

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 1132**  
**OFFERED BY M** . \_\_\_\_\_

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “San Francisco Bay  
3 Restoration Act”.

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

6 Title I of the Federal Water Pollution Control Act  
7 (33 U.S.C. 1251 et seq.) is amended by adding at the end  
8 the following:

**9 “SEC. 124. SAN FRANCISCO BAY RESTORATION GRANT PRO-**  
**10 GRAM.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) ESTUARY PARTNERSHIP.—The term ‘Es-  
13 tuary Partnership’ means the San Francisco Estu-  
14 ary Partnership, designated as the management con-  
15 ference for the San Francisco Bay under section  
16 320.

17 “(2) SAN FRANCISCO BAY PLAN.—The term  
18 ‘San Francisco Bay Plan’ means—

1           “(A) until the date of the completion of the  
2           plan developed by the Director under subsection  
3           (d), the comprehensive conservation and man-  
4           agement plan approved under section 320 for  
5           the San Francisco Bay estuary; and

6           “(B) on and after the date of the comple-  
7           tion of the plan developed by the Director under  
8           subsection (d), the plan developed by the Direc-  
9           tor under subsection (d).

10          “(b) PROGRAM OFFICE.—

11           “(1) ESTABLISHMENT.—The Administrator  
12           shall establish in the Environmental Protection  
13           Agency a San Francisco Bay Program Office. The  
14           Office shall be located at the headquarters of Region  
15           9 of the Environmental Protection Agency.

16           “(2) APPOINTMENT OF DIRECTOR.—The Ad-  
17           ministrator shall appoint a Director of the Office,  
18           who shall have management experience and technical  
19           expertise relating to the San Francisco Bay and be  
20           highly qualified to direct the development and imple-  
21           mentation of projects, activities, and studies nec-  
22           essary to implement the San Francisco Bay Plan.

23           “(3) DELEGATION OF AUTHORITY; STAFFING.—  
24           The Administrator shall delegate to the Director

1 such authority and provide such staff as may be nec-  
2 essary to carry out this section.

3 “(c) ANNUAL PRIORITY LIST.—

4 “(1) IN GENERAL.—After providing public no-  
5 tice, the Director shall annually compile a priority  
6 list, consistent with the San Francisco Bay Plan,  
7 identifying and prioritizing the projects, activities,  
8 and studies to be carried out with amounts made  
9 available under subsection (e).

10 “(2) INCLUSIONS.—The annual priority list  
11 compiled under paragraph (1) shall include the fol-  
12 lowing:

13 “(A) Projects, activities, and studies, in-  
14 cluding restoration projects and habitat im-  
15 provement for fish, waterfowl, and wildlife, that  
16 advance the goals and objectives of the San  
17 Francisco Bay Plan, for—

18 “(i) water quality improvement, in-  
19 cluding the reduction of marine litter;

20 “(ii) wetland, riverine, and estuary  
21 restoration and protection;

22 “(iii) nearshore and endangered spe-  
23 cies recovery; and

24 “(iv) adaptation to climate change.

1           “(B) Information on the projects, activi-  
2           ties, and studies specified under subparagraph  
3           (A), including—

4                   “(i) the identity of each entity receiv-  
5                   ing assistance pursuant to subsection (e);  
6                   and

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

9           “(C) The criteria and methods established  
10           by the Director for identification of projects, ac-  
11           tivities, and studies to be included on the an-  
12           nual priority list.

13           “(3) CONSULTATION.—In compiling the annual  
14           priority list under paragraph (1), the Director shall  
15           consult with, and consider the recommendations of—

16                   “(A) the Estuary Partnership;

17                   “(B) the State of California and affected  
18                   local governments in the San Francisco Bay es-  
19                   tuary watershed;

20                   “(C) the San Francisco Bay Restoration  
21                   Authority; and

22                   “(D) any other relevant stakeholder in-  
23                   volved with the protection and restoration of  
24                   the San Francisco Bay estuary that the Direc-  
25                   tor determines to be appropriate.

1 “(d) SAN FRANCISCO BAY PLAN.—

2 “(1) IN GENERAL.—Not later than 5 years  
3 after the date of enactment of this section, the Di-  
4 rector, in conjunction with the Estuary Partnership,  
5 shall review and revise the comprehensive conserva-  
6 tion and management plan approved under section  
7 320 for the San Francisco Bay estuary to develop  
8 a plan to guide the projects, activities, and studies  
9 of the Office to address the restoration and protec-  
10 tion of the San Francisco Bay.

11 “(2) REVISION OF SAN FRANCISCO BAY  
12 PLAN.—Not less often than once every 5 years after  
13 the date of the completion of the plan described in  
14 paragraph (1), the Director shall review, and revise  
15 as appropriate, the San Francisco Bay Plan.

16 “(3) OUTREACH.—In carrying out this sub-  
17 section, the Director shall consult with the Estuary  
18 Partnership and Indian tribes and solicit input from  
19 other non-Federal stakeholders.

20 “(e) GRANT PROGRAM.—

21 “(1) IN GENERAL.—The Director may provide  
22 funding through cooperative agreements, grants, or  
23 other means to State and local agencies, special dis-  
24 tricts, and public or nonprofit agencies, institutions,  
25 and organizations, including the Estuary Partner-

1 ship, for projects, activities, and studies identified on  
2 the annual priority list compiled under subsection  
3 (c).

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

6 “(A) MAXIMUM AMOUNT OF GRANTS.—  
7 Amounts provided to any entity under this sec-  
8 tion for a fiscal year shall not exceed an  
9 amount equal to 75 percent of the total cost of  
10 any projects, activities, and studies that are to  
11 be carried out using those amounts.

12 “(B) NON-FEDERAL SHARE.—Not less  
13 than 25 percent of the cost of any project, ac-  
14 tivity, or study carried out using amounts pro-  
15 vided under this section shall be provided from  
16 non-Federal sources.

17 “(f) FUNDING.—

18 “(1) AUTHORIZATION OF APPROPRIATIONS.—  
19 There is authorized to be appropriated to carry out  
20 this section \$25,000,000 for each of fiscal years  
21 2020 through 2024.

22 “(2) ADMINISTRATIVE EXPENSES.—Of the  
23 amount made available to carry out this section for  
24 a fiscal year, the Director may not use more than

1       5 percent to pay administrative expenses incurred in  
2       carrying out this section.

3           “(3) PROHIBITION.—No amounts made avail-  
4       able under this section may be used for the adminis-  
5       tration of a management conference under section  
6       320.

7           “(g) ANNUAL BUDGET PLAN.—The President, as  
8       part of the annual budget submission of the President to  
9       Congress under section 1105(a) of title 31, United States  
10       Code, shall submit information regarding each Federal de-  
11       partment and agency involved in San Francisco Bay pro-  
12       tection and restoration, including—

13           “(1) a report that displays for each Federal  
14       agency—

15           “(A) the amounts obligated in the pre-  
16       ceding fiscal year for protection and restoration  
17       projects, activities, and studies relating to the  
18       San Francisco Bay; and

19           “(B) the proposed budget for protection  
20       and restoration projects, activities, and studies  
21       relating to the San Francisco Bay; and

22           “(2) a description and assessment of the Fed-  
23       eral role in the implementation of the San Francisco  
24       Bay Plan and the specific role of each Federal de-  
25       partment and agency involved in San Francisco Bay

1 protection and restoration, including specific  
2 projects, activities, and studies conducted or planned  
3 to achieve the identified goals and objectives of the  
4 San Francisco Bay Plan.”.

