

113TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Federal Water Pollution Control Act to estab-
lish 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. 123. 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) ANNUAL PRIORITY LIST.—

23 “(1) IN GENERAL.—After providing public no-
24 tice, the Administrator shall annually compile a pri-
25 ority list identifying and prioritizing the activities,

1 projects, and studies intended to be funded with the
2 amounts made available under subsection (c).

3 “(2) INCLUSIONS.—The annual priority list
4 compiled under paragraph (1) shall include—

5 “(A) activities, projects, or studies, includ-
6 ing restoration projects and habitat improve-
7 ment for fish, waterfowl, and wildlife, that ad-
8 vance the goals and objectives of the approved
9 comprehensive plan;

10 “(B) information on the activities, projects,
11 programs, or studies specified under subpara-
12 graph (A), including a description of—

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

15 “(ii) the communities to be served;
16 and

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

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

24 “(A) the Estuary Partnership;

1 “(B) the State of California and affected
2 local governments in the San Francisco Bay es-
3 tuary watershed; and

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

8 “(c) GRANT PROGRAM.—

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

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

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

1 “(B) NON-FEDERAL SHARE.—The non-
2 Federal share of the total cost of any eligible
3 activities that are carried out using amounts
4 provided under this section shall be—

5 “(i) not less than 25 percent; and

6 “(ii) provided from non-Federal
7 sources.

8 “(d) FUNDING.—

9 “(1) AUTHORIZATION OF APPROPRIATIONS.—
10 There is authorized to be appropriated to the Ad-
11 ministrator to carry out this section \$5,000,000 for
12 each of fiscal years 2013 through 2017.

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

18 “(3) RELATIONSHIP TO OTHER FUNDING.—
19 Nothing in this section limits the eligibility of the
20 Estuary Partnership to receive funding under sec-
21 tion 320(g).

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