

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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**TO:** Commissioners and Alternates  
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**SUBJECT:** **Staff Report and Recommendation on Pending Legislation**  
(For Commission consideration on May 20, 2010)

## Summary and Recommendations

The staff recommends that the Commission support H.R. 5061 (attached) introduced by Congresswoman Jackie Speier, which would establish a funding program for the San Francisco Bay to help restore, enhance, and protect the Bay and its wetlands and wildlife habitats.

## Staff Report

**Background.** Congresswoman Jackie Speier has introduced H.R. 5061, the *San Francisco Bay Improvement Act of 2010*, which would authorize up to \$100 million annually for ten years to fund projects, programs and studies that implement the San Francisco Estuary Partnership's Comprehensive Conservation and Management Plan (CCMP). Cosponsors include Representatives Anna Eshoo, John Garamendi, Michael Honda, Barbara Lee, Zoe Lofgren, Jerry McNerney, George Miller, Pete Stark, Mike Thompson, and Lynn Woolsey.

The San Francisco Estuary Partnership (SFEP) implements the National Estuary Program for San Francisco Bay, established in 1987 under section 320 of the federal Water Pollution Control Act. The SFEP is comprised of local, state and federal stakeholders who worked together to prepare the CCMP for the Bay in 1993 and who updated the CCMP more recently in 2007. The Commission staff helped prepare and revise the CCMP.

The CCMP is a roadmap for restoring the physical, chemical and biological health of the San Francisco Bay through more than 200 implementation actions in the areas of: aquatic resources; wildlife; wetlands management; water use; pollution prevention and reduction; dredging and waterway modification; land use management; public involvement and education; climate change; and research and monitoring.

The CCMP includes a conservative total cost estimate of \$4.5 billion for implementation of its priority recommendations. Federal funds have helped prepare the CCMP and run the SFEP, and stand alone project grants have been provided, such as the Estuary 2100 Grant that funded the Commission's Corte Madera sea level rise study. However, there is not an over-arching, programmatic source of ongoing funding for projects to implement the CCMP, such as exists for the Chesapeake Bay.



Making San Francisco Bay Better

H.R. 5061 could provide substantial resources to help implement the CCMP through partnerships, interagency coordination, and project grants. Congresswoman Speier believes that funds are particularly needed to achieve identified improvement goals for:

- Invasive species prevention and management
- Reduction of trash and other pollution in waterways
- Wetlands protection and restoration
- Stormwater management, including urban stream restoration, low impact development, and green infrastructure promotion
- Water quality through implementation of total maximum daily loads, national pollutant discharge elimination system permits, watershed plans, and upgrading aging infrastructure
- Predicting, mitigating and adapting to climate change impacts on water quality

To implement the funding program, a San Francisco Bay office would be established in the Region 9 office of the United States Environmental Protection Agency (USEPA). A San Francisco Bay Program Advisory Committee would be established to provide advice to the USEPA Administrator on implementing the identified goals and objectives of the CCMP, with representation from appropriate federal and state departments and agencies, and the director and steering committee of the SFEP. The Commission's Executive Director currently sits on the SFEP steering committee.

Annual appropriations would be needed by Congress to provide the authorized funding. The President would be obligated to provide, as part of the annual budget submission to Congress, information on federal expenditures for the protection and restoration of San Francisco Bay.

H.R. 5061 would provide funding for projects to restore, improve and support the Bay's wetlands, endangered species and other critical habitats. This would further the Commission's goal of improving and restoring the Bay. Further, it could provide funds needed for assessing and adapting to climate change impacts on the Bay. For these reasons, the staff recommends that the Commission support H.R. 5061.