

116TH CONGRESS
1ST SESSION

H. R. 2247

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

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
6 “PUGET SOS Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Puget Sound and its tributary waters are
2 one of the most ecologically diverse ecosystems in
3 North America with natural resources that have eco-
4 logical, economic, and cultural importance to the
5 United States and the many Tribal nations that
6 have stewarded it for millennia. The health and pro-
7 ductivity of Puget Sound is not only the cornerstone
8 of the region's quality of life and vibrant economy,
9 but its world-class salmon fishery, commercial aqua-
10 culture, agriculture, and port activities ripple
11 throughout the Nation.

12 (2) Threats to Puget Sound, such as water pol-
13 lution, sediment contamination, environmental deg-
14 radation, and habitat loss, jeopardize the economic
15 productivity and natural resources that support the
16 increasing population of the region.

17 (3) For nearly a decade, State, local, and Tribal
18 governments, cooperative partnerships, and con-
19 cerned citizens have worked together in a deliberate
20 and coordinated way to direct and manage public re-
21 source allocation toward habitat restoration, improv-
22 ing water quality and shellfish farms, and developing
23 a body of scientific knowledge, all of which have ad-
24 vanced the Puget Sound recovery efforts.

1 (4) Tribal governments with treaty-reserved
2 rights in the natural resources of Puget Sound have
3 long served as co-managers of fishery resources,
4 have engaged in Puget Sound Partnership processes
5 and public forums to encourage a holistic and sci-
6 entific approach to recovery efforts, and have contin-
7 ued in their role as stewards of Puget Sound, includ-
8 ing by engaging with multi-faceted restoration and
9 protection actions, and are thus an indispensable,
10 equal partner in all Puget Sound recovery actions.

11 (5) Despite significant and nationally recog-
12 nized accomplishments, the rate of damage to Puget
13 Sound still exceeds the rate of recovery. To outpace
14 mounting pollutants and other cascading negative
15 impacts, the next step in fortifying the recovery sys-
16 tem is to align Federal recovery and protection ef-
17 forts seamlessly with State, local, and Tribal invest-
18 ments.

19 (6) At this time, water and air pollution, sedi-
20 ment contamination, habitat loss and decline, and
21 water flow disruption continue to devastate the fish,
22 marine mammal, bird, and shellfish populations of
23 Puget Sound, threatening local economies and Tribal
24 treaty rights and contributing to—

1 (A) significant declines in the populations
2 of wild Chinook Salmon, Coho Salmon, Summer
3 Chum Salmon, Steelhead, and Pacific Herring,
4 which are essential food sources for humans,
5 fish, seabirds, mammals, and other wildlife;

6 (B) risks to the sustainability of fish and
7 shellfish populations, and their food chains, re-
8 productive cycles, and habitats, which also
9 threaten Federal obligations to protect Tribal
10 resources culture, traditions, and economies;

11 (C) 113 marine species being listed at risk
12 or vulnerable to extinction, according to State,
13 Federal, and provincial lists that identify the
14 species of Puget Sound and surrounding areas,
15 including the iconic population of southern resi-
16 dent Orca whales;

17 (D) sediment contaminated with toxic sub-
18 stances (such as polychlorinated biphenyls
19 (PCBs), heavy metals (mercury), and oil
20 (grease)), all of which are polluting Puget
21 Sound, threatening public health, and posing
22 significant dangers to humans, fish, and wild-
23 life;

24 (E) rivers and beaches that fail to meet
25 water quality standards and become unsafe for

1 salmon, as well as business and recreational ac-
2 tivities, such as fishing and swimming;

3 (F) the closing of shellfish beds from con-
4 taminated pollution caused by sources such as
5 stormwater and agricultural runoff; and

6 (G) mortalities and morbidity in shellfish
7 due to the acidification of Puget Sound.

8 **SEC. 3. DECLARATION OF POLICY; PURPOSE.**

9 (a) DECLARATION OF POLICY.—It is the policy of the
10 United States that the Federal Government should sup-
11 port, partner, and collaborate with the regional efforts
12 that are addressing environmental and natural resource
13 issues involving Puget Sound because—

14 (1) Puget Sound is a national treasure, the re-
15 covery and protection of which will significantly con-
16 tribute to the environmental, cultural, and economic
17 well-being of the United States and the many Tribal
18 nations that have stewarded it for millennia;

19 (2) a more deliberate coordination of Federal
20 investments with regional, local, and Tribal recovery
21 and preservation efforts will be the most effective
22 and efficient use of public resources; and

23 (3) it is the role of the Federal Government to
24 align its efforts and resources to—

1 (A) fully implement and enforce the goals
2 of the Federal Water Pollution Control Act, in-
3 cluding State implementation of non-point
4 source water quality standards for salmon, the
5 Endangered Species Act of 1973, and all other
6 Federal laws that contribute to the recovery
7 and protection of Puget Sound;

8 (B) uphold Federal trust responsibilities to
9 restore and protect resources crucial to Tribal
10 treaty rights, including by carrying out govern-
11 ment-to-government consultation;

12 (C) support regional, local, and Tribal ef-
13 forts to address environmental challenges; and

14 (D) encourage local citizen and community
15 stewardship.

16 (b) PURPOSE.—It is the purpose of this Act to ensure
17 that the recovery and protection programs, projects, and
18 initiatives that the Federal Government undertakes in, or
19 that otherwise impact, Puget Sound shall be actively co-
20 ordinated and aligned with the protection of Tribal treaty
21 rights and resources the Treaty Rights at Risk Initiative,
22 Salmon Recovery Plans, the Coastal Nonpoint Pollution
23 Control Program, and the Puget Sound Action Agenda.

1 **SEC. 4. PUGET SOUND COORDINATED RECOVERY.**

2 Title I of the Federal Water Pollution Control Act
3 (33 U.S.C. 1251 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 124. PUGET SOUND.**

6 “(a) DEFINITIONS.—In this section, the following
7 definitions apply:

8 “(1) COASTAL NONPOINT POLLUTION CONTROL
9 PROGRAM.—The term ‘Coastal Nonpoint Pollution
10 Control Program’ means the State of Washington’s
11 federally approved coastal nonpoint pollution control
12 program required under section 6217(b) of the
13 Coastal Zone Act Reauthorization Amendments of
14 1990 (16 U.S.C. 1455(b)).

15 “(2) CO-CHAIRS.—The term ‘Co-Chairs’ means
16 the co-chairs of the Task Force.

17 “(3) DIRECTOR.—The term ‘Director’ means
18 the Director of the Program Office.

19 “(4) EXECUTIVE DIRECTOR.—The term ‘Execu-
20 tive Director’ means the Executive Director of the
21 Puget Sound Partnership.

22 “(5) INTERNATIONAL JOINT COMMISSION.—The
23 term ‘International Joint Commission’ means the
24 International Joint Commission established by the
25 United States and Canada under the Boundary
26 Waters Treaty of 1909.

1 “(6) PACIFIC SALMON COMMISSION.—The term
2 ‘Pacific Salmon Commission’ means the Pacific
3 Salmon Commission established by the United
4 States and Canada under the Pacific Salmon Trea-
5 ty.

6 “(7) PROGRAM OFFICE.—The term ‘Program
7 Office’ means the Puget Sound Recovery National
8 Program Office of the Environmental Protection
9 Agency established by this section.

10 “(8) PUGET SOUND.—The term ‘Puget Sound’
11 means the estuary that is an arm of the Pacific
12 Ocean, extends inland, and meets 19 different river
13 basins.

14 “(9) PUGET SOUND REGION.—The term ‘Puget
15 Sound region’ includes all of the water that falls on
16 the Olympic and Cascade Mountains and flows to
17 meet Puget Sound’s marine waters. The Puget
18 Sound region covers the land and waters in the
19 northwest corner of the State of Washington from
20 the Canadian border to the north to the Pacific
21 Ocean on the west, including Hood Canal and the
22 Strait of Juan de Fuca.

23 “(10) PUGET SOUND ACTION AGENDA; ACTION
24 AGENDA.—The term ‘Puget Sound Action Agenda’
25 or ‘Action Agenda’ means the most recent plan de-

1 developed by the Puget Sound Management Con-
2 ference, in consultation with the Tribal Management
3 Conference under the leadership of the Puget Sound
4 Partnership and adopted by the Environmental Pro-
5 tection Agency as the Puget Sound Comprehensive
6 Conservation and Management Plan.

7 “(11) PUGET SOUND FEDERAL TASK FORCE.—
8 The term ‘Puget Sound Federal Task Force’ means
9 the Puget Sound Federal Task Force established in
10 2016 under a memorandum of understanding among
11 9 Federal agencies.

12 “(12) PUGET SOUND FEDERAL LEADERSHIP
13 TASK FORCE; TASK FORCE.—The term ‘Puget Sound
14 Federal Leadership Task Force’ or ‘Task Force’
15 means the Puget Sound Federal Leadership Task
16 Force established by this section.

17 “(13) PUGET SOUND NATIONAL ESTUARY PRO-
18 GRAM MANAGEMENT CONFERENCE.—The term
19 ‘Puget Sound National Estuary Program Manage-
20 ment Conference’ means the management conference
21 for Puget Sound established pursuant to section
22 320(c).

23 “(14) SALMON RECOVERY PLANS.—The term
24 ‘Salmon Recovery Plans’ means the federally ap-
25 proved recovery plans for salmon and steelhead spe-

1 cies listed under section 4(f) of the Endangered Spe-
2 cies Act of 1973 (16 U.S.C. 1533(f)).

3 “(15) PUGET SOUND PARTNERSHIP.—The term
4 ‘Puget Sound Partnership’ means the State agency
5 that is established under the laws of the State of
6 Washington (section 90.71.210 of the Revised Code
7 of Washington), or its successor agency, that has
8 been designated by the Environmental Protection
9 Agency as the lead entity to support the manage-
10 ment conference for Puget Sound.

11 “(16) TREATY RIGHTS AT RISK INITIATIVE.—
12 The term ‘Treaty Rights at Risk Initiative’ means
13 the 2011 report from the Treaty Tribes of western
14 Washington or its successor report, which outlines
15 issues and offers solutions for the protection of Trib-
16 al treaty rights, recovery of salmon habitat, and
17 management of sustainable treaty and non-treaty
18 salmon fisheries, including through Tribal salmon
19 hatchery programs.

20 “(17) STATE ADVISORY COMMITTEE.—The
21 term ‘State Advisory Committee’ means the advisory
22 committee established by subsection (e).

23 “(18) PUGET SOUND TRIBAL MANAGEMENT
24 CONFERENCE.—The term ‘Puget Sound Tribal Man-
25 agement Conference’ means the 20 Treaty Tribes of

1 the Puget Sound region and along the coast of
2 Washington State, and the Northwest Indian Fish-
3 eries Commission.

4 “(19) PUGET SOUND LEADERSHIP COUNCIL.—
5 The term ‘Puget Sound Leadership Council’ means
6 the governing body of the Puget Sound Partnership
7 established under the laws of the State of Wash-
8 ington (section 90.71.210 of the Revised Code of
9 Washington).

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

15 “(b) CONSISTENCY.—

16 “(1) IN GENERAL.—All Federal agencies rep-
17 resented on the Puget Sound Federal Leadership
18 Task Force shall act consistently with the protection
19 of Tribal, treaty-reserved rights and, to the greatest
20 extent practicable given their existing obligations
21 under Federal law, act consistently with the objec-
22 tives and priorities of the Action Agenda, Salmon
23 Recovery Plans, Treaty Rights at Risk Initiative,
24 and the Coastal Nonpoint Pollution Control Pro-
25 gram, when—

1 “(A) conducting Federal agency activities
2 within or outside the Puget Sound that affect
3 any land or water use or natural resources of
4 Puget Sound and its tributary waters, including
5 activities performed by a contractor for the ben-
6 efit of a Federal agency;

7 “(B) interpreting and enforcing regulations
8 that impact the recovery and preservation of
9 Puget Sound;

10 “(C) issuing Federal licenses or permits
11 that impact the recovery and preservation of
12 Puget Sound; and

13 “(D) granting Federal assistance to State,
14 local, and Tribal governments for activities re-
15 lated to the recovery and preservation of Puget
16 Sound.

17 “(2) EXEMPTIONS.—Any Federal agency activ-
18 ity necessary for national security, deemed by the
19 President to be in the paramount interest of the
20 United States, or determined by the Task Force, in
21 consultation with the State Advisory Committee and
22 the Puget Sound Tribal Management Conference, to
23 be necessary to complete a project that was ap-
24 proved prior to the enactment of this section shall

1 be exempt from the consistency requirements estab-
2 lished in paragraph (1).

3 “(c) PUGET SOUND RECOVERY NATIONAL PROGRAM
4 OFFICE.—

5 “(1) ESTABLISHMENT.—There is established in
6 the Environmental Protection Agency a Puget
7 Sound Recovery National Program Office to be lo-
8 cated in the State of Washington.

9 “(2) DIRECTOR.—

10 “(A) IN GENERAL.—The Director of the
11 Program Office shall be a career reserved posi-
12 tion, as such term is defined in section
13 3132(a)(8) of title 5.

14 “(B) QUALIFICATIONS.—The Director of
15 the Program Office, by reason of prior leader-
16 ship and project management experience, shall
17 be highly qualified to—

18 “(i) support the integration of mul-
19 tiple project planning efforts and programs
20 from different agencies and jurisdictions;
21 and

22 “(ii) align numerous and often con-
23 flicting needs toward implementing a
24 shared action agenda with visible and
25 measurable outcomes.

1 “(3) DELEGATION OF AUTHORITY; STAFFING.—

2 The Administrator shall delegate to the Director
3 such authority and provide such additional staff as
4 may be necessary to carry out this subsection.

5 “(4) DUTIES.—The Director shall—

6 “(A) coordinate and manage the timely
7 execution of the Environmental Protection
8 Agency’s role described in this section, includ-
9 ing the formation and meetings of the Task
10 Force;

11 “(B) coordinate Puget Sound recovery,
12 protection, and restoration actions, programs,
13 grants, science, research, and initiatives across
14 the Agency;

15 “(C) coordinate and align the Agency’s
16 strategies, policies, studies, programs, and ac-
17 tivities with the Puget Sound Action Agenda,
18 Salmon Recovery Plans, Treaty Rights at Risk
19 Initiative, and the Coastal Nonpoint Pollution
20 Control Program;

21 “(D) promote the efficient use of Agency
22 resources in pursuit of Puget Sound recovery;

23 “(E) serve on the Task Force and collabo-
24 rate with, help coordinate, and implement strat-
25 egies, policies, studies, programs, and activities

1 with other Federal agencies that have respon-
2 sibilities involving Puget Sound recovery and
3 protection;

4 “(F) provide or procure such other advice,
5 technical assistance, research, assessments,
6 monitoring, or other support or enforcement as
7 is deemed necessary or prudent to most effi-
8 ciently and effectively fulfill the objectives and
9 priorities of the Action Agenda, Salmon Recov-
10 ery Plans, Treaty Rights at Risk Initiative, and
11 the Coastal Nonpoint Pollution Control Pro-
12 gram consistent with the best available science
13 and to ensure that the health of the system is
14 thereafter maintained;

15 “(G) track the progress of the Environ-
16 mental Protection Agency toward meeting the
17 Agency’s specified goals and objectives within
18 the Action Agenda;

19 “(H) implement the recommendations of
20 the Government Accountability Office, as set
21 forth in the report GAO–18–453 dated July 19,
22 2018;

23 “(I) serve as liaison and coordinate
24 projects, programs, and studies for the recovery
25 and protection of the Salish Sea, with Canadian

1 authorities, the Pacific Salmon Commission,
2 and the International Joint Commission; and

3 “(J) carry out such additional duties as
4 the Administrator determines necessary and ap-
5 propriate.

6 “(d) PUGET SOUND FEDERAL LEADERSHIP TASK
7 FORCE.—

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

10 “(2) PURPOSE.—The purpose of the Task
11 Force shall be to build upon the current membership
12 of the Puget Sound Federal Task Force in order
13 to—

14 “(A) provide a venue for dialogue and co-
15 ordination across all Federal agencies on the
16 Task Force to align Federal resources for the
17 purposes of achieving this section and all other
18 Federal laws that contribute to the recovery
19 and protection of Puget Sound and uphold Fed-
20 eral trust responsibilities to restore and protect
21 resources crucial to Tribal treaty rights, includ-
22 ing carrying out government-to-govenment con-
23 sultation;

24 “(B) work with the Puget Sound Tribal
25 Management Conference and the State Advisory

1 Committee to align and coordinate Federal ac-
2 tions impacting Puget Sound with the actions
3 of State, local, and Tribal governments and
4 other stakeholders as they have been coordi-
5 nated and prioritized in the Puget Sound Ac-
6 tion Agenda, Salmon Recovery Plans, Treaty
7 Rights at Risk Initiative, and the Coastal
8 Nonpoint Pollution Control Program;

9 “(C) raise national awareness of the sig-
10 nificance of Puget Sound and thereby increase
11 the importance of investment in its recovery,
12 restoration, and protection efforts;

13 “(D) promote the efficient use of govern-
14 ment resources in pursuit of Puget Sound re-
15 covery through coordination and collaboration;

16 “(E) catalyze public leaders at all levels to
17 work together toward shared goals by dem-
18 onstrating interagency best practices coming
19 from the Federal partners; and

20 “(F) develop and approve, every 5 years,
21 an Action Plan that leverages Federal programs
22 across agencies, and serves to coordinate di-
23 verse programs on a specific suite of priorities
24 on Puget Sound recovery. The Action Plan may
25 not adversely affect national security.

1 “(3) DUTIES.—

2 “(A) PARTICIPATION OF STATE ADVISORY
3 COMMITTEE AND PUGET SOUND TRIBAL MAN-
4 AGEMENT CONFERENCE.—

5 “(i) IN GENERAL.—The Task Force
6 shall carry out its duties with input from
7 and in collaboration with the State Advi-
8 sory Committee and Puget Sound Tribal
9 Management Conference.

10 “(ii) SPECIFIC ADVICE AND REC-
11 OMMENDATIONS.—The Task Force shall
12 seek the advice and recommendations of
13 the State Advisory Committee and Puget
14 Sound Tribal Management Conference on
15 the actions, progress, and issues pertaining
16 to recovery and protection of Puget Sound.

17 “(B) GENERAL DUTIES.—The Task Force
18 shall—

19 “(i) enable and encourage the Federal
20 agencies represented on the Puget Sound
21 Federal Leadership Task Force to act con-
22 sistently with the objectives and priorities
23 of the Action Agenda, Salmon Recovery
24 Plans, Treaty Rights at Risk Initiative,

1 and the Coastal Nonpoint Pollution Con-
2 trol Program;

3 “(ii) facilitate the coordination of
4 Federal activities that impact the recovery
5 and protection of Puget Sound;

6 “(iii) facilitate the delivery of feed-
7 back given by Federal agencies to the
8 Puget Sound Partnership during the devel-
9 opment of the Action Agenda;

10 “(iv) facilitate the resolution of (and,
11 if necessary, seek to mediate in cooperation
12 with the Executive Office of the President)
13 interagency conflicts associated with the
14 recovery and protection of Puget Sound
15 among the agencies represented on the
16 Task Force;

17 “(v) provide a forum for exchanging
18 information among agencies regarding re-
19 sources, programs, projects, and activities
20 being conducted, including obstacles or ef-
21 ficiencies found, during Puget Sound re-
22 covery and protection activities;

23 “(vi) ensure that the science necessary
24 for recovery and protection of Puget Sound

1 is coordinated, planned, and implemented
2 efficiently across the Federal Government;

3 “(vii) provide advice and support on
4 scientific and technical issues and act as a
5 forum for the exchange of scientific infor-
6 mation about Puget Sound;

7 “(viii) identify and inventory Federal
8 environmental research and monitoring
9 programs related to Puget Sound, and pro-
10 vide such inventory to the Puget Sound
11 National Estuary Program Management
12 Conference;

13 “(ix) ensure that Puget Sound recov-
14 ery and protection projects, programs, and
15 studies are consistent with ongoing recov-
16 ery and protection and related efforts in
17 the Salish Sea that are being conducted by
18 Canadian authorities, the Pacific Salmon
19 Commission, and the International Joint
20 Commission;

21 “(x) establish any necessary working
22 groups or advisory committees necessary to
23 assist the Task Force in its duties, includ-
24 ing public policy and scientific issues;

1 “(xi) work with the Office of Manage-
2 ment and Budget to give necessary input
3 on the crosscut budget to be developed
4 under subsection (g); and

5 “(xii) develop a biennial report on
6 progress made towards the Action Plan, as
7 described in subsection (d), to be sub-
8 mitted to the President, Congress, and the
9 Governor of Washington.

10 “(C) FEEDBACK BY FEDERAL AGEN-
11 CIES.—The feedback given by Federal agencies
12 under subparagraph (B)(iii) shall consider, at a
13 minimum, possible Federal actions designed
14 to—

15 “(i) further the goals, targets, and ac-
16 tions of the Action Agenda, Salmon Recov-
17 ery Plans, Treaty Rights at Risk Initiative,
18 and the Coastal Nonpoint Pollution Con-
19 trol Program;

20 “(ii) implement and enforce this Act,
21 the Endangered Species Act of 1973, and
22 all other Federal laws that contribute to
23 the recovery and protection of Puget
24 Sound, including those that protect Tribal
25 treaty rights;

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

3 “(iv) prevent the destruction of ma-
4 rine and wildlife habitats;

5 “(v) protect, restore, and conserve for-
6 ests, wetlands, riparian zones, and near-
7 shore waters that provide marine and wild-
8 life habitat;

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

11 “(vii) conserve and recover endan-
12 gered species under the Endangered Spe-
13 cies Act of 1973;

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

16 “(ix) preserve biodiversity;

17 “(x) restore and protect ecosystem
18 services that provide clean water, filter
19 toxic chemicals, and increase ecosystem re-
20 silience; and

21 “(xi) improve water quality and re-
22 store wildlife habitat, including by pre-
23 venting and managing stormwater runoff,
24 incorporating erosion control techniques,
25 using sustainable stormwater practices,

1 and mitigating and minimizing other
2 nonpoint source pollution.

3 “(D) USE OF PREVIOUS WORK.—The Task
4 Force shall, to the extent practicable, use the
5 work product produced, relied upon, and ana-
6 lyzed by the Puget Sound Federal Task Force
7 in order to avoid duplicating the efforts of the
8 Puget Sound Federal Task Force.

9 “(4) MEMBERSHIP.—

10 “(A) IN GENERAL.—The membership of
11 the Task Force shall include representatives of
12 Federal agencies that have responsibilities and
13 authorities that govern recovery, conservation,
14 and protection of the Puget Sound, its tribu-
15 taries, and watersheds.

16 “(B) QUALIFICATIONS.—Members ap-
17 pointed under this paragraph shall have experi-
18 ence and expertise in matters of recovery and
19 protection of large watersheds and bodies of
20 water or related experience that will benefit the
21 recovery and protection effort of the Puget
22 Sound.

23 “(C) COMPOSITION.—The Task Force
24 shall be composed of the following members:

1 “(i) SECRETARY OF AGRICULTURE.—
2 The following individuals appointed by the
3 Secretary of Agriculture (or the Sec-
4 retary’s designee):

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

7 “(II) A representative of the
8 Natural Resources Conservation Serv-
9 ice.

10 “(ii) SECRETARY OF COMMERCE.—A
11 representative of the National Oceanic and
12 Atmospheric Administration appointed by
13 the Secretary of Commerce (or the Sec-
14 retary’s designee).

15 “(iii) SECRETARY OF DEFENSE.—The
16 following individuals appointed by the Sec-
17 retary of Defense (or the Secretary’s des-
18 ignee):

19 “(I) A representative of the U.S.
20 Army Corps of Engineers.

21 “(II) A representative of the
22 Joint Base Lewis-McChord.

23 “(III) A representative of the
24 Navy Region Northwest.

1 “(iv) ADMINISTRATOR.—A representa-
2 tive of the Puget Sound Recovery National
3 Program Office appointed by the Adminis-
4 trator (or the Administrator’s designee).

5 “(v) SECRETARY OF HOMELAND SE-
6 CURITY.—The following individuals ap-
7 pointed by the Secretary of Homeland Se-
8 curity (or the Secretary’s designee):

9 “(I) A representative of the
10 Coast Guard.

11 “(II) A representative of the
12 Federal Emergency Management
13 Agency.

14 “(vi) SECRETARY OF THE INTE-
15 RIOR.—The following individuals appointed
16 by the Secretary of the Interior (or the
17 Secretary’s designee):

18 “(I) A representative of the Bu-
19 reau of Indian Affairs.

20 “(II) A representative of the
21 United States Fish and Wildlife Serv-
22 ice.

23 “(III) A representative of the
24 United States Geological Survey.

1 “(IV) A representative of the Na-
2 tional Park Service.

3 “(vii) SECRETARY OF TRANSPOR-
4 TATION.—The following individuals ap-
5 pointed by the Secretary of Transportation
6 (or the Secretary’s designee):

7 “(I) A representative of the Fed-
8 eral Highway Administration.

9 “(II) A representative of the
10 Federal Transit Administration.

11 “(viii) TASK FORCE.—Representatives
12 of such other agencies, programs, and ini-
13 tiatives as the Task Force determines nec-
14 essary.

15 “(5) LEADERSHIP.—The Co-Chairs shall ensure
16 the Task Force completes its duties through robust
17 discussion of all relevant issues and with the partici-
18 pation of all members. The Co-Chairs shall share
19 leadership responsibilities equally.

20 “(6) CO-CHAIRS.—The following members of
21 the Task Force appointed under paragraph (4) shall
22 serve as Co-Chairs of the Task Force:

23 “(A) The representative of the National
24 Oceanic and Atmospheric Administration.

1 “(B) The representative of the Puget
2 Sound Recovery National Program Office.

3 “(C) The representative of the Corps of
4 Engineers.

5 “(7) MEETINGS.—

6 “(A) INITIAL MEETING.—The Task Force
7 shall meet not later than 180 days after the
8 date of enactment of this section—

9 “(i) to determine if all Federal agen-
10 cies are properly represented;

11 “(ii) to establish the bylaws of the
12 Task Force;

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

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

17 “(B) SUBSEQUENT MEETINGS.—After the
18 initial meeting, the Task Force shall meet, at a
19 minimum, twice per year to carry out the duties
20 of the Task Force.

21 “(C) WORKING GROUP MEETINGS.—Meet-
22 ings of any established working groups or com-
23 mittees of the Task Force shall not count to-
24 ward the minimum biannual meeting require-
25 ment of the full Task Force.

1 “(D) JOINT MEETINGS.—The Task Force
2 shall offer to meet jointly with the Puget Sound
3 National Estuary Program Management Con-
4 ference and the Puget Sound Tribal Manage-
5 ment Conference, at a minimum, once per year.
6 These meetings may substitute for one of the
7 two minimum biannual meetings of the full
8 Task Force, if mutually agreed upon by all par-
9 ticipants.

10 “(E) QUORUM.—A majority number of the
11 members of the Task Force shall constitute a
12 quorum.

13 “(F) VOTING.—For the Task Force to
14 pass a measure, a two-thirds percentage of the
15 quorum must vote in the affirmative.

16 “(e) STATE ADVISORY COMMITTEE.—

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

19 “(2) MEMBERSHIP.—The committee shall con-
20 sist of up to 7 members designated by the Puget
21 Sound Leadership Council, in consultation with the
22 Governor of Washington or the Governor’s designee,
23 who will represent Washington State agencies with
24 significant roles and responsibilities related to Puget
25 Sound recovery.

1 “(f) TASK FORCE PROCEDURES AND ADVICE.—

2 “(1) ADVISORS.—The Task Force, and any
3 working group of the Task Force, may seek advice
4 and input from any interested, knowledgeable, or af-
5 fected party as the Task Force or working group, re-
6 spectively, determines necessary to perform its du-
7 ties.

8 “(2) FEDERAL ADVISORY COMMITTEE ACT.—

9 “(A) IN GENERAL.—The Task Force,
10 State Advisory Committee, and any working
11 group of the Task Force, shall not be consid-
12 ered an advisory committee under the Federal
13 Advisory Committee Act (5 U.S.C. App.).

14 “(B) SEEKING ADVICE AND INPUT.—The
15 Federal Advisory Committee Act (5 U.S.C.
16 App.) shall not apply to any activity of the
17 Task Force.

18 “(3) COMPENSATION.—A member of the Task
19 Force shall receive no additional compensation for
20 service as a member on the Task Force.

21 “(4) TRAVEL EXPENSES.—Travel expenses in-
22 curred by a member of the Task Force in the per-
23 formance of services for the Task Force shall be
24 paid by the agency or department that the member
25 represents.

1 “(g) TASK FORCE BIENNIAL REPORT ON PUGET
2 SOUND RECOVERY ACTIVITIES.—

3 “(1) IN GENERAL.—Not later than 1 year after
4 the date of enactment of this section, and biennially
5 thereafter, the Task Force, in collaboration with the
6 Puget Sound Tribal Management Conference and
7 the State Advisory Committee, shall submit to the
8 President, Congress, and the Governor of Wash-
9 ington a report that summarizes the progress, chal-
10 lenges, and milestones of the Task Force on the re-
11 covery and protection of Puget Sound.

12 “(2) CONTENTS.—The report shall include a
13 description of the following:

14 “(A) The roles of each Federal, State, and
15 local government entity that has jurisdiction in
16 the Puget Sound region and the progress made
17 toward meeting the identified goals and objec-
18 tives of the Action Agenda, Salmon Recovery
19 Plans, Treaty Rights at Risk Initiative, and the
20 Coastal Nonpoint Pollution Control Program.

21 “(B) If available, the roles and progress of
22 Tribal governments that have jurisdiction in the
23 Puget Sound region toward meeting the identi-
24 fied goals and objectives of the Action Agenda,
25 Salmon Recovery Plans, Treaty Rights at Risk

1 Initiative, and the Coastal Nonpoint Pollution
2 Control Program.

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

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

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

18 “(F) A summary of progress made by Fed-
19 eral agencies toward the priorities identified in
20 the Action Plan, as defined in subsection (d).

21 “(h) CROSSCUT BUDGET REPORT.—

22 “(1) FINANCIAL REPORT.—Not later than 1
23 year after the date of enactment of this section, and
24 every 5 years thereafter, the Director of the Office
25 of Management and Budget, in consultation with the

1 Task Force, shall submit to Congress and make
2 available to the public, including on the internet, a
3 financial report that is certified by the head of each
4 agency represented by the Task Force.

5 “(2) CONTENTS.—The report shall contain an
6 interagency crosscut budget relating to Puget Sound
7 recovery and protection activities that displays—

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

14 “(B) the estimated expenditures for Fed-
15 eral recovery and protection activities from the
16 preceding 2 fiscal years, the current fiscal year,
17 and the succeeding fiscal year; and

18 “(C) the estimated expenditures for Fed-
19 eral environmental research and monitoring
20 programs from the preceding 2 fiscal years, the
21 current fiscal year, and the succeeding fiscal
22 year.

23 “(3) INCLUDED RECOVERY ACTIVITIES.—With
24 respect to activities described in the report, the re-
25 port shall only describe activities that—

1 “(A) for Federal recovery or protection ac-
2 tivities, have funding amounts not less than
3 \$100,000; and

4 “(B) for Federal environmental research
5 and monitoring programs, have funding
6 amounts not less than \$100,000.

7 “(4) SUBMISSION TO CONGRESS.—The Director
8 shall submit the report to—

9 “(A) the Committee on Appropriations, the
10 Committee on Natural Resources, the Com-
11 mittee on Energy and Commerce, and the Com-
12 mittee on Transportation and Infrastructure of
13 the House of Representatives; and

14 “(B) the Committee on Appropriations, the
15 Committee on Environment and Public Works,
16 and the Committee on Commerce, Science, and
17 Transportation of the Senate.

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

23 “(j) PRESERVATION OF TREATY OBLIGATIONS AND
24 EXISTING FEDERAL STATUS.—

1 “(1) TRIBAL TREATY RIGHTS.—This Act is not
2 intended to, and shall not, in any way limit, condi-
3 tion, abrogate, authorize the regulation of, or other-
4 wise adversely affect any right reserved by treaty be-
5 tween the United States and one or more Indian
6 Tribes.

7 “(2) NATIONAL ESTUARY PROGRAM.—Nothing
8 in this Act shall alter the requirements or status of
9 the Puget Sound under the National Estuary Pro-
10 gram.

11 “(3) OTHER FEDERAL LAW.—Nothing in this
12 Act shall modify the requirements and procedures of
13 other Federal law.

14 “(k) CONSISTENCY.—Actions authorized or imple-
15 mented under this Act shall be consistent with—

16 “(1) the Endangered Species Act of 1973 and
17 the State of Washington’s federally approved salmon
18 recovery plans;

19 “(2) the Coastal Zone Management Act of
20 1972, its reauthorizing amendments, and the State
21 of Washington’s federally approved coastal nonpoint
22 pollution control program;

23 “(3) the State of Washington’s federally ap-
24 proved State water quality standards; and

1 “(4) other applicable Federal requirements.”.

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