

116TH CONGRESS  
1ST SESSION

# H. R. 1132

To amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2019

Ms. SPEIER (for herself, Ms. PELOSI, Mr. HUFFMAN, Mr. KHANNA, Mr. MCNERNEY, Mr. SWALWELL of California, Mr. GARAMENDI, Ms. ESHOO, Ms. LOFGREN, Mr. DESAULNIER, Mr. THOMPSON of California, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay.

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 “San Francisco Bay  
5 Restoration Act”.

1 **SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PRO-**  
2 **GRAM.**

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

6 **“SEC. 124. SAN FRANCISCO BAY RESTORATION GRANT PRO-**  
7 **GRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ANNUAL PRIORITY LIST.—The term ‘an-  
10 nual priority list’ means the annual priority list com-  
11 piled under subsection (b).

12 “(2) COMPREHENSIVE PLAN.—The term ‘com-  
13 prehensive plan’ means—

14 “(A) the comprehensive conservation and  
15 management plan approved under section 320  
16 for the San Francisco Bay estuary; and

17 “(B) any amendments to that plan.

18 “(3) ESTUARY PARTNERSHIP.—The term ‘Es-  
19 tuary Partnership’ means the San Francisco Estu-  
20 ary Partnership, the entity that is designated as the  
21 management conference under section 320.

22 “(b) PROGRAM OFFICE.—

23 “(1) ESTABLISHMENT.—The Administrator  
24 shall establish in the Environmental Protection  
25 Agency a San Francisco Bay Program Office. The

1 Office shall be located at the headquarters of region  
2 9 of the Environmental Protection Agency.

3 “(2) APPOINTMENT OF DIRECTOR.—The Ad-  
4 ministrator shall appoint a Director of the Office,  
5 who, by reason of management experience and tech-  
6 nical expertise relating to the San Francisco Bay,  
7 shall be highly qualified to support the development  
8 and implementation of projects, programs, and stud-  
9 ies necessary to implement the comprehensive plan.

10 “(3) DELEGATION OF AUTHORITY; STAFFING.—  
11 The Administrator shall delegate to the Director  
12 such authority and provide such staff as may be nec-  
13 essary to carry out this section.

14 “(c) ANNUAL PRIORITY LIST.—

15 “(1) IN GENERAL.—After providing public no-  
16 tice, the Administrator shall annually compile a pri-  
17 ority list identifying and prioritizing the activities,  
18 projects, and studies intended to be funded with the  
19 amounts made available under subsection (c).

20 “(2) INCLUSIONS.—The annual priority list  
21 compiled under paragraph (1) shall include the fol-  
22 lowing:

23 “(A) Activities, projects, or studies, includ-  
24 ing restoration projects and habitat improve-  
25 ment for fish, waterfowl, and wildlife, that ad-

1 vance the goals and objectives of the approved  
2 comprehensive plan for—

3 “(i) water quality improvement;

4 “(ii) wetland, riverine, and estuary  
5 restoration and protection;

6 “(iii) nearshore and endangered spe-  
7 cies recovery; and

8 “(iv) adaptation to climate change.

9 “(B) Information on the activities,  
10 projects, programs, or studies specified under  
11 subparagraph (A), including a description of—

12 “(i) the identities of the financial as-  
13 sistance recipients; and

14 “(ii) the communities to be served.

15 “(C) The criteria and methods established  
16 by the Administrator for selection of activities,  
17 projects, and studies.

18 “(3) CONSULTATION.—In developing the pri-  
19 ority list under paragraph (1), the Administrator  
20 shall consult with and consider the recommendations  
21 of—

22 “(A) the Estuary Partnership;

23 “(B) the State of California and affected  
24 local governments in the San Francisco Bay es-  
25 tuary watershed;

1           “(C) the San Francisco Bay Restoration  
2 Authority; and

3           “(D) any other relevant stakeholder in-  
4 volved with the protection and restoration of  
5 the San Francisco Bay estuary that the Admin-  
6 istrator determines to be appropriate.

7           “(d) GRANT PROGRAM.—

8           “(1) IN GENERAL.—Pursuant to section 320,  
9 the Administrator may provide funding through co-  
10 operative agreements, grants, or other means to  
11 State and local agencies, special districts, and public  
12 or nonprofit agencies, institutions, and organiza-  
13 tions, including the Estuary Partnership, for activi-  
14 ties, studies, or projects identified on the annual pri-  
15 ority list.

16           “(2) MAXIMUM AMOUNT OF GRANTS; NON-FED-  
17 ERAL SHARE.—

18           “(A) MAXIMUM AMOUNT OF GRANTS.—  
19 Amounts provided to any individual or entity  
20 under this section for a fiscal year shall not ex-  
21 ceed an amount equal to 75 percent of the total  
22 cost of any eligible activities that are to be car-  
23 ried out using those amounts.

24           “(B) NON-FEDERAL SHARE.—The non-  
25 Federal share of the total cost of any eligible

1 activities that are carried out using amounts  
2 provided under this section shall be—

3 “(i) not less than 25 percent; and

4 “(ii) provided from non-Federal  
5 sources.

6 “(e) FUNDING.—

7 “(1) AUTHORIZATION OF APPROPRIATIONS.—

8 There are authorized to be appropriated to the Ad-  
9 ministrator to carry out this section \$25,000,000 for  
10 each of fiscal years 2020 through 2024.

11 “(2) ADMINISTRATIVE EXPENSES.—Of the  
12 amount made available to carry out this section for  
13 a fiscal year, the Administrator shall use not more  
14 than 5 percent to pay administrative expenses in-  
15 curred in carrying out this section.

16 “(3) RELATIONSHIP TO OTHER FUNDING.—

17 Nothing in this section limits the eligibility of the  
18 Estuary Partnership to receive funding under sec-  
19 tion 320(g).

20 “(4) PROHIBITION.—No amounts made avail-  
21 able under subsection (c) may be used for the ad-  
22 ministration of a management conference under sec-  
23 tion 320.

24 “(f) ANNUAL BUDGET PLAN.—The President, as  
25 part of the annual budget submission of the President

1 under section 1105 of title 31, United States Code, shall  
2 submit information regarding each Federal department  
3 and agency involved in San Francisco Bay protection and  
4 restoration, including—

5           “(1) a report that displays for each Federal  
6 agency—

7                   “(A) the amounts obligated in the pre-  
8 ceding fiscal year for protection and restoration  
9 projects, programs, and studies relating to the  
10 San Francisco Bay; and

11                   “(B) the proposed budget for protection  
12 and restoration projects, programs, and studies  
13 relating to the San Francisco Bay; and

14           “(2) a description and assessment of the Fed-  
15 eral role in the implementation of the comprehensive  
16 plan and the specific role of each Federal depart-  
17 ment and agency involved in San Francisco Bay pro-  
18 tection and restoration, including specific projects,  
19 programs, and studies conducted or planned to  
20 achieve the identified goals and objectives of the  
21 comprehensive plan.”.

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