

§ 1276. Enhanced aquifer use and recharge**(a) In general**

Subject to the availability of appropriations, the Administrator shall provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers, of which—

(1) not less than 50 percent shall be used to provide 1 grant to a State, unit of local government, or Indian Tribe to carry out activities that would directly support that research; and

(2) the remainder shall be provided to 1 appropriate research center.

(b) Coordination

As a condition of accepting funds under subsection (a), the State, unit of local government, or Indian Tribe and the appropriate research center that receive funds under that subsection shall establish a formal research relationship for the purpose of coordinating efforts under this section.

(c) Authorization of appropriations

There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of fiscal years 2022 through 2026.

(June 30, 1948, ch. 758, title I, §124, as added Pub. L. 117-58, div. E, title II, §50222, Nov. 15, 2021, 135 Stat. 1181.)

§ 1276a. San Francisco Bay restoration grant program**(a) Definitions**

In this section:

(1) Estuary Partnership

The term “Estuary Partnership” means the San Francisco Estuary Partnership, designated as the management conference for the San Francisco Bay under section 1330 of this title.

(2) San Francisco Bay Plan

The term “San Francisco Bay Plan” means—

(A) until the date of the completion of the plan developed by the Director under subsection (d), the comprehensive conservation and management plan approved under section 1330 of this title for the San Francisco Bay estuary; and

(B) on and after the date of the completion of the plan developed by the Director under subsection (d), the plan developed by the Director under subsection (d).

(b) Program Office**(1) Establishment**

The Administrator shall establish in the Environmental Protection Agency a San Francisco Bay Program Office. The Office shall be located at the headquarters of Region 9 of the Environmental Protection Agency.

(2) Appointment of Director

The Administrator shall appoint a Director of the Office, who shall have management experience and technical expertise relating to

the San Francisco Bay and be highly qualified to direct the development and implementation of projects, activities, and studies necessary to implement the San Francisco Bay Plan.

(3) Delegation of authority; staffing

The Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.

(c) Annual priority list**(1) In general**

After providing public notice, the Director shall annually compile a priority list, consistent with the San Francisco Bay Plan, identifying and prioritizing the projects, activities, and studies to be carried out with amounts made available under subsection (e).

(2) Inclusions

The annual priority list compiled under paragraph (1) shall include the following:

(A) Projects, activities, and studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the San Francisco Bay Plan, for—

(i) water quality improvement, including the reduction of marine litter;

(ii) wetland, riverine, and estuary restoration and protection;

(iii) nearshore and endangered species recovery; and

(iv) adaptation to climate change.

(B) Information on the projects, activities, and studies specified under subparagraph (A), including—

(i) the identity of each entity receiving assistance pursuant to subsection (e); and

(ii) a description of the communities to be served.

(C) The criteria and methods established by the Director for identification of projects, activities, and studies to be included on the annual priority list.

(3) Consultation

In compiling the annual priority list under paragraph (1), the Director shall consult with, and consider the recommendations of—

(A) the Estuary Partnership;

(B) the State of California and affected local governments in the San Francisco Bay estuary watershed;

(C) the San Francisco Bay Restoration Authority; and

(D) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Director determines to be appropriate.

(d) San Francisco Bay Plan**(1) In general**

Not later than 5 years after December 23, 2022, the Director, in conjunction with the Estuary Partnership, shall review and revise the comprehensive conservation and management plan approved under section 1330 of this title for the San Francisco Bay estuary to develop a plan to guide the projects, activities, and studies of the Office to address the restoration and protection of the San Francisco Bay.

(2) Revision of San Francisco Bay Plan

Not less often than once every 5 years after the date of the completion of the plan described in paragraph (1), the Director shall review, and revise as appropriate, the San Francisco Bay Plan.

(3) Outreach

In carrying out this subsection, the Director shall consult with the Estuary Partnership and Indian tribes and solicit input from other non-Federal stakeholders.

(e) Grant program**(1) In general**

The Director may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for projects, activities, and studies identified on the annual priority list compiled under subsection (c).

(2) Maximum amount of grants; non-Federal share**(A) Maximum amount of grants**

Amounts provided to any entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any projects, activities, and studies that are to be carried out using those amounts.

(B) Non-Federal share

Not less than 25 percent of the cost of any project, activity, or study carried out using amounts provided under this section shall be provided from non-Federal sources.

(f) Funding**(1) Administrative expenses**

Of the amount made available to carry out this section for a fiscal year, the Director may not use more than 5 percent to pay administrative expenses incurred in carrying out this section.

(2) Prohibition

No amounts made available under this section may be used for the administration of a management conference under section 1330 of this title.

(June 30, 1948, ch. 758, title I, § 125, as added Pub. L. 117-263, div. H, title LXXXV, § 8501(a), Dec. 23, 2022, 136 Stat. 3845.)

§ 1276b. Puget Sound**(a) Definitions**

In this section:

(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 under section 1455b of title 16.

(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 (c)(3)(B).

(4) International Joint Commission

The term “International Joint Commission” means the International Joint Commission established by the Treaty relating to the boundary waters and questions arising along the boundary between the United States and Canada, signed at Washington January 11, 1909, and entered into force May 5, 1910 (36 Stat. 2448; TS 548; 12 Bevans 319).

(5) Pacific Salmon Commission

The term “Pacific Salmon Commission” means the Pacific Salmon Commission established by the United States and Canada under the Treaty concerning Pacific salmon, with annexes and memorandum of understanding, signed at Ottawa January 28, 1985, and entered into force March 18, 1985 (TIAS 11091; 1469 UNTS 357) (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 (b).

(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 the Puget Sound under section 1330 of this title.

(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 (c).

(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

The term “Puget Sound National Estuary Program Management Conference” means the management conference for the Puget Sound convened pursuant to section 1330 of this title.

(11) Puget Sound Partnership

The term “Puget Sound Partnership” means the State agency created under the laws of the State of Washington (section 90.71.210 of the Revised 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