

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.

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## 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

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## 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-government 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 sistent 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 siliance; 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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