

Subsections (j) and (k) provide that nothing in this section affects any rights reserved by treaty between the United States and Native American Tribes or any requirements, procedures, or obligations under Federal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

FEDERAL WATER POLLUTION CONTROL ACT

TITLE I—RESEARCH AND RELATED PROGRAMS

* * * * *

SEC. 124. PUGET SOUND.

(a) *DEFINITIONS.—In this section, the following definitions apply:*

(1) *COASTAL NONPOINT POLLUTION CONTROL PROGRAM.—The term “Coastal Nonpoint Pollution Control Program” means the State of Washington’s Coastal Nonpoint Pollution Control Program approved by the Secretary of Commerce as required under section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990.*

(2) *DIRECTOR.—The term “Director” means the Director of the Program Office.*

(3) *FEDERAL ACTION PLAN.—The term “Federal Action Plan” means the plan developed under subsection (d)(2)(B).*

(4) *INTERNATIONAL JOINT COMMISSION.—The term “International Joint Commission” means the International Joint Commission established by the United States and Canada under the International Boundary Waters Treaty of 1909 (36 Stat. 2448).*

(5) *PACIFIC SALMON COMMISSION.—The term “Pacific Salmon Commission” means the Pacific Salmon Commission established by the United States and Canada under the Treaty between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, signed at Ottawa, January 28, 1985 (commonly known as the “Pacific Salmon Treaty”).*

(6) *PROGRAM OFFICE.—The term “Program Office” means the Puget Sound Recovery National Program Office established by subsection (c).*

(7) *PUGET SOUND ACTION AGENDA; ACTION AGENDA.—The term “Puget Sound Action Agenda” or “Action Agenda” means the most recent plan developed by the Puget Sound National Estuary Program Management Conference, in consultation with the Puget Sound Tribal Management Conference, and approved by the Administrator as the comprehensive conservation and management plan for Puget Sound under section 320.*

(8) *PUGET SOUND FEDERAL LEADERSHIP TASK FORCE.—The term “Puget Sound Federal Leadership Task Force” means the Puget Sound Federal Leadership Task Force established under subsection (d).*

(9) *PUGET SOUND FEDERAL TASK FORCE.—The term “Puget Sound Federal Task Force” means the Puget Sound Federal Task Force established in 2016 under a memorandum of understanding among 9 Federal agencies.*

(10) *PUGET SOUND NATIONAL ESTUARY PROGRAM MANAGEMENT CONFERENCE; MANAGEMENT CONFERENCE.—The term “Puget Sound National Estuary Program Management Conference” or “Management Conference” means the management conference for Puget Sound convened pursuant to section 320.*

(11) *PUGET SOUND PARTNERSHIP.—The term “Puget Sound Partnership” means the State agency that is established under the laws of the State of Washington (section 90.71.210 of the Re-*

vised Code of Washington), or its successor agency, that has been designated by the Administrator as the lead entity to support the Puget Sound National Estuary Program Management Conference.

(12) PUGET SOUND REGION.—

(A) IN GENERAL.—The term “Puget Sound region” means the land and waters in the northwest corner of the State of Washington from the Canadian border to the north to the Pacific Ocean on the west, including Hood Canal and the Strait of Juan de Fuca.

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

(13) PUGET SOUND TRIBAL MANAGEMENT CONFERENCE.—The term “Puget Sound Tribal Management Conference” means the 20 treaty Indian tribes of western Washington and the Northwest Indian Fisheries Commission.

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

(15) SALMON RECOVERY PLANS.—The term “Salmon Recovery Plans” means the recovery plans for salmon and steelhead species approved by the Secretary of the Interior under section 4(f) of the Endangered Species Act of 1973.

(16) STATE ADVISORY COMMITTEE.—The term “State Advisory Committee” means the advisory committee established by subsection (e).

(17) TREATY RIGHTS AT RISK INITIATIVE.—The term “Treaty Rights at Risk Initiative” means the report from the treaty Indian tribes of western Washington entitled “Treaty Rights at Risk: Ongoing Habitat Loss, the Decline of the Salmon Resource, and Recommendations for Change” and dated July 14, 2011, or its successor report, which outlines issues and offers solutions for the protection of Tribal treaty rights, recovery of salmon habitat, and management of sustainable treaty and nontreaty salmon fisheries, including through tribal salmon hatchery programs.

(b) CONSISTENCY.—All Federal agencies represented on the Puget Sound Federal Leadership Task Force shall act consistently with the protection of Tribal, treaty-reserved rights and, to the greatest extent practicable given such agencies’ existing obligations under Federal law, act consistently with the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program, when—

(1) conducting Federal agency activities within or outside Puget Sound that affect any land or water use or natural resources of Puget Sound and its tributary waters, including activities performed by a contractor for the benefit of a Federal agency;

(2) interpreting and enforcing regulations that impact the restoration and protection of Puget Sound;

(3) issuing Federal licenses or permits that impact the restoration and protection of Puget Sound; and

(4) *granting Federal assistance to State, local, and Tribal governments for activities related to the restoration and protection of Puget Sound.*

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

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

(2) **DIRECTOR.**—

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

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

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

(ii) *align numerous, and often conflicting, needs toward implementing a shared Action Agenda with visible and measurable outcomes.*

(3) **DELEGATION OF AUTHORITY; STAFFING.**—*Using amounts made available pursuant to subsection (i), the Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.*

(4) **DUTIES.**—*The Director shall—*

(A) *coordinate and manage the timely execution of the requirements of this section, including the formation and meetings of the Puget Sound Federal Leadership Task Force;*

(B) *coordinate activities related to the restoration and protection of Puget Sound across the Environmental Protection Agency;*

(C) *coordinate and align the activities of the Administrator with the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;*

(D) *promote the efficient use of Environmental Protection Agency resources in pursuit of Puget Sound restoration and protection;*

(E) *serve on the Puget Sound Federal Leadership Task Force and collaborate with, help coordinate, and implement activities with other Federal agencies that have responsibilities involving Puget Sound restoration and protection;*

(F) *provide or procure such other advice, technical assistance, research, assessments, monitoring, or other support as is determined by the Director to be necessary or prudent to most efficiently and effectively fulfill the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program consistent with the best available science and to ensure the health of the Puget Sound ecosystem;*

(G) *track the progress of the Environmental Protection Agency towards meeting the Agency's specified objectives*

and priorities within the Action Agenda and the Federal Action Plan;

(H) implement the recommendations of the Comptroller General, set forth in the report entitled “Puget Sound Restoration: Additional Actions Could Improve Assessments of Progress” and dated July 19, 2018;

(I) serve as liaison and coordinate activities for the restoration and protection of the Salish Sea, with Canadian authorities, the Pacific Salmon Commission, and the International Joint Commission; and

(J) carry out such additional duties as the Administrator determines necessary and appropriate.

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

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

(2) **DUTIES.**—

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

(i) uphold Federal trust responsibilities to restore and protect resources crucial to Tribal treaty rights, including by carrying out government-to-government consultation with Indian tribes when requested by such tribes;

(ii) provide a venue for dialogue and coordination across all Federal agencies on the Puget Sound Federal Leadership Task Force to align Federal resources for the purposes of carrying out the requirements of this section and all other Federal laws that contribute to the restoration and protection of Puget Sound, including by—

(I) enabling and encouraging the Federal agencies represented on the Puget Sound Federal Leadership Task Force to act consistently with the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;

(II) facilitating the coordination of Federal activities that impact the restoration and protection of Puget Sound;

(III) facilitating the delivery of feedback given by Federal agencies to the Puget Sound Partnership during the development of the Action Agenda;

(IV) facilitating the resolution of interagency conflicts associated with the restoration and protection of Puget Sound among the agencies represented on the Puget Sound Federal Leadership Task Force;

(V) providing a forum for exchanging information among agencies regarding activities being conducted, including obstacles or efficiencies found, during Puget Sound restoration and protection activities; and

(VI) promoting the efficient use of government resources in pursuit of Puget Sound restoration and

protection through coordination and collaboration, including by ensuring that the Federal efforts relating to the science necessary for restoration and protection of Puget Sound are consistent, and not duplicative, across the Federal Government;

(iii) catalyze public leaders at all levels to work together toward shared goals by demonstrating inter-agency best practices coming from the members of the Puget Sound Federal Leadership Task Force;

(iv) provide advice and support on scientific and technical issues and act as a forum for the exchange of scientific information about Puget Sound;

(v) identify and inventory Federal environmental research and monitoring programs related to Puget Sound, and provide such inventory to the Puget Sound National Estuary Program Management Conference;

(vi) ensure that Puget Sound restoration and protection activities are as consistent as practicable with ongoing restoration and protection and related efforts in the Salish Sea that are being conducted by Canadian authorities, the Pacific Salmon Commission, and the International Joint Commission;

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

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

(ix) work with the Office of Management and Budget to give input on the crosscut budget under subsection (h); and

(x) submit a biennial report under subsection (g) on the progress made toward carrying out the Federal Action Plan.

(B) PUGET SOUND FEDERAL ACTION PLAN.—

(i) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Puget Sound Federal Leadership Task Force shall develop and approve a Federal Action Plan that leverages Federal programs across agencies and serves to coordinate diverse programs on a specific suite of priorities on Puget Sound recovery.

(ii) REVISION OF PUGET SOUND FEDERAL ACTION PLAN.—Not less often than once every 5 years after the date of completion of the Federal Action Plan described in clause (i), the Puget Sound Federal Leadership Task Force shall review, and revise as appropriate, the Federal Action Plan.

(C) FEEDBACK BY FEDERAL AGENCIES.—*In facilitating feedback under subparagraph (A)(ii)(III), the Puget Sound Federal Leadership Task Force shall request Federal agencies to consider, at a minimum, possible Federal actions designed to—*

(i) further the goals, targets, and actions of the Action Agenda, Salmon Recovery Plans, the Treaty

Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;

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

(iii) prevent the introduction and spread of invasive species;

(iv) prevent the destruction of marine and wildlife habitats;

(v) protect, restore, and conserve forests, wetlands, riparian zones, and nearshore waters that provide marine and wildlife habitat;

(vi) promote resilience to climate change and ocean acidification effects;

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

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

(ix) preserve biodiversity;

(x) restore and protect ecosystem services that provide clean water, filter toxic chemicals, and increase ecosystem resilience; and

(xi) improve water quality and restore wildlife habitat, including by preventing and managing stormwater runoff, incorporating erosion control techniques and trash capture devices, using sustainable stormwater practices, and mitigating and minimizing nonpoint source pollution, including marine litter.

(3) PARTICIPATION OF STATE ADVISORY COMMITTEE AND PUGET SOUND TRIBAL MANAGEMENT CONFERENCE.—

(A) IN GENERAL.—*The Puget Sound Federal Leadership Task Force shall carry out its duties with input from, and in collaboration with, the State Advisory Committee and Puget Sound Tribal Management Conference.*

(B) SPECIFIC ADVICE AND RECOMMENDATIONS.—*The Puget Sound Federal Leadership Task Force shall seek the advice and recommendations of the State Advisory Committee and Puget Sound Tribal Management Conference on the actions, progress, and issues pertaining to restoration and protection of Puget Sound.*

(4) MEMBERSHIP.—

(A) QUALIFICATIONS.—*Members appointed under this paragraph shall have experience and expertise in matters of restoration and protection of large watersheds and bodies of water or related experience that will benefit the restoration and protection effort of Puget Sound.*

(B) COMPOSITION.—*The Puget Sound Federal Leadership Task Force shall be composed of the following members:*

(i) SECRETARY OF AGRICULTURE.—The following individuals appointed by the Secretary of Agriculture:

(I) A representative of the National Forest Service.

- (II) *A representative of the Natural Resources Conservation Service.*
- (ii) *SECRETARY OF COMMERCE.—A representative of the National Oceanic and Atmospheric Administration appointed by the Secretary of Commerce.*
- (iii) *SECRETARY OF DEFENSE.—The following individuals appointed by the Secretary of Defense:*
- (I) *A representative of the Corps of Engineers.*
- (II) *A representative of the Joint Base Lewis-McChord.*
- (III) *A representative of the Navy Region Northwest.*
- (iv) *DIRECTOR.—The Director of the Program Office.*
- (v) *SECRETARY OF HOMELAND SECURITY.—The following individuals appointed by the Secretary of Homeland Security:*
- (I) *A representative of the Coast Guard.*
- (II) *A representative of the Federal Emergency Management Agency.*
- (vi) *SECRETARY OF THE INTERIOR.—The following individuals appointed by the Secretary of the Interior:*
- (I) *A representative of the Bureau of Indian Affairs.*
- (II) *A representative of the United States Fish and Wildlife Service.*
- (III) *A representative of the United States Geological Survey.*
- (IV) *A representative of the National Park Service.*
- (vii) *SECRETARY OF TRANSPORTATION.—The following individuals appointed by the Secretary of Transportation:*
- (I) *A representative of the Federal Highway Administration.*
- (II) *A representative of the Federal Transit Administration.*
- (viii) *ADDITIONAL MEMBERS.—Representatives of such other agencies, programs, and initiatives as the Puget Sound Federal Leadership Task Force determines necessary.*
- (5) *LEADERSHIP.—The Co-Chairs shall ensure the Puget Sound Federal Leadership Task Force completes its duties through robust discussion of all relevant issues. The Co-Chairs shall share leadership responsibilities equally.*
- (6) *CO-CHAIRS.—The following members of the Puget Sound Federal Leadership Task Force appointed under paragraph (5) shall serve as Co-Chairs of the Puget Sound Federal Leadership Task Force:*
- (A) *The representative of the National Oceanic and Atmospheric Administration.*
- (B) *The representative of the Puget Sound Recovery National Program Office.*
- (C) *The representative of the Corps of Engineers.*
- (7) *MEETINGS.—*

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

(i) to determine if all Federal agencies are properly represented;

(ii) to establish the bylaws of the Puget Sound Federal Leadership Task Force;

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

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

(B) *SUBSEQUENT MEETINGS.*—*After the initial meeting, the Puget Sound Federal Leadership Task Force shall meet, at a minimum, twice per year to carry out the duties of the Puget Sound Federal Leadership Task Force.*

(C) *WORKING GROUP MEETINGS.*—*Meetings of any established working groups or committees of the Puget Sound Federal Leadership Task Force shall not be considered a biannual meeting for purposes of subparagraph (B).*

(D) *JOINT MEETINGS.*—*The Puget Sound Federal Leadership Task Force shall offer to meet jointly with the Puget Sound National Estuary Program Management Conference and the Puget Sound Tribal Management Conference, at a minimum, once per year. A joint meeting under this subparagraph may be considered a biannual meeting of the Puget Sound Federal Leadership Task Force for purposes of subparagraph (B), if agreed upon.*

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

(F) *VOTING.*—*For the Puget Sound Federal Leadership Task Force to pass a measure, a two-thirds percentage of the quorum must vote in the affirmative.*

(8) *PUGET SOUND FEDERAL LEADERSHIP TASK FORCE PROCEDURES AND ADVICE.*—

(A) *ADVISORS.*—*The Puget Sound Federal Leadership Task Force, and any working group of the Puget Sound Federal Leadership Task Force, may seek advice and input from any interested, knowledgeable, or affected party as the Puget Sound Federal Leadership Task Force or working group, respectively, determines necessary to perform its duties.*

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

(C) *TRAVEL EXPENSES.*—*Travel expenses incurred by a member of the Puget Sound Federal Leadership Task Force in the performance of service on the Puget Sound Federal Leadership Task Force may be paid by the agency or department that the member represents.*

(9) *PUGET SOUND FEDERAL TASK FORCE.*—

(A) *IN GENERAL.*—*On the date of enactment of this section, the 2016 memorandum of understanding establishing*

the Puget Sound Federal Task Force shall cease to be effective.

(B) USE OF PREVIOUS WORK.—The Puget Sound Federal Leadership Task Force shall, to the extent practicable, use the work product produced, relied upon, and analyzed by the Puget Sound Federal Task Force in order to avoid duplicating the efforts of the Puget Sound Federal Task Force.

(e) STATE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—There is established a State Advisory Committee.

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

(f) FEDERAL ADVISORY COMMITTEE ACT.—The Puget Sound Federal Leadership Task Force, State Advisory Committee, and any working group of the Puget Sound Federal Leadership Task Force, shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

(g) PUGET SOUND FEDERAL LEADERSHIP TASK FORCE BIENNIAL REPORT ON PUGET SOUND RECOVERY ACTIVITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and biennially thereafter, the Puget Sound Federal Leadership Task Force, in collaboration with the Puget Sound Tribal Management Conference and the State Advisory Committee, shall submit to the President, Congress, the Governor of Washington, and the governing body of the Puget Sound Partnership a report that summarizes the progress, challenges, and milestones of the Puget Sound Federal Leadership Task Force on the restoration and protection of Puget Sound.

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

(A) The roles and progress of each State, local government entity, and Federal agency that has jurisdiction in the Puget Sound region toward meeting the identified objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program.

(B) If available, the roles and progress of Tribal governments that have jurisdiction in the Puget Sound region toward meeting the identified objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program.

(C) A summary of specific recommendations concerning implementation of the Action Agenda and Federal Action Plan, including challenges, barriers, and anticipated milestones, targets, and timelines.

(D) A summary of progress made by Federal agencies toward the priorities identified in the Federal Action Plan.

(h) CROSSCUT BUDGET REPORT.—

(1) FINANCIAL REPORT.—Not later than 1 year after the date of enactment of this section, and every 5 years thereafter, the

Director of the Office of Management and Budget, in consultation with the Puget Sound Federal Leadership Task Force, shall, in conjunction with the annual budget submission of the President to Congress for the year under section 1105(a) of title 31, United States Code, submit to Congress and make available to the public, including on the internet, a financial report that is certified by the head of each agency represented by the Puget Sound Federal Leadership Task Force.

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

(A) the proposed funding for any Federal restoration and protection 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 and protection activities;

(B) the estimated expenditures for Federal restoration and protection activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(C) the estimated expenditures for Federal environmental research and monitoring programs from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year.

(3) *INCLUDED RECOVERY ACTIVITIES.—With respect to activities described in the report, the report shall only describe activities that have funding amounts more than \$100,000.*

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

(A) the Committee on Appropriations, the Committee on Natural Resources, the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Environment and Public Works, and the Committee on Commerce, Science, and Transportation of the Senate.

(i) *AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds authorized to be appropriated for activities related to Puget Sound, there is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.*

(j) *PRESERVATION OF TREATY OBLIGATIONS AND EXISTING FEDERAL STATUS.—*

(1) TRIBAL TREATY RIGHTS.—Nothing in this section affects, or is intended to affect, any right reserved by treaty between the United States and one or more Indian tribes.

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

(k) *CONSISTENCY.—Actions authorized or implemented under this section shall be consistent with—*

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

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

(3) the water quality standards of the State of Washington approved by the Administrator under section 303; and

(4) other applicable Federal requirements.

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