

Union Calendar No. 25

117TH CONGRESS
1ST SESSION

H. R. 1144

[Report No. 117–42]

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

FEBRUARY 18, 2021

Mr. KILMER (for himself, Ms. STRICKLAND, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MAY 28, 2021

Additional sponsors: Mr. LARSEN of Washington and Ms. DELBENE

MAY 28, 2021

Reported from the Committee on Transportation and Infrastructure; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

11 **“SEC. 124. PUGET SOUND.**

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

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

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

23 “(3) FEDERAL ACTION PLAN.—The term ‘Fed-
 24 eral Action Plan’ means the plan developed under
 25 subsection (d)(2)(B).

1 “(4) INTERNATIONAL JOINT COMMISSION.—The
2 term ‘International Joint Commission’ means the
3 International Joint Commission established by the
4 United States and Canada under the International
5 Boundary Waters Treaty of 1909 (36 Stat. 2448).

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

14 “(6) PROGRAM OFFICE.—The term ‘Program
15 Office’ means the Puget Sound Recovery National
16 Program Office established by subsection (c).

17 “(7) PUGET SOUND ACTION AGENDA; ACTION
18 AGENDA.—The term ‘Puget Sound Action Agenda’
19 or ‘Action Agenda’ means the most recent plan de-
20 veloped by the Puget Sound National Estuary Pro-
21 gram Management Conference, in consultation with
22 the Puget Sound Tribal Management Conference,
23 and approved by the Administrator as the com-
24 prehensive conservation and management plan for
25 Puget Sound under section 320.

1 “(8) PUGET SOUND FEDERAL LEADERSHIP
2 TASK FORCE.—The term ‘Puget Sound Federal
3 Leadership Task Force’ means the Puget Sound
4 Federal Leadership Task Force established under
5 subsection (d).

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

11 “(10) PUGET SOUND NATIONAL ESTUARY PRO-
12 GRAM MANAGEMENT CONFERENCE; MANAGEMENT
13 CONFERENCE.—The term ‘Puget Sound National
14 Estuary Program Management Conference’ or ‘Man-
15 agement Conference’ means the management con-
16 ference for Puget Sound convened pursuant to sec-
17 tion 320.

18 “(11) PUGET SOUND PARTNERSHIP.—The term
19 ‘Puget Sound Partnership’ means the State agency
20 that is established under the laws of the State of
21 Washington (section 90.71.210 of the Revised Code
22 of Washington), or its successor agency, that has
23 been designated by the Administrator as the lead en-
24 tity to support the Puget Sound National Estuary
25 Program Management Conference.

1 “(12) PUGET SOUND REGION.—

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

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

12 “(13) PUGET SOUND TRIBAL MANAGEMENT
13 CONFERENCE.—The term ‘Puget Sound Tribal Man-
14 agement Conference’ means the 20 treaty Indian
15 tribes of western Washington and the Northwest In-
16 dian Fisheries Commission.

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

22 “(15) SALMON RECOVERY PLANS.—The term
23 ‘Salmon Recovery Plans’ means the recovery plans
24 for salmon and steelhead species approved by the

1 Secretary of the Interior under section 4(f) of the
2 Endangered Species Act of 1973.

3 “(16) STATE ADVISORY COMMITTEE.—The
4 term ‘State Advisory Committee’ means the advisory
5 committee established by subsection (e).

6 “(17) TREATY RIGHTS AT RISK INITIATIVE.—
7 The term ‘Treaty Rights at Risk Initiative’ means
8 the report from the treaty Indian tribes of western
9 Washington entitled ‘Treaty Rights at Risk: Ongo-
10 ing Habitat Loss, the Decline of the Salmon Re-
11 source, and Recommendations for Change’ and
12 dated July 14, 2011, or its successor report, which
13 outlines issues and offers solutions for the protection
14 of Tribal treaty rights, recovery of salmon habitat,
15 and management of sustainable treaty and nontreaty
16 salmon fisheries, including through tribal salmon
17 hatchery programs.

18 “(b) CONSISTENCY.—All Federal agencies rep-
19 resented on the Puget Sound Federal Leadership Task
20 Force shall act consistently with the protection of Tribal,
21 treaty-reserved rights and, to the greatest extent prac-
22 ticable given such agencies’ existing obligations under
23 Federal law, act consistently with the objectives and prior-
24 ities of the Action Agenda, Salmon Recovery Plans, the

1 Treaty Rights at Risk Initiative, and the Coastal Nonpoint
2 Pollution Control Program, when—

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

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

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

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

17 “(c) PUGET SOUND RECOVERY NATIONAL PROGRAM
18 OFFICE.—

19 “(1) ESTABLISHMENT.—There is established in
20 the Environmental Protection Agency a Puget
21 Sound Recovery National Program Office to be lo-
22 cated in the State of Washington.

23 “(2) DIRECTOR.—

24 “(A) IN GENERAL.—The Director of the
25 Program Office shall be a career reserved posi-

1 tion, as such term is defined in section
2 3132(a)(8) of title 5, United States Code.

3 “(B) QUALIFICATIONS.—The Director of
4 the Program Office shall have leadership and
5 project management experience and shall be
6 highly qualified to—

7 “(i) direct the integration of multiple
8 project planning efforts and programs
9 from different agencies and jurisdictions;
10 and

11 “(ii) align numerous, and often con-
12 flicting, needs toward implementing a
13 shared Action Agenda with visible and
14 measurable outcomes.

15 “(3) DELEGATION OF AUTHORITY; STAFFING.—
16 Using amounts made available pursuant to sub-
17 section (i), the Administrator shall delegate to the
18 Director such authority and provide such staff as
19 may be necessary to carry out this section.

20 “(4) DUTIES.—The Director shall—

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

1 “(B) coordinate activities related to the
2 restoration and protection of Puget Sound
3 across the Environmental Protection Agency;

4 “(C) coordinate and align the activities of
5 the Administrator with the Action Agenda,
6 Salmon Recovery Plans, the Treaty Rights at
7 Risk Initiative, and the Coastal Nonpoint Pollu-
8 tion Control Program;

9 “(D) promote the efficient use of Environ-
10 mental Protection Agency resources in pursuit
11 of Puget Sound restoration and protection;

12 “(E) serve on the Puget Sound Federal
13 Leadership Task Force and collaborate with,
14 help coordinate, and implement activities with
15 other Federal agencies that have responsibilities
16 involving Puget Sound restoration and protec-
17 tion;

18 “(F) provide or procure such other advice,
19 technical assistance, research, assessments,
20 monitoring, or other support as is determined
21 by the Director to be necessary or prudent to
22 most efficiently and effectively fulfill the objec-
23 tives and priorities of the Action Agenda, Salm-
24 on Recovery Plans, the Treaty Rights at Risk
25 Initiative, and the Coastal Nonpoint Pollution

1 Control Program consistent with the best avail-
2 able science and to ensure the health of the
3 Puget Sound ecosystem;

4 “(G) track the progress of the Environ-
5 mental Protection Agency towards meeting the
6 Agency’s specified objectives and priorities with-
7 in the Action Agenda and the Federal Action
8 Plan;

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

14 “(I) serve as liaison and coordinate activi-
15 ties for the restoration and protection of the
16 Salish Sea, with Canadian authorities, the Pa-
17 cific Salmon Commission, and the International
18 Joint Commission; and

19 “(J) carry out such additional duties as
20 the Administrator determines necessary and ap-
21 propriate.

22 “(d) PUGET SOUND FEDERAL LEADERSHIP TASK
23 FORCE.—

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

1 “(2) DUTIES.—

2 “(A) GENERAL DUTIES.—The Puget
3 Sound Federal Leadership Task Force shall—

4 “(i) uphold Federal trust responsibil-
5 ities to restore and protect resources cru-
6 cial to Tribal treaty rights, including by
7 carrying out government-to-government
8 consultation with Indian tribes when re-
9 quested by such tribes;

10 “(ii) provide a venue for dialogue and
11 coordination across all Federal agencies on
12 the Puget Sound Federal Leadership Task
13 Force to align Federal resources for the
14 purposes of carrying out the requirements
15 of this section and all other Federal laws
16 that contribute to the restoration and pro-
17 tection of Puget Sound, including by—

18 “(I) enabling and encouraging
19 the Federal agencies represented on
20 the Puget Sound Federal Leadership
21 Task Force to act consistently with
22 the objectives and priorities of the Ac-
23 tion Agenda, Salmon Recovery Plans,
24 the Treaty Rights at Risk Initiative,

1 and the Coastal Nonpoint Pollution
2 Control Program;

3 “(II) facilitating the coordination
4 of Federal activities that impact the
5 restoration and protection of Puget
6 Sound;

7 “(III) facilitating the delivery of
8 feedback given by Federal agencies to
9 the Puget Sound Partnership during
10 the development of the Action Agen-
11 da;

12 “(IV) facilitating the resolution
13 of interagency conflicts associated
14 with the restoration and protection of
15 Puget Sound among the agencies rep-
16 resented on the Puget Sound Federal
17 Leadership Task Force;

18 “(V) providing a forum for ex-
19 changing information among agencies
20 regarding activities being conducted,
21 including obstacles or efficiencies
22 found, during Puget Sound restora-
23 tion and protection activities; and

24 “(VI) promoting the efficient use
25 of government resources in pursuit of

1 Puget Sound restoration and protec-
2 tion through coordination and collabo-
3 ration, including by ensuring that the
4 Federal efforts relating to the science
5 necessary for restoration and protec-
6 tion of Puget Sound are consistent,
7 and not duplicative, across the Fed-
8 eral Government;

9 “(iii) catalyze public leaders at all lev-
10 els to work together toward shared goals
11 by demonstrating interagency best prac-
12 tices coming from the members of the
13 Puget Sound Federal Leadership Task
14 Force;

15 “(iv) provide advice and support on
16 scientific and technical issues and act as a
17 forum for the exchange of scientific infor-
18 mation about Puget Sound;

19 “(v) identify and inventory Federal
20 environmental research and monitoring
21 programs related to Puget Sound, and pro-
22 vide such inventory to the Puget Sound
23 National Estuary Program Management
24 Conference;

1 “(vi) ensure that Puget Sound res-
2 toration and protection activities are as
3 consistent as practicable with ongoing res-
4 toration and protection and related efforts
5 in the Salish Sea that are being conducted
6 by Canadian authorities, the Pacific Salm-
7 on Commission, and the International
8 Joint Commission;

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

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

16 “(ix) work with the Office of Manage-
17 ment and Budget to give input on the
18 crosscut budget under subsection (h); and

19 “(x) submit a biennial report under
20 subsection (g) on the progress made to-
21 ward carrying out the Federal Action Plan.

22 “(B) PUGET SOUND FEDERAL ACTION
23 PLAN.—

24 “(i) IN GENERAL.—Not later than 5
25 years after the date of enactment of this

1 section, the Puget Sound Federal Leader-
2 ship Task Force shall develop and approve
3 a Federal Action Plan that leverages Fed-
4 eral programs across agencies and serves
5 to coordinate diverse programs on a spe-
6 cific suite of priorities on Puget Sound re-
7 covery.

8 “(ii) REVISION OF PUGET SOUND
9 FEDERAL ACTION PLAN.—Not less often
10 than once every 5 years after the date of
11 completion of the Federal Action Plan de-
12 scribed in clause (i), the Puget Sound Fed-
13 eral Leadership Task Force shall review,
14 and revise as appropriate, the Federal Ac-
15 tion Plan.

16 “(C) FEEDBACK BY FEDERAL AGEN-
17 CIES.—In facilitating feedback under subpara-
18 graph (A)(ii)(III), the Puget Sound Federal
19 Leadership Task Force shall request Federal
20 agencies to consider, at a minimum, possible
21 Federal actions designed to—

22 “(i) further the goals, targets, and ac-
23 tions of the Action Agenda, Salmon Recov-
24 ery Plans, the Treaty Rights at Risk Ini-

1 tiative, and the Coastal Nonpoint Pollution
2 Control Program;

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

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

11 “(iv) prevent the destruction of ma-
12 rine and wildlife habitats;

13 “(v) protect, restore, and conserve for-
14 ests, wetlands, riparian zones, and near-
15 shore waters that provide marine and wild-
16 life habitat;

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

19 “(vii) conserve and recover endan-
20 gered species under the Endangered Spe-
21 cies Act of 1973;

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

24 “(ix) preserve biodiversity;

1 “(x) restore and protect ecosystem
2 services that provide clean water, filter
3 toxic chemicals, and increase ecosystem re-
4 silience; and

5 “(xi) improve water quality and re-
6 store wildlife habitat, including by pre-
7 venting and managing stormwater runoff,
8 incorporating erosion control techniques
9 and trash capture devices, using sustain-
10 able stormwater practices, and mitigating
11 and minimizing nonpoint source pollution,
12 including marine litter.

13 “(3) PARTICIPATION OF STATE ADVISORY COM-
14 MITTEE AND PUGET SOUND TRIBAL MANAGEMENT
15 CONFERENCE.—

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

21 “(B) SPECIFIC ADVICE AND RECOMMENDA-
22 TIONS.—The Puget Sound Federal Leadership
23 Task Force shall seek the advice and rec-
24 ommendations of the State Advisory Committee
25 and Puget Sound Tribal Management Con-

ference 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

1 Atmospheric Administration appointed by
2 the Secretary of Commerce.

3 “(iii) SECRETARY OF DEFENSE.—The
4 following individuals appointed by the Sec-
5 retary of Defense:

6 “(I) A representative of the
7 Corps of Engineers.

8 “(II) A representative of the
9 Joint Base Lewis-McChord.

10 “(III) A representative of the
11 Navy Region Northwest.

12 “(iv) DIRECTOR.—The Director of the
13 Program Office.

14 “(v) SECRETARY OF HOMELAND SE-
15 CURITY.—The following individuals ap-
16 pointed by the Secretary of Homeland Se-
17 curity:

18 “(I) A representative of the
19 Coast Guard.

20 “(II) A representative of the
21 Federal Emergency Management
22 Agency.

23 “(vi) SECRETARY OF THE INTE-
24 RIOR.—The following individuals appointed
25 by the Secretary of the Interior:

1 “(I) A representative of the Bu-
2 reau of Indian Affairs.

3 “(II) A representative of the
4 United States Fish and Wildlife Serv-
5 ice.

6 “(III) A representative of the
7 United States Geological Survey.

8 “(IV) A representative of the Na-
9 tional Park Service.

10 “(vii) SECRETARY OF TRANSPOR-
11 TATION.—The following individuals ap-
12 pointed by the Secretary of Transpor-
13 tation:

14 “(I) A representative of the Fed-
15 eral Highway Administration.

16 “(II) A representative of the
17 Federal Transit Administration.

18 “(viii) ADDITIONAL MEMBERS.—Rep-
19 resentatives of such other agencies, pro-
20 grams, and initiatives as the Puget Sound
21 Federal Leadership Task Force determines
22 necessary.

23 “(5) LEADERSHIP.—The Co-Chairs shall ensure
24 the Puget Sound Federal Leadership Task Force
25 completes its duties through robust discussion of all

1 relevant issues. The Co-Chairs shall share leadership
2 responsibilities equally.

3 “(6) CO-CHAIRS.—The following members of
4 the Puget Sound Federal Leadership Task Force
5 appointed under paragraph (5) shall serve as Co-
6 Chairs of the Puget Sound Federal Leadership Task
7 Force:

8 “(A) The representative of the National
9 Oceanic and Atmospheric Administration.

10 “(B) The representative of the Puget
11 Sound Recovery National Program Office.

12 “(C) The representative of the Corps of
13 Engineers.

14 “(7) MEETINGS.—

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

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

21 “(ii) to establish the bylaws of the
22 Puget Sound Federal Leadership Task
23 Force;

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

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

3 “(B) SUBSEQUENT MEETINGS.—After the
4 initial meeting, the Puget Sound Federal Lead-
5 ership Task Force shall meet, at a minimum,
6 twice per year to carry out the duties of the
7 Puget Sound Federal Leadership Task Force.

8 “(C) WORKING GROUP MEETINGS.—Meet-
9 ings of any established working groups or com-
10 mittees of the Puget Sound Federal Leadership
11 Task Force shall not be considered a biannual
12 meeting for purposes of subparagraph (B).

13 “(D) JOINT MEETINGS.—The Puget Sound
14 Federal Leadership Task Force shall offer to
15 meet jointly with the Puget Sound National Es-
16 tuary Program Management Conference and
17 the Puget Sound Tribal Management Con-
18 ference, at a minimum, once per year. A joint
19 meeting under this subparagraph may be con-
20 sidered a biannual meeting of the Puget Sound
21 Federal Leadership Task Force for purposes of
22 subparagraph (B), if agreed upon.

23 “(E) QUORUM.—A majority number of the
24 members of the Puget Sound Federal Leader-
25 ship Task Force shall constitute a quorum.

1 “(F) VOTING.—For the Puget Sound Fed-
2 eral Leadership Task Force to pass a measure,
3 a two-thirds percentage of the quorum must
4 vote in the affirmative.

5 “(8) PUGET SOUND FEDERAL LEADERSHIP
6 TASK FORCE PROCEDURES AND ADVICE.—

7 “(A) ADVISORS.—The Puget Sound Fed-
8 eral Leadership Task Force, and any working
9 group of the Puget Sound Federal Leadership
10 Task Force, may seek advice and input from
11 any interested, knowledgeable, or affected party
12 as the Puget Sound Federal Leadership Task
13 Force or working group, respectively, deter-
14 mines necessary to perform its duties.

15 “(B) COMPENSATION.—A member of the
16 Puget Sound Federal Leadership Task Force
17 shall receive no additional compensation for
18 service as a member on the Puget Sound Fed-
19 eral Leadership Task Force.

20 “(C) TRAVEL EXPENSES.—Travel expenses
21 incurred by a member of the Puget Sound Fed-
22 eral Leadership Task Force in the performance
23 of service on the Puget Sound Federal Leader-
24 ship Task Force may be paid by the agency or
25 department that the member represents.

1 “(9) PUGET SOUND FEDERAL TASK FORCE.—

2 “(A) IN GENERAL.—On the date of enact-
3 ment of this section, the 2016 memorandum of
4 understanding establishing the Puget Sound
5 Federal Task Force shall cease to be effective.

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

13 “(e) STATE ADVISORY COMMITTEE.—

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

16 “(2) MEMBERSHIP.—The committee shall con-
17 sist of up to seven members designated by the gov-
18 erning body of the Puget Sound Partnership, in con-
19 sultation with the Governor of Washington, who will
20 represent Washington State agencies that have sig-
21 nificant roles and responsibilities related to Puget
22 Sound recovery.

23 “(f) FEDERAL ADVISORY COMMITTEE ACT.—The
24 Puget Sound Federal Leadership Task Force, State Advi-
25 sory Committee, and any working group of the Puget

1 Sound Federal Leadership Task Force, shall not be con-
2 sidered an advisory committee under the Federal Advisory
3 Committee Act (5 U.S.C. App.).

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

7 “(1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this section, and biennially
9 thereafter, the Puget Sound Federal Leadership
10 Task Force, in collaboration with the Puget Sound
11 Tribal Management Conference and the State Advi-
12 sory Committee, shall submit to the President, Con-
13 gress, the Governor of Washington, and the gov-
14 erning body of the Puget Sound Partnership a re-
15 port that summarizes the progress, challenges, and
16 milestones of the Puget Sound Federal Leadership
17 Task Force on the restoration and protection of
18 Puget Sound.

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

21 “(A) The roles and progress of each State,
22 local government entity, and Federal agency
23 that has jurisdiction in the Puget Sound region
24 toward meeting the identified objectives and
25 priorities of the Action Agenda, Salmon Recov-

1 ery Plans, the Treaty Rights at Risk Initiative,
2 and the Coastal Nonpoint Pollution Control
3 Program.

4 “(B) If available, the roles and progress of
5 Tribal governments that have jurisdiction in the
6 Puget Sound region toward meeting the identi-
7 fied objectives and priorities of the Action
8 Agenda, Salmon Recovery Plans, the Treaty
9 Rights at Risk Initiative, and the Coastal
10 Nonpoint Pollution Control Program.

11 “(C) A summary of specific recommenda-
12 tions concerning implementation of the Action
13 Agenda and Federal Action Plan, including
14 challenges, barriers, and anticipated milestones,
15 targets, and timelines.

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

19 “(h) CROSSCUT BUDGET REPORT.—

20 “(1) FINANCIAL REPORT.—Not later than 1
21 year after the date of enactment of this section, and
22 every 5 years thereafter, the Director of the Office
23 of Management and Budget, in consultation with the
24 Puget Sound Federal Leadership Task Force, shall,
25 in conjunction with the annual budget submission of

1 the President to Congress for the year under section
2 1105(a) of title 31, United States Code, submit to
3 Congress and make available to the public, including
4 on the internet, a financial report that is certified by
5 the head of each agency represented by the Puget
6 Sound Federal Leadership Task Force.

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

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

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

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

1 “(3) INCLUDED RECOVERY ACTIVITIES.—With
2 respect to activities described in the report, the re-
3 port shall only describe activities that have funding
4 amounts more than \$100,000.

5 “(4) SUBMISSION TO CONGRESS.—The Director
6 of the Office of Management and Budget shall sub-
7 mit the report to—

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

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

17 “(i) AUTHORIZATION OF APPROPRIATIONS.—In addi-
18 tion to any other funds authorized to be appropriated for
19 activities related to Puget Sound, there is authorized to
20 be appropriated to carry out this section \$50,000,000 for
21 each of fiscal years 2022 through 2026.

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

24 “(1) TRIBAL TREATY RIGHTS.—Nothing in this
25 section affects, or is intended to affect, any right re-

1 served by treaty between the United States and one
2 or more Indian tribes.

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

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

8 “(1) the Endangered Species Act of 1973 and
9 the Salmon Recovery Plans of the State of Wash-
10 ington;

11 “(2) the Coastal Zone Management Act of 1972
12 and the Coastal Nonpoint Pollution Control Pro-
13 gram;

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

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

Union Calendar No. 25

117TH CONGRESS
1ST Session

H. R. 1144

[Report No. 117-42]

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.

MAY 28, 2021

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed