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**Legislative Advocacy  
Committee Members:**

George Riley, Chair  
Karen Paull  
Safwat Malek

**Alternate:**

Alvin Edwards

**Staff Contact**

Dave Stoldt,  
General Manager

Joel G. Pablo

*After staff reports have  
been distributed, if  
additional documents are  
produced by the District  
and provided to the  
Committee regarding any  
item on the agenda they  
will be made available on  
the District's website prior  
to the meeting.  
Documents distributed at  
the meeting will be made  
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and posted to the  
District's website within  
five days following the  
meeting.*

**Agenda  
Legislative Advocacy Committee  
of the Monterey Peninsula Water Management District**

\*\*\*\*\*

Tuesday, December 7, 2021 at 2:00 PM

As a precaution to protect public health and safety, and pursuant to provisions of AB 361, this meeting will be conducted via Zoom Video/Teleconference only.

Join the meeting at this link:

<https://us06web.zoom.us/j/89936955744?pwd=YmhPRTN6cDlhS3BYbGZNU296NUxOUT09>

Or paste the link into your browser, or join at zoom.us

Webinar ID: 899 3695 5744

Meeting password: 12072021

Participate by phone: (669) 900-9128

**For detailed instructions on connecting to the Zoom meeting  
see page 2 of this agenda.**

**Call to Order / Roll Call**

**Comments from Public**

*The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.*

**Action Items -- Public comment will be received on all Action Items**

1. Consider Adoption of May 25, 2021 Committee Meeting Minutes

**Discussion Items -- Public comment will be received on all Discussion Items**

2. Report from JEA & Associates on Legislative Status and Bill Tracking
3. Report from the Ferguson Group on Federal Legislative and Regulatory Activities
4. Report from General Manager on Recent or Upcoming Legislative Actions (Verbal Report)
5. Suggest Items to be Placed on Future Agendas

**Other Items**

6. Suggest Items to Place on a Future Committee Agenda

**Adjournment**

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please send a description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 pm on Friday, December 3, 2021. Requests should be forwarded to [joel@mpwmd.net](mailto:joel@mpwmd.net). Alternatively, you may reach Sara Reyes, Sr. Office Specialist at [sara@mpwmd.net](mailto:sara@mpwmd.net) or (831) 658-5610.

### Instructions for Connecting to the Zoom Meeting

Note: If you have not used Zoom previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

**Begin:** Within 10 minutes of the meeting start time from your computer click on this link: <https://us06web.zoom.us/j/89936955744?pwd=YmhPRtN6cDlhS3BYbGZNU296NUxOUT09> or paste the link into your browser.

#### DETERMINE WHICH DEVICE YOU WILL BE USING (PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

##### USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on "Join a Meeting"
4. Where it says "Meeting ID", type in the Meeting ID# above and click "Join Meeting"
5. Your computer will begin downloading the Zoom application. Once downloaded, click "Run" and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

##### COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click "Test Speaker and Microphone".
2. The client will first ask "Do you hear a ringtone?" • If no, please select "Join Audio by Phone".  
• If yes, proceed with the next question:
3. The client will then ask "Speak and pause, do you hear a replay?" • If no, please select "Join Audio by Phone"  
• If yes, please proceed by clicking "Join with Computer Audio"

##### PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click "Phone Call"
2. Dial one of the numbers listed below using a phone. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.
5. You are now connected to the meeting.

#### **USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE**

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).
2. Once download is complete, open the Zoom app.
3. Tap "Join a Meeting"
4. Enter the Meeting ID number
5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
6. Tap "Join Meeting"
7. Tap "Join Audio" on the bottom left hand corner of your device
8. You may select either ONE of two options: "Call via Device Audio" or "Dial in"

#### **DIAL IN**

1. If you select "Dial in", you will be prompted to select a toll-free number to call into.
2. You may select any of the numbers listed below:

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
4. Do not hang up the call, and return to the Zoom app
5. You are now connected to the meeting.

#### **Present Public Comment**

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes.

- (a) Computer Audio Connection: Select the "raised hand" icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the "raised hand" icon. When you are called on to speak, please identify yourself.
- (c) Phone audio connection only: Press \*9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press \*9 to end the call.

#### **Submit Written Comments**

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to [comments@mpwmd.net](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Tuesday, December 7, 2021. Comments submitted by noon will be provided to the committee members and compiled as part of the record of the meeting.

## **LEGISLATIVE ADVOCACY COMMITTEE**

### **ITEM: ACTION ITEM**

#### **1. ADOPT MINUTES OF MAY 25, 2021 COMMITTEE MEETING**

**Meeting Date:** December 7, 2021

**From:** David J. Stoldt,  
General Manager

**Prepared By:** Joel G. Pablo

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**SUMMARY:** Attached as **Exhibit 1-A** are draft minutes of the May 25, 2021 Legislative Advocacy committee meeting.

**RECOMMENDATION:** The Committee should review the draft minutes and approve them by motion.

### **EXHIBIT**

**1-A** Draft Minutes of the May 25, 2021 Committee Meeting



## **EXHIBIT 1-A**

### **DRAFT MINUTES Legislative Advocacy Committee of the Monterey Peninsula Water Management District Tuesday, May 25, 2021**

#### **Call to Order**

The meeting was called to order at 4:00 pm by Chair Riley. *This was a virtual meeting conducted via Zoom.*

#### **Committee members present:**

George Riley, Chair  
Karen Paull  
Safwat Malek

#### **Committee members absent:**

None

#### **Staff members present:**

David J. Stoldt, General Manager  
Joel G. Pablo, Board Clerk

#### **District Counsel present:**

David Laredo with De Lay and  
Laredo

#### **Legislative Consultant:**

John Arriaga, JEA & Associates  
Laurie Johnson, JEA & Associates  
Roger Gwinn, The Ferguson Group  
Chris Kearney, The Ferguson Group  
Stephanie Missert, The Ferguson Group  
Rebecca Bliss, The Ferguson Group

#### **Comments from the Public:**

No comments

#### **Action Items**

##### **1. Consider Adoption of February 22, 2021 Committee Meeting Minutes**

A motion was made by Paull and second by Riley to approve the committee meeting minutes of February 22, 2021. The motion passes on a vote of 2-Ayes (Paull and Riley), 0-Noes, 1-Abstain and 0-Absent.

#### **Discussion Items**

##### **2. Report from JEA and Associates on Legislative Status and Bill Tracking**

David J. Stoldt, General Manager provided introductory remarks. An updated informational memorandum and updated legislative track was received by the District from JEA & Associates. *A copy of both materials is on file at the District office and can be viewed on the District website.*

Laurie Johnson with JEA and Associates provided a verbal progress report and overview of her memorandum touching upon AB 1500 (E. Garcia) and SB 45 (Portantino) sister-bills covering wildlife prevention, drought preparation/prevention and safe drinking water, the Governor's May

budget revision and an overview of the Governor's water package. She informed the committee of a letter sent to the State Budget Committees supporting the inclusion of a \$510 million in funding for the Integrated Regional Water Management (IRWM). John Arriaga provided an update to the committee on the District's Condition II/Housing Issue. Arriaga informed the committee that he is working with Senator Laird's office and CA Department of Housing and Community Development in moving forward and finding a solution on the matter. Laurie further added and informed the committee that the District will have an upcoming meeting with Josh Rosa, Deputy Director with the CA Department of Housing and Community Development to allow for potential movement and direction on Condition II/Housing Issue.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Assembly Bills (AB):

Support	AB 125 (Rivas); AB 252 (Rivas); AB 315 (Stone); AB 361 (Rivas); AB 1500 (Garcia)
Drop	AB 100 (Holden); AB 271 (Rivas); AB 304 (Quirk); AB 339 (Lee); AB 350 (Villapudua); AB 585 (Rivas); AB 621 (Rivas); AB 703 (Rubio); AB 747 (Mathis); AB 712 (Calderon); AB 781 (Daly); AB 821 (Cooper); AB 878 (Dahle); AB 885 (Quirk); AB 1001 (Garcia); AB 1037 (Grayson); AB 1408 (Petrie-Norris); AB 1553 (McDonnell)
Follow	AB 67 (Petrie-Norris); AB 303 (Rivas); AB 336 (Villapudua); AB 377 (Rivas); AB 473 (Chau); AB 754 (Mathis); AB 850 (Gallagher); AB 1058 (Garcia); AB 1164 (Flora); AB 1250 (Calderon)
Oppose and Revisit	AB 819 (Levine)
AB 1434 (Friedman)	Allowed Staff and JEA and Associates to send in coalition letters.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Senate Bills (SB):

Support	SB 45 (Portantino); SB 323 (Caballero); SB 427 (Eggman)
Drop	SB 1 (Atkins); SB 222 (Dodd); SB 223 (Dodd); SB 627 (Bates)
Follow	SB 83 (Allen); SB 273 (Hertzberg); SB 274 (Wieckowski); SB 351 (Caballero); SB 463 (Dahle); SB 520 (Wilk); SB 526 (Min); SB 552 (Hertzberg); SB 708 (Melendez)
Oppose	SB 403 (Gonzalez)

### **3. Report from the Ferguson Group on Federal Legislative and Regulatory Activities**

Roger Gwinn with the Ferguson Group provided introductory remarks and provided an overview of the Federal Governments FY 2022 Appropriations Process; Chris Kearney provided a verbal progress report on the federal infrastructure package and Stephanie Missert provided a verbal report on the American Rescue Plan noting that monies as a result of the COVID-19 pandemic are being allocated to the Federal, State and Local Level. Missert mentioned Special Districts can receive and request monies from either the State or Local Level as a sub-recipient.

David J. Stoldt, Rebecca Bliss and Roger Gwinn reviewed and provided their recommendations on the Federal Tracker.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following House of Representative (HR) Bills:

Support	HR 535; HR 1015; HR 1563
Follow	HR 616; HR 737; HR 866; HR 1848; HR 1915; HR 2241; HR 3023
Drop	HR 895; HR 1162; HR 1660; HR 2008; HR 2173

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Senate Bills (SB):

Support	SB 91
Follow	SB 29; SB 914; SB 1057
Drop	SB 209; SB 487

**4. Report from General Manager on Recent or Upcoming Legislative Actions**

David J. Stoldt, General Manager provided an overview of letters sent and attached as Exhibit 4-A showing recent actions and letters sent by the District.

**5. Suggest Items to be Placed on Future Agendas**

*None*

**Other Items**

**6. Discuss and Set End of Year Meeting Date (Oct / Nov / Dec 2021)**

Committee Members, District Staff and Consultants agreed to move the meeting time to an earlier time frame and directed the Board Clerk to find an available date that will work for all in the first two weeks of December 2021.

**Adjournment:** Chair Riley adjourned the meeting at 6 p.m.

## **LEGISLATIVE ADVOCACY COMMITTEE**

### **ITEM: DISCUSSION ITEM**

#### **2. REPORT FROM JEA & ASSOCIATES ON LEGISLATIVE STATUS AND BILL TRACKING**

**Meeting Date:** December 7, 2021                      **Budgeted:** N/A

**From:** David J. Stoldt,                      **Program/** N/A  
General Manager                      **Line Item No.:**

**Prepared By:** David J. Stoldt                      **Cost Estimate:** N/A

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**SUMMARY:** JEA & Associates will provide an update on activities related to California legislation and regulatory activities, as described in **Exhibit 2-A**, JEA's 2021 End of the Year Report.

#### **EXHIBIT**

**2-A** JEA Associates 2021 End of the Year Report



## **EXHIBIT 2-A**

# **MONTEREY WATER MANAGEMENT DISTRICT**

## **2021 END OF THE YEAR REPORT**

**PREPARED BY JEA & ASSOCIATES**

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### **Brief Overview**

This Legislative Session was much more “business-as-usual” in comparison to last year – especially when operating with a \$100 billion surplus. The Administration and Legislature prioritized vast amounts of funding into education, homelessness/housing, climate resiliency and broadband to narrow the state’s digital divide. The following further details MPWMD’s prioritized issue areas:

**Climate Resiliency** – In lieu of a traditional water/climate resiliency bond (AB 1500 & SB 45), the Administration and Legislature opted to fund a smaller package in the form of SB 129 (Committee on Budget). This package totals \$2.4 billion in GF funding for wastewater, water recycling, sustainable groundwater management, urban/small community drought relief, water conveyance, dams and more. These funds are primarily being administrated by Department of Water Resources (DWR) and the State Water Resource Control Board (SWRCB) into existing funding streams, however, the eligibility and funding requirements for SB 129 dollars are still being promulgated in the regulatory process.

**Housing** - Governor Gavin Newsom signed a suite of bills - 25 to be exact - to boost housing production across California, complementing the Governor’s \$22 billion housing affordability and homelessness package and ongoing work by the state to spur more housing production, tackle barriers to construction and “hold local governments accountable.” Taken together, the actions represent a comprehensive housing vision and the state’s commitment to create more affordable housing, faster and cheaper. According to the Administration, the funding will lead to the creation of over 84,000 new affordable homes for Californians, including over 44,000 new housing units and treatment beds for people exiting homelessness. Of the 25 bills the Governor signed, the most controversial, especially for local governments was SB 9 (Atkins) which allows one to build up to four units on a single-family zoned property with little roadblocks on the local level. We anticipate some legal challenges to this law at the local level when it goes in effect on January 1st.

### **MPWMD 2021 Policy Issues –**

The following are bills that MPWMD took a position on and advocated on throughout the year:

**AB 252 (Rivas)** - Would establish the Multibenefit Land Repurposing Program, for purposes of assisting groundwater sustainability agencies in critically overdrafted basins achieve their groundwater sustainability goal by providing grants to public and private entities for projects and programs that reduce groundwater use by converting irrigated agricultural land to new uses that both reduce groundwater demand or use and provide some other measurable benefits to the environment or broader community. **SUPPORT**

Status: Inactive File

**AB 315 (Stone)** - This bill provides indemnity and limited liability protections for property owners who voluntarily permit a government-funded streambed restoration project to take place on their property. **SUPPORT**

Status: Signed by Governor

**AB 361 (Rivas)** - Would, until January 1, 2024, authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided. **SUPPORT**

Status: Signed by Governor

**AB 1500 (E. Garcia)** - Climate and water funded in the budget – SB 129. **SUPPORT**

**SB 45 (Portantino)** - Climate and water funded in the budget – SB 129. **SUPPORT**

**SB 323 (Caballero)** - Establishes a 120-day statute of limitations on judicial challenges to water and sewer rates. **SUPPORT**

Status: Status: Signed by Governor

**SB 427 (Eggman)** - Would authorize the legislative body of a local agency, as defined, that provides water service to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified. The bill would require the local agency to adopt an ordinance that sets forth the administrative procedures governing the imposition, enforcement, collection, and administrative review of the administrative fines or

penalties for water theft and to establish a process for granting a hardship waiver to reduce the amount of the fine, as specified. **SUPPORT**

Status: Signed by the Governor

The following are policy/budget issues that MPWMD advocated on:

### **Climate Resiliency/Water Bond –**

Since 2019, JEA & Associates has been working with ACWA and other stakeholders on putting together a viable water bond. We were successful in adding significant funding for water recycling projects, as well as groundwater sustainability. The two primary vehicles were AB 1500 (E. Garcia) and SB 45 (Portantino) – which MPWMD supported both bills. In mid-April, it was circulating that the State wanted to fund a climate resiliency/water infrastructure budget trailer through the General Fund and not a bond to go to the voters. The rationale was that the State was in a position to fund it itself with a \$100 billion+ surplus, and more importantly, the immediacy in which these projects need to get underway. MPWMD sent a support letter to Leadership and both Budget Committees supporting the inclusion of \$510 million in statewide funding for Integrated Regional Water Management (IRWM) regions in the final drought relief and resiliency package. MPWMD also requested that funding be allocated to IRWM Funding Areas based on hydrologic regions as defined by the California Water Plan, consistent with the previously approved Proposition 1 Water Bond. In addition to robust IRWM funding, the letter encourages consideration of funding for other important water resources priorities, such as water quality improvement, water recycling, desalting, dam safety rehabilitation, regional water system interconnectivity, groundwater sustainability and stormwater management.

In August, the Governor signed SB 129 (Committee on Budget), a \$2+ billion appropriation for water/climate infrastructure projects like multi-benefit, wastewater, conveyance and water recycling. JEA & Associates is working with MPWMD on monitoring and detailing grant requirements for identified funding streams.

While this is notable progress, water advocates and many legislators still want additional funding for water projects and will be looking at the State's \$31 billion surplus, as well as still putting a bond on the November 2022 ballot.

### **Condition II –**

Since last year, JEA & Associates has been working with MPWMD on mitigating the Condition II issue in regards to housing requirement with various state agencies. In 2021, we have had discussions with SB 330's author's office, Senate Housing Committee, SWRCB staff, several calls with staff and deputies at the CA Department of Housing and Community Developments and with

Senator Laird and his staff. Currently, MPWMD is drafting a letter on behalf of the Senator inquiring on the status of MPWMD's appeal and the issue itself. As we know, this will be an ongoing issue that we will be working on in 2022.

## **Outlook for 2022 –**

This upcoming year, we will be pursuing an aggressive legislative platform that we began laying the groundwork in previous years, as well as being responsive to arising vital statewide issues. The following are policy/budget issues that have been prioritized by MPWMD, as well as global issues of direct impact:

**Funding** – As mentioned above, JEA & Associates is working with MPWMD on grant funding from SB 129 and that we anticipate additional funding, not only from the federal government but from the state in either/both a budget appropriation and water bond. We will continue to monitor any developments closely and participate in ACWA's weekly advocacy calls and water bond coalition meetings.

**Climate Resiliency/Water Bond** – Although the Legislature appropriated \$2.4 billion for climate resiliency and water infrastructure late in session, we foresee that this, as well as disaster preparedness/wildfire will remain on the forefront with the Newsom Administration and the Legislature. Additionally, California expects to receive \$45.5 billion from the Biden infrastructure package, and according to sources, about \$4 billion will go to water infrastructure. Lastly, with a possible \$31 billion surplus, the state will continue to make this a huge priority.

**Housing** – Several key housing bills in 2021 failed to pass and we anticipate that they will resurface in 2022. Despite the Governor signing over 25 housing bills, this issue will be ongoing in this state for many years to come. Furthermore, this may play a vital role, as housing and water intersect in terms of priority with regards to Condition II.

**Elections** – The Governor, as well as many lawmakers will be up for reelection, some in new legislative districts. The election will most likely impact the Legislature's legislative agenda but given the Governor's large margin of victory in the recall election, it's difficult to anticipate how his reelection campaign may impact his priorities in 2022. We foresee new Leadership on the Assembly side, as Speaker Rendon will be termed out in November 2022. Like always, we anticipate a number of ballot initiatives in 2022. As of date, only one has qualified for the November election and that is a challenge to the recent law prohibiting flavored tobacco sales in California. Others eligible include a tax on single-use plastic products, adjustments to medical malpractice awards and legalizing sports betting.

## LEGISLATIVE ADVOCACY COMMITTEE

### ITEM: DISCUSSION ITEM

#### 3. REPORT FROM THE FERGUSON GROUP ON FEDERAL LEGISLATIVE AND REGULATORY ACTIVITIES

**Meeting Date:** December 7, 2021                      **Budgeted:** N/A

**From:** David J. Stoldt,  
General Manager                      **Program/** N/A  
**Line Item No.:**

**Prepared By:** David J. Stoldt                      **Cost Estimate:** N/A

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**SUMMARY:** The Ferguson Group will provide an update on activities related to federal legislation and regulatory activities.

On November 5, the House passed H.R. 3684 – the Infrastructure Investment and Jobs Act (IIJA) – by a vote of 228-205, with 13 House Republicans voting in favor and six Democrats voting against. The House passed the exact version of the bill the Senate passed on August 10, sending the legislation to President Joe Biden to be signed into law. The legislation was formally presented to President Biden on November 8 and will be signed into law during the week of November 15, 2021. Summaries are attached as **Exhibit 3-A** and **Exhibit 3-B**.

After weeks of negotiations, on Friday, November 19, the House passed the \$1.85 trillion Build Back Better (BBB) Act (H.R. 5376), by a vote of 220-213, with Rep. Jared Golden (D-ME) being the lone Democrat voting against the measure. A summary of the BBB Act is attached as **Exhibit 3-C**.

Here are the top-level highlights and the current state of play as the legislation moves forward in the Senate.

Following the release of the full CBO score for the bill, moderate Democrats upheld a promise to vote for the \$1.85 trillion dollar package, which is centered on President Biden’s social and climate agenda. This legislation includes:

- \$555 billion to fight climate change, including \$320 billion in the form of tax credits for companies and consumers who install solar panels, improve the energy efficiency of buildings, and purchase electric vehicles
- \$400 billion for universal pre-K for all children ages three and four
- \$200 billion for child tax credits, extending the credit through 2022 at the current \$3,000—\$3,600 level
- \$165 billion in healthcare spending, reducing health care premiums under the Affordable Care Act and expanding Medicare coverage
- \$150 billion each to expand affordable home care and for affordable housing

The Senate will continue working on its version of the bill. Major points of contention remain, including: the State and Local Tax (SALT) deduction, paid family and medical leave, drug pricing, and provisions on immigration. The major players to watch during the negotiations are Sens. Joe Manchin (D-WV), Kyrsten Sinema (D-AZ), and Bernie Sanders (I-VT), all of whom have taken aim at various provisions they want added or removed from the House-passed version of the bill. Senate Majority Leader Chuck Schumer (D-NY) has set a Christmas goal for passage of the BBB Act.

Aside from differences between Senate Democrats yet to be settled, the Senate also needs to act on the must-pass FY 2022 National Defense Authorization Act, raising the debt limit, and passing another short-term Continuing Resolution (CR) to avoid a government shutdown. These actions, all taking place in the month of December, will consume much of the Senate's attention, possibly pushing action on the BBB Act to January 2022.

## **EXHIBITS**

- 3-A** Excerpts of the Infrastructure Investment and Jobs Act (IIJA)
- 3-B** Overview of Water-Related Sections of the IIJA
- 3-C** Overview of the Build Back Better Act
- 3-D** Federal Legislative Tracker





*Special Report*

# Infrastructure Investment and Jobs Act

Published: August 16, 2021

Updated: November 10, 2021



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# Introduction

After several months of negotiations among a bipartisan group of 22 senators, led by Senators Kyrsten Sinema (D-AZ) and Rob Portman (R-OH), the text of the *Infrastructure Investment and Jobs Act* (IIJA) was publicly released on the evening of Sunday, August 1. The mammoth \$1.2 trillion legislation includes a complete five-year, \$383.4 billion surface transportation reauthorization bill, and **an additional \$559 billion in new funding** for roads and bridges, road safety, railways, airports, public transit, electric vehicle infrastructure, ports and waterways, the electric grid, broadband, water infrastructure, school modernization, resiliency and western water storage, and environmental remediation.<sup>1</sup> On August 7, the White House issued a [Statement of Administration Policy](#) declaring the Biden Administration's support for Senate passage of the bill.

On August 10, the Senate passed the IIJA ([H.R. 3684](#)) by a vote of [69-30](#). [Nineteen Senate Republicans](#) joined the 50-member Senate Democratic Caucus in voting for the bill, including Senate Minority Leader Mitch McConnell (R-KY). Over the course of seven days, the Senate [considered](#) 23 amendments, adopting 13 and rejecting ten. According to the Congressional Budget Office (CBO), the legislation would add an estimated \$256 billion to projected deficits over the 2021—2031 period. However, the CBO said that it did not estimate how any macroeconomic effects of the legislation would influence the federal budget and Senators Sinema and Portman issued a [statement](#) insisting that there are actually \$519 billion in offsets.

**November 10, 2021 Update:** On November 5, the House passed H.R. 3684 by a vote of [228-205](#), with 13 House Republicans voting in favor and six Democrats voting against. The House passed the exact version of the bill the Senate passed on August 10, sending the legislation to President Joe Biden to be signed into law. The legislation was formally presented to President Biden on November 8 and will be signed into law during the week of November 15, 2021.

This TFG Special Report provides a section-by-section summary of the soon-to-be enacted Infrastructure Investment and Jobs Act. While not every single section is covered in the Report, the provisions of most importance to TFG clients are included. The 13 approved amendments to the bill by the Senate are mentioned throughout the Report at the relevant Division/Title section. Additionally, it is important to note that many sections of the legislation simply authorize Congress to appropriate funding for FYs 2022—2026 for new and/or existing programs, while other sections (namely Division J, “Infrastructure Investments and Jobs Appropriations Act”) provide upfront supplemental appropriations for FYs 2022—2026 for many of the new and/or existing programs in the bill, over and above the regular funding provided to the programs in Congress's annual spending bills.

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<sup>1</sup> \$559 billion is *new* infrastructure spending. (See Division J.) The remaining \$650 billion is *existing spending* from trust funds, like the Highway Trust Fund, with dedicated funding that is automatically raised, such as through the gas tax, and automatically allocated toward pre-existing programs. These trust funds operate on an ongoing basis and would continue with or without the IIJA.

## Title IX – Western Water Infrastructure

**Sec. 40901. Authorizations of appropriations.** Allocates of \$8.3 billion in funding for the Bureau of Reclamation (BOR) as follows:

- \$1.15 billion for surface and groundwater storage, and conveyance projects in accordance with Sec. 40902, including \$100 million for small surface and groundwater storage projects established in Sec. 40903.
- \$3.2 billion for the Aging Infrastructure Account including certain allocations for projects as outlined in section 40904.
- \$1 billion for Water Recycling including \$450 million for the new authorized large water recycling project grant program established in Sec. 40905.
- \$250 million for desalination projects.
- \$1 billion for authorized Rural Water Projects.
- \$500 million for the BOR Safety of Dams program.
- \$300 million for Colorado River Drought Contingency Plan implementation as outlined in Sec. 40906.
- \$250 million for the Aquatic Ecosystem Restoration Program.
- \$400 million for WaterSMART, including \$100 million for natural infrastructure projects.
- \$100 million for the Cooperative Watershed Management program.
- \$100 million for Watershed enhancement projects pursuant to Sec. 40907.
- \$50 million Colorado River Endangered Species Recovery and Conservation Programs.

**Sec. 40902. Water storage, groundwater storage, and conveyance projects.** Allocates \$1.15 billion for storage, groundwater storage, and conveyance projects and establishes eligible projects for the funds. Eligibility includes projects that have received funding from the WIIN Act, with the exception of the Shasta Dam Raise and Temperance Flat project, along with the Verde Reservoirs Sediment Mitigation Project in Arizona and the Tualatin River Basin Project in Oregon.

**Sec. 40903. Small water storage and groundwater storage projects.** Establishes a new program structured on the Title XVI water reuse program that provides 25% grants for small surface and groundwater storage projects between 2,000 and 30,000 acre-feet.

**Sec. 40904. Critical maintenance and repair.** Authorizes projects that have had a critical failure within the last 2 years to enactment of this Act or certain Carey Act Projects to access a portion of \$3.2 billion appropriated into the BOR Aging Infrastructure Account and makes those funds non-reimbursable.

**Sec. 40905. Competitive grant program for large-scale water recycling and reuse program.** Establishes a new competitive grant program for large water recycling projects that are over \$500 million, providing grants up to 25% of the project cost without a total dollar cap.

**Sec. 40906. Drought contingency plan funding requirements.** Provides \$250 million for the Lower Colorado River Basin and \$50 million for the Upper Colorado River Basin to implement their Drought Contingency Plans. Funding for the Yuma Desalting Plant is prohibited.

**Sec. 40907. Multi-benefit projects to improve watershed health.** Establishes a new competitive grant program for “habitat restoration projects that improve watershed health in a river basin that is adversely impacted by a Bureau of Reclamation water project.”

**Sec. 40908. Eligible desalination projects.** Makes technical correction to Water Desalination Act.

**Sec. 40909. Clarification of authority to use coronavirus fiscal recovery funds to meet a non-Federal matching requirement for authorized Bureau of Reclamation water projects.** Authorizes COVID relief funds to be used by certain projects to meet non-Federal matching requirements.

**Sec. 40910. Federal assistance for groundwater recharge, aquifer storage, and water source substitution projects.** Authorizes the Bureau of Reclamation, at the request of a states, water users or tribes, to provide technical or financial assistance for aquifer recharge projects.

## Title X – Authorization of Appropriations for Energy Act of 2020

**Sec. 41001-41008.** Directs funds to certain research, development, and demonstration programs authorized by the Energy Act of 2020 as follows:

- \$355 and \$150 million, respectively, for two programs related to energy storage demonstration and other projects.
- \$3.2 billion for advanced nuclear reactor demonstration projects.
- \$665 million for several critical mineral and rare earth element programs at DOE.
- \$937 million for large-scale carbon capture and sequestration pilot projects and over \$2 billion for carbon capture demonstration projects.
- \$115 million for precommercial (\$15M) and commercial (\$100M) direct air capture technology prizes at DOE.
- \$106 million for hydropower and marine energy projects.
- \$84 million, \$100 million, and \$80 million, respectively, for DOE to do research and development for geothermal, wind, and solar energy.
- \$250 million for demonstration projects that reduce industrial emissions.

## Title XI – Wage Rate Requirements

**Sec. 41101. Wage rate requirements.** Applies Davis-Bacon prevailing wage requirements on projects funded by this Division (i.e., Energy).

## Title XII – Miscellaneous

**Sec. 41201. Office of clean energy demonstrations.** Directs federal agencies to create a program focused on implementing the funding provided in this division and authorizes the hiring of personnel to perform the duties.

**Sec. 41202. Extension of Secure Rural Schools and Community Self-determination Act of 2000.**

Extends the Secure Rural Schools program for three years.

## Division E – Drinking Water and Wastewater Infrastructure

### Title I – Drinking Water

**Sec. 50101. Technical assistance and grants for emergencies affecting public water systems.**

Authorizes funding for EPA’s technical assistance and grants for emergencies affecting public water systems at \$35 million annually for FYs 2022 through FY 2026.

**Sec. 50102. Drinking water state revolving loan funds.** Authorizes increased funding for the Drinking Water State Revolving Loan Fund Program at \$2.4 billion for FY 2022, \$2.75 billion for FY 2023, \$3 billion for FY 2024, and \$3.25 billion each for FY 2025 and FY 2026. (The program is funded at \$1.126 billion in FY 2021.) Requires that at least 12 percent of funds be used to subsidize loans (in the form of grants, forgiveness of principal, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt) to disadvantaged communities, increased from 6 percent under current law, if there are enough applications for loans to those communities. This section permanently extends a requirement, set to expire in FY 2023, that projects funded through the Drinking Water State Revolving Loan Fund use only U.S. produced iron and steel.

**Sec. 50103. Source water petition program.** Amends the Source Water Petition Program to allow states to designate a county to act on behalf of an unincorporated area in the petition, should the unincorporated area choose to enter such a partnership, solely for the purpose of pursuing a source water petition for a specific matter. This program would be authorized through FY 2026 at the current funding level of \$5 million annually.

**Sec. 50104. Assistance for small and disadvantaged communities.** Authorizes funding for the Assistance for Small and Disadvantaged Communities Program at \$70 million for FY 2022, \$80 million for FY 2023, \$100 million for FY 2024, \$120 million for FY 2025, and \$140 million for FY 2026. Makes amendments to the program to allow funds to be used to purchase filters that remove contaminants of concern from public drinking water systems and for providing information regarding proper filtration use and maintenance. This section also changes the required non-federal cost match for the grant from 45 percent to 10 percent and allows that 10 percent to be waived at the discretion of the EPA if it is determined the eligible entity is unable to pay. Also creates a program to facilitate grants to link households to public water infrastructure. Authorizes the program at \$20 million annually from FY 2022 through FY 2026.

**Sec. 50105. Reducing lead in drinking water.** Amends EPA’s Lead Reduction Projects Grant Program and increases the authorization to \$100 million annually through FY 2026. Also creates a \$10 million Lead Inventorying Utilization Grant Pilot Program to provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

**Sec. 50106. Operational sustainability of small public water systems.** Creates an Operational Sustainability Program for small public water systems. The program will help improve the ability of these systems to respond to water infrastructure failures through asset management of drinking water systems, pumps, wells, valves, treatment systems, and other pertinent activities. These activities would include, but are not limited to, identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures. It would also allow for the deployment of strategies, techniques, and technologies to enhance operational sustainability and effective use of water resources through water reuse. This program would have a waivable non-federal share of 10 percent and would be authorized at \$50 million for each FY 2022 through 2026.

**Sec. 50107. Midsize and large drinking water system infrastructure resilience and sustainability program.** Creates a Drinking Water System Infrastructure Resilience and Sustainability Program at \$50 million for each FY 2022 through FY 2026. Stipulates a 90 percent federal cost share for aid to small, rural, and disadvantaged communities. The program will assist midsize and large drinking water systems with increasing their resilience to natural hazards, cybersecurity vulnerabilities, and extreme weather events. Funds would be used to promote water conservation, enhance water efficiency, create desalination facilities, relocate, or renovate existing vulnerable water systems, enhance water supply, and implement measures to increase resiliency to natural hazards, cybersecurity vulnerabilities, or extreme weather events, including extreme weather events that are a result of climate change. Funds can be used for planning, design, construction, implementation, and operation and maintenance. Fifty percent will be used to provide grants to entities that serve a population equal to or greater than 10,000 and fewer than 100,000. The other 50 percent will be used to provide grants to entities that serve a population equal to or greater than 100,000.

**Sec. 50108. Needs assessment for nationwide rural and urban low-income community water assistance.** Requires EPA to study the prevalence of low-income households in the United States that spend a disproportionate amount of household income on public drinking water services to meet household needs.

**Sec. 50109. Rural and low-income water assistance pilot program.** Establishes a pilot program to address water affordability. The pilot program will award grants to eligible entities to develop and implement programs to assist low-income households with needs in maintaining access to affordable and reliable drinking water and wastewater treatment.

**Sec. 50110. Lead contamination in school drinking water.** Amends the existing Voluntary School and Childcare Lead Testing Grant Program to make public water systems and eligible nonprofit organizations that service schools and childcare locations eligible grant recipients. Authorizes funding for the program at \$30 million for FY 2022; \$35 million for FY 2023; \$40 million for FY 2024; \$45 million for FY 2025; and \$50 million for FY 2026.

**Sec. 50111. Indian reservation drinking water program.** Authorizes \$50 million for each FY 2022 through 2026 for the Indian Reservation Drinking Water Program. Funds are provided at 100 percent federal cost share. The program funds projects that connect, expand, or repair existing public water systems on Indian reservations in the Upper Missouri River Basin, Upper Rio Grande Basin, Columbia River Basin, Lower Colorado River Basin, and Arkansas White-Red River Basin.

**Sec. 50112. Advanced drinking water technologies.** Requires EPA to carry out a study to examine the state of existing and emerging technologies that could address cybersecurity vulnerabilities, or enhance or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water and wastewater provided by public water systems. Also creates a grant program for public water systems that

serve a population of 100,000 or fewer people or disadvantaged communities. The grant program is designed to identify and/or deploy drinking water infrastructure technology that is new or emerging, but proven to enhance the treatment, monitoring, affordability, efficiency, and safety of the drinking water provided. There is a waivable 10 percent non-federal share, and a single grant cannot exceed \$500,000. This program is authorized at \$10 million for each FY 2022 through 2026.

**Approved Amendment by the Senate to Section 50112:**

- **Amendment #2131**, introduced by Sen. Tom Carper (D-DE) and agreed to by voice vote on August 8: amends section 50112 by striking the definition of “underserved community” under the “Advanced Drinking Water Technology Grant Program.” The definition for the term “underserved community” was originally defined as “a political subdivision of a State that, as determined by the [EPA] Administrator, has an inadequate system for obtaining drinking water.”

**Sec. 50113. Cybersecurity support for public water systems.** Requires EPA to work with the Director of the Cybersecurity and Infrastructure Security Agency to produce a prioritization framework within 180 days of passage of the Act that identifies public water systems that, if degraded or rendered inoperable due to an incident, would lead to significant impacts on the health and safety of the public.

## Title II – Clean Water

**Sec. 50202. Wastewater efficiency grant pilot program.** Creates an EPA pilot program to assist with 15 projects by publicly owned treatment works to create or improve waste-to-energy systems. Grants may be awarded for sludge collection systems, anaerobic digesters, methane capture or transfer, and other emerging technologies that transform waste to energy. The maximum grant award is \$4 million. Authorizes the program at \$20 million for each FY 2022 through 2026.

**Sec. 50203. Pilot program for alternative water source projects.** Reauthorizes an existing grant program for alternative water source projects. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Alternative water source projects include those projects that provide alternative sources of water through conserving, managing, reclaiming, or reusing water, stormwater, or wastewater. Authorized at \$25 million for each of FY 2022 through 2026.

**Sec. 50204. Sewer overflow and stormwater reuse municipal grants.** Authorizes funding for the Sewer Overflow and Stormwater Reuse Municipal Grants Program at \$280 million annually for FY 2022 through FY 2026, placing a particular emphasis on projects in rural and financially distressed communities. Also includes a waivable non-federal share of 10 percent for projects in rural or financially distressed areas.

**Sec. 50205. Clean water infrastructure resilience and sustainability program.** Creates a Clean Water Infrastructure Resiliency and Sustainability Program to provide grants for protecting water systems from weather events and cybersecurity risks. Establishes two non-federal cost shares: a 10 percent non-federal cost share for small or disadvantaged communities and a non-federal cost share of 25 percent for all other communities. Authorizes the program at \$25 million annually for FY 2022 through FY 2026.

**Sec. 50206. Small and medium publicly owned treatment works circuit rider program.** Creates a circuit rider program that awards grants to provide on-site technical assistance to owners and operators of small and medium publicly owned treatment works. Requires nonprofits that receive funding under this

section to consult with the state in which the assistance is to be expended or otherwise made available before carrying out its planned activities. Authorizes the program at \$10 million for each FY 2022 through 2026.

**Sec. 50207. Small publicly owned treatment works efficiency grant program.** Creates an efficiency grant program for small publicly owned treatment works to support water and energy efficiency in disadvantaged communities, as well as those in rural areas with a population of less than 10,000. Requires that not less than 15 percent of funds made available under the program be used for grants to publicly owned treatment works that serve fewer than 3,300 people. Owners or operators of small publicly owned treatment works and nonprofit organizations that seek to assist small publicly owned treatment works are eligible to receive funding under this program.

**Sec. 50208. Grants for construction and refurbishing of individual household decentralized wastewater systems for individuals with low or moderate income.** Creates a grant program that allows nonprofit organizations to receive funds for the construction, repair, or replacement of decentralized wastewater systems for low- or moderate-income households, or groups of such households. The program gives priority to households that do not have access to sanitary sewer disposal systems. Authorizes the program at \$50 million for each FY 2022 through 2026.

**Sec. 50209. Connection to publicly owned treatment works.** Creates a grant program that allows EPA to provide grants to publicly owned treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system. Authorizes the program at \$40 million for each FY 2022 through 2026.

**Sec. 50210. Clean water state revolving funds.** Authorizes funding for the Clean Water State Revolving Loan Funds Program at \$2.4 billion for FY 2022, \$2.75 billion for FY 2023, \$3 billion for FY 2024, and \$3.25 billion each for FY 2025 and FY 2026. (The program is funded at \$1.639 billion in FY 2021.) The bill requires, to the extent there are sufficient applications, a minimum of 10 percent of a state's CWSRF to be used for grants, negative interest loans, and loan forgiveness, or to buy, refinance or restructure debt for disadvantaged communities as determined by the state. The amount for additional subsidies may not exceed 30 percent.

**Sec. 50211. Water infrastructure and workforce investment.** Reauthorizes the Innovative Water Infrastructure Workforce Development Program at \$5 million annually for FY 2022 through FY 2026. Also creates a federal interagency working group to report to Congress on boosting the water and wastewater utility workforce. The group will be comprised of members from EPA, the Department of Education, the Department of Labor, the Department of Agriculture, the Department of Veterans Affairs, and other appropriate federal agencies.

**Sec. 50213. Water data sharing pilot program.** Creates a water data sharing pilot program aimed at ensuring the coordination of data and information regarding water quality and needs between state and local governments. Authorizes the program at \$15 million annually for FY 2022 through FY 2026.

**Sec. 50214. Final rating opinion letters.** Changes the Water Infrastructure Financing and Innovation Act (WIFIA) requirement that mandates each WIFIA project applicant must provide two final agency rating opinion letters. Under this section, project applicants will only need to provide one final agency rating opinion letter, like the requirements of other federal loan programs, prior to final acceptance and financing of the project.

**Sec. 50215. Water infrastructure financing reauthorization.** Reauthorizes WIFIA at \$50 million annually for FY 2022 through FY 2026. (WIFIA is currently funded at \$65 million in FY 2021.) The bill requires EPA to



develop and begin implementation of an outreach plan to promote WIFIA assistance to small communities and rural communities.

**Sec. 50216. Small and disadvantaged community analysis.** Requires EPA to do an analysis of the historical distribution of funds to low-income, rural, and minority communities, as well as communities of indigenous peoples, under Safe Drinking Water Act (SDWA) and Clean Water Act (CWA) programs. EPA is also required to analyze new opportunities and methods to improve the distribution of funds under these programs to those same communities, and must include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services. EPA must submit a report to Congress upon completion of the analysis describing the results of the analysis and the criteria used by the Administrator in carrying out the analysis.

**Sec. 50217. Stormwater infrastructure technology.** Creates a program that provides grants to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies. Eligible entities include states, tribal governments, local governments, and public entities that manage stormwater or wastewater resources or related infrastructure. Planning and implementation grants will be provided through the program. Priority will be given to communities with combined storm and sanitary sewer systems and small, rural, or disadvantaged communities. Authorizes the program at \$10 million for each FY 2022 through 2026 at a 20 percent non-federal cost share. Also creates a grant program to assist research institutions, nonprofits, and institutions of higher education with research on new and emerging stormwater control technology. The goal of the program is to improve the effectiveness, cost efficiencies, and protections of public safety and water quality in their operations. The eligible research includes stormwater and sewer overflow reduction, project enhancement, and other infrastructure. Authorizes \$5 million for each FY 2022 through 2026 to establish Centers of Excellence for stormwater control infrastructure and create a public website to share the results of the research.

**Sec. 50218. Water reuse interagency working group.** Instructs EPA to establish a Water Reuse Interagency Working Group to develop and coordinate actions, tools, and resources to advance water reuse. Directs the working group to implement EPA's February 2020 National Water Reuse Action Plan, which creates opportunities for water reuse in the mission areas of each of the federal agencies. Every two years, EPA must publish a report on the activities and findings of this Working Group. The Working Group will sunset in six years unless the Administrator chooses to extend it.

**Sec. 50219. Advanced Clean Water Technology Study.** Directs EPA to carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity threats, or that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of wastewater services provided by a treatment works. EPA must submit a report on the study to Congress.

**Sec. 50220. Clean watersheds needs survey.** Requires EPA to conduct and complete an assessment of wastewater system capital improvement needs of all treatment works in the United States that are eligible for assistance from state water pollution control revolving funds established under the CWA. The report must be completed not later than 18 months after the date of enactment of this Act, and not less frequently than once every four years thereafter. This section would authorize \$5 million, to remain available until expended, to carry out the initial needs survey.

**Sec. 50222. Enhanced aquifer use and recharge.** Requires EPA to provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers. Requires that



not less than 50 percent of any funding made available to provide one grant to a state, unit of local government, or Indian tribe to carry out activities that would directly support that research. The remainder of the funding shall be provided to one research center, which shall establish a formal research relationship for the purpose of coordinating efforts under this program. Authorized at \$5 million for each FY 2022 through 2026.



TO: TFG Clients

DATE: November 12, 2021

## Summary of Water and Natural Resource Provisions in the Bipartisan Infrastructure Investment and Jobs Act of 2021

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Congress passed [H.R. 3684, the bipartisan Infrastructure Investment and Jobs Act](#) on November 5, 2021. President Biden is set to sign the legislation into law on November 15. This memo summarizes the provisions in the Act dealing with water and natural resource infrastructure programs for local and state governments and tribes.

### Waterways and Ports

#### Investigations

**\$150 million for Army Corps of Engineers (Corps)** for investigations program over five years. Not later than 60 days after the date of enactment of this Act, the Chief of Engineers shall submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds identified for fiscal year 2022. Within that same timeframe, the Chief of Engineers shall also provide a briefing to the House and Senate Committees on Appropriations on an implementation plan, including a schedule for solicitation of projects and expenditure of funds, for the funding provided for fiscal year 2023.

#### Construction

**\$11.615 billion for Corps** infrastructure priorities for construction projects over five years to help address the huge backlog of authorized projects that have yet to receive funding. Included under Corps construction are specific funding set-asides for Navigation, Inland Waterways, Aquatic Ecosystem Restoration, Environmental Infrastructure, Continuing Authorities Program, Flood Control, Shore Protection, and Remote and Subsistence Harbor Projects. \$200 million of the total amount shall be for water-related environmental infrastructure assistance. \$115 million of the total amount shall be used under the aquatic ecosystem restoration program under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) to restore fish and wildlife passage by removing in-stream barriers and provide technical assistance to non-Federal interests carrying out such activities, at full Federal expense and notwithstanding the individual project cost limitation set forth in that section. \$1.9 billion of the total shall be for aquatic ecosystem restoration projects, of which not less than \$1 billion shall be for multi-purpose projects or multi-purpose programs that include aquatic

ecosystem restoration as a purpose. Not later than 60 days after the date of enactment of this Act, the Chief of Engineers shall submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds provided under this heading in this Act for each fiscal year, including a list of project locations and new construction projects selected to be initiated. The bill directs the \$2.5 billion for inland waterway appropriations to give priority to projects in the Corps' Capital Investment Strategy and adds a general provision that projects in the Corps' appropriation should not be limited by cost-benefit analysis when determining benefits to disadvantaged communities.

## Operations and Maintenance

**\$4 billion for Corps Operations and Maintenance**, which would be spent over a three-year period, and includes funding for dredging Federal navigation projects and repairing damages to Corps Projects caused by natural disasters. In addition, there is \$808 million for Corps Mississippi Rivers and Tributaries (MR&T) Projects and includes funding to address emergencies for Corps projects caused by natural disasters. Also, there is \$160 million for Corps Regulatory program; \$251 million for flood control and coastal emergencies; and \$40 million for expenses.

## Water Infrastructure Finance and Innovation Program (WIFIA)

**\$75 million for "Water Infrastructure Finance and Innovation Program (WIFIA) Account"** to remain available until expended: with \$64,000,000 for the cost of direct loans and for the cost of guaranteed loans, for safety projects to maintain, upgrade, and repair dams identified in the National Inventory of Dams with a primary owner type of state, local government, public utility, or private; \$11 million for administrative expenses.

For projects that are carried out with these funds, the Secretary of the Army and the Director of the Office of Management and Budget shall consider other factors in addition to the benefit-cost ratio when determining the economic benefits of projects that benefit disadvantaged communities.

## Western Water and Drought Resiliency

### Aging Infrastructure

**\$3.2 billion over five years for the Aging Infrastructure Account.** The Aging Infrastructure Account was created in the 2020 Consolidated Appropriations bill. Its function is to provide funds and funding assistance to the Bureau of Reclamation for direct loans to finance the non-federal share of costs of certain major, nonrecurring maintenance of Reclamation-owned water infrastructure at water projects across the West that need major upgrades or replacement. As those facilities, most of which are more than 50 years old, continue to age, the issue of storing and delivering water effectively, efficiently, and in a timely manner only increases. Long term low interest loans would be provided under the authority provided by P.L. 111-11.

(A) \$100 million shall be made available for Bureau of Reclamation reserved or transferred works that have suffered a critical failure, in accordance with section 40904(a). This section authorizes nonreimbursable funding from Reclamation for projects where construction of the reserved or transferred work began on or before January 1, 1915; and a unit of the reserved or transferred work suffered a critical failure in Bureau of Reclamation infrastructure during the 2-year period ending on the date of enactment of the Act that resulted in the failure to deliver water to project beneficiaries; and

(B) \$100 million shall be made available for the rehabilitation, reconstruction, or replacement of a dam in accordance with section 40904(b). This section authorizes nonreimbursable funding from Reclamation for a dam the construction of which began on or after January 1, 1905; that was developed pursuant to section 4 of the “Carey Act”; that the Governor of the State in which the dam is located has determined the dam has reached its useful life, determined the dam poses significant health and safety concerns, and has requested Federal support; and for which the estimated rehabilitation, reconstruction, or replacement, engineering, and permitting costs would exceed \$50,000,000.

## WIIN Act Storage

**\$1.15 billion for WIIN Act Storage.** \$1.05B for water storage, groundwater storage, and conveyance projects in accordance with section 40902, of which \$100M shall be made available to provide grants to plan and construct small surface water and groundwater storage projects in accordance with section 40903.

Section 40903 authorizes the Secretary to establish a competitive grant program. The non-Federal project sponsor of any project must be in a Reclamation State, including the State of Alaska or Hawaii, determined by the Secretary to be feasible. The non-Federal sponsor is eligible to apply for 25% grant for the planning, design, and construction of a small storage project between 2,000 and 30,000AF in size, with the maximum grant set at \$30 million per project.

## Rural Water

**\$1 billion for rural water projects** that have been authorized by an Act of Congress before July 1, 2021, in accordance with the Reclamation Rural Water Supply Act of 2006.

## Water Recycling and Reuse

**\$1 billion for water recycling and reuse projects**, of which—

(a) \$550M shall be made available for water recycling and reuse projects authorized in accordance with the Reclamation Wastewater and Groundwater Study and Facilities Act that are authorized or approved for construction funding by an Act of Congress before the date of enactment of this Act; or selected for funding under the competitive grant program authorized pursuant to section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act, with funding to be provided in accordance with that section, notwithstanding section 4013 of the Water Infrastructure Improvements for the Nation (WIIN) Act, except that section 1602(g)(2) of the Reclamation Wastewater and Groundwater Study and Facilities Act shall not apply to amounts made available under this subparagraph; and

(b) \$450M shall be made available for largescale non-federal water recycling and reuse projects in accordance with section 40905 (authorizes a 25% grant (no cap) for Western water recycling and reuse projects where the total costs to plan, design and construct exceed \$500 million).

## Water Desalination

**\$250 million for water desalination projects and studies** authorized in accordance with the Water Desalination Act of 1996 that are— (A) authorized or approved for construction funding by an Act of Congress before July 1, 2021; or (B) selected for funding under the Water Desalination Act of 1996.

## Dam Safety

**\$500 million for the Reclamation Safety of Dams (SOD) Program**, in accordance with the Reclamation Safety of Dams Act of 1978. The Reclamation SOD program provides for Reclamation owned dam rehabilitation projects with a 15% reimbursable component taken over all project purposes.

## WaterSMART Grants

**\$400 million for WaterSMART grants** in accordance with section 9504 of the Omnibus Public Land Management Act of 2009 (50-50 cost shared grant), of which \$100M shall be made available for projects that would improve the condition of a natural feature or nature-based feature (50-75% cost shared grants, as those terms are defined in section 9502 of the Omnibus Public Land Management Act of 2009).

## Drought Contingency Planning

**\$300 million over 5 years for Drought Contingency Plan Funding.** The Drought Contingency Plan (DCP) was agreed between the 7 states of the Upper and Lower Colorado Basins, and approved by Congress, to prepare for increasingly harsh drought conditions. This section provides \$50 million to the Upper Basin and \$250 million to the Lower Basin to implement the DCP and for drought contingency operations, such as Federal water contributions and monitoring at Lake Powell and Lake Mead.

## Watershed Management

**\$100 million for watershed management** projects to provide financial assistance in accordance with subtitle A of title VI of the Omnibus Public Land Management Act of 2009 (established the Cooperative Watershed Management Program where diverse stakeholder groups in a watershed are eligible for grants (50%-100% federal share) to form and/or carry out projects to restore or enhance watershed function).

## Aquatic Ecosystem Restoration

**\$250 million for design, study, and construction of aquatic ecosystem** restoration and protection projects in accordance with section 1109 of division FF of the Consolidated Appropriations Act, 2021 (which authorized the Secretary of the Interior to negotiate and enter into an agreement on behalf of the United States to fund up to 65% of the design, study, and construction of an aquatic ecosystem restoration and protection project in a Reclamation State if the Secretary determines that the project is likely to improve the health of fisheries, wildlife or aquatic habitat, including through habitat restoration and improved fish passage via the removal or bypass of barriers to fish passage, with limitations).

## Multi-Benefit Projects

**\$100 million for multi-benefit projects** to improve watershed health in accordance with section 40907 (which authorizes and directs the Secretary of the Interior, in consultation with the heads of relevant agencies, to establish a competitive grant program (50% - 75% federal share) for grants to eligible applicants for the design, implementation, and monitoring of conservation outcomes of habitat restoration projects that improve watershed health in a river basin that is adversely impacted by a Bureau of Reclamation water project).

## Endangered Species Recovery

**\$50 million for endangered species** recovery and conservation programs in the Colorado River Basin.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall submit to the House and Senate Committees on Appropriations a detailed spend plan, including a list of project locations of the preceding proviso, to be funded for fiscal year 2022; and beginning not later than 120 days after the enactment of this Act, the Secretary of the Interior shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of the funds provided under this heading in this Act.

## Fish and Wildlife Restoration

### Fish Passage

**\$1 billion to the Secretary of Transportation** to establish an annual competitive grant program to award grants (up to 80% federal share) to eligible entities (states/local governments/tribes) for projects for the replacement, removal, and repair of culverts or weirs that — “(1) would meaningfully improve or restore fish passage for anadromous fish; and “(2) with respect to weirs, may include — “(A) infrastructure to facilitate fish passage around or over the weir; and “(B) weir improvements. The legislation also authorizes an additional \$800 million annually for the program for each of FYs 2022 — 2026.

**\$10 million to the USFWS and NOAA Fisheries** for the removal of non-hydropower Federal dams and for providing dam removal technical assistance in support of listed ESA species.

**\$200 million to the Secretary of the Interior** to be used for restoring fish and wildlife passage by removing in-stream barriers and providing technical assistance under the National Fish Passage Program.

**\$400 million to the Secretary of Commerce (NOAA)** to be used for restoring fish passage by removing in-stream barriers and providing technical assistance pursuant to section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a), of which up to 15 percent shall be reserved for Indian Tribes or partnerships of Indian Tribes in conjunction with an institution of higher education, non-profit, commercial (for profit) organizations, U.S. territories, and state or local governments, and of which the remaining amount shall be for all eligible entities, including Indian Tribes and such partnerships of Indian Tribes

### Ecosystem and Habitat Restoration

**\$255 million to the Secretary of the Interior** to be used for regional ecosystem restoration purposes, including \$162 million for Klamath Basin restoration activities; \$17 million for Lake Tahoe restoration; and \$50 million for the sagebrush steppe ecosystem.

**\$491 million to the Secretary of Commerce (NOAA)** to be used for contracts, grants, and cooperative agreements to provide funding and technical assistance for purposes of restoring marine, estuarine, coastal, or Great Lakes ecosystem habitat, or constructing or protecting ecological features that protect coastal communities from flooding or coastal storms.

**\$492 million to the Secretary of Commerce (NOAA)** to be used for coastal and inland flood and inundation mapping and forecasting, and next-generation water modeling activities, including modernized precipitation frequency and probable maximum studies.

**\$77 million to the Secretary of Commerce (NOAA)** for habitat restoration projects through the National Estuarine Research Reserve System (16 U.S.C. 1456c), including ecosystem conservation pursuant to section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456–1).

**\$172 million to the Secretary of Commerce (NOAA)** for Pacific Coastal Salmon Recovery.

## Forest Restoration and Ecosystem Health

**\$2.130 billion authorization (not appropriated in the Act – to be spent from future operating funds) for forest ecosystem restoration projects** on federal, tribal and non-federal lands to the Secretary of the Interior and the Secretary of Agriculture, acting through the Chief of the Forest Service, for described activities, including water quality and fish passage, for the period of fiscal years 2022 through 2026.

**\$250 million to the Secretary of Agriculture to restore passages for fish** and other aquatic species by improving, repairing, or replacing culverts and other infrastructure; and removing barriers, as the Secretary determines appropriate, from the passages; and to remove unauthorized roads and trails in the National Forest System (USFS Legacy Road and Trail Remediation Program), for the period of fiscal years 2022 through 2026.

## Watershed Resiliency

**\$618 million over five years for USDA NRCS Watershed Programs.** Provides \$500 million for Watershed and Flood Prevention Operations (WFPO) and \$118 million for Watershed Rehabilitation Programs. Both programs are critically important to Western and Midwestern states being hit by drought. WFPO helps units of federal, state, local, and tribal governments protect and restore watersheds up to 250,000 acres. This program provides for cooperation between the Federal government and the states and their political subdivisions to work together to prevent erosion; floodwater and sediment damage; to further the conservation development, use and disposal of water; and to further the conservation and proper use of land in authorized watersheds. The Watershed Rehabilitation Program helps project sponsors rehabilitate aging dams that are reaching the end of their design lives. This rehabilitation addresses critical public health and safety concerns.

**\$300 million to USDA NRCS for “Emergency Watershed Protection Program”** to repair damages to the waterways and watersheds resulting from natural disasters.

## Tribal Programs

**\$216 million over five years for Tribal Climate Resilience.** Provides \$216 million for tribal climate resilience, adaptation, and community relocation planning, design, and implementation of projects that address the varying climate challenges facing tribal communities across the country. Of that, \$130 million is for community relocation and \$86 million is for climate resilience and adaptation projects.

**\$250 million for construction, repair, improvement, and maintenance** of irrigation and power systems, safety of dams, water sanitation, and other facilities.

## Drinking Water Programs

**\$17.343 billion** to the EPA in appropriations for Drinking Water State Revolving Fund (SRF) capitalization grants for fiscal years 2022 through 2026. Authorizes an additional **\$14.65 billion** for the Drinking Water SRF over FYs 2022—2026. Additional authorities are provided for further subsidizations from the SRF.

**\$15 billion** to the EPA in appropriations for Drinking Water SRF capitalization grants to replace lead service lines, with 49% of the funding distributed by the states as forgivable loans or grants for fiscal years 2022 through 2026.

**\$4 billion** to the EPA in appropriations for Drinking Water SRF capitalization grants to address per- and polyfluoroalkyl substances (PFAS) for fiscal years 2022 through 2026. **\$5 billion** to the EPA in appropriations under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a) to address PFAS for fiscal years 2022 through 2026.

**\$175 million** to the EPA for technical assistance and grants for emergencies affecting public water systems for fiscal years 2022 through 2026.

**\$510 million** to the EPA in funding for the Assistance for Small and Disadvantaged Communities Program for fiscal years 2022 through 2026.

**\$500 million** to the EPA for the Lead Reduction Projects Grant Program for fiscal years 2022 through 2026. There is an additional **\$10 million** authorized, until expended, for a Lead Inventorying Utilization Grant Pilot Program to provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

**\$250 million** to the EPA for the Drinking Water System Infrastructure Resilience and Sustainability Program for fiscal years 2022 through 2026. Stipulates a 90 percent federal cost share for aid to small, rural, and disadvantaged communities.

**\$250 million** to the EPA for the Indian Reservation Drinking Water Program for fiscal years 2022 through 2026.

**\$50 million** to the EPA for an Advanced Drinking Water Technologies grant program for fiscal years 2022 through 2026. The program is for public water systems that serve a population of 100,000 or fewer people or disadvantaged communities. The grant program is designed to identify and/or deploy drinking water infrastructure technology that is new or emerging, but proven to enhance the treatment, monitoring, affordability, efficiency, and safety of the drinking water provided.

## Clean Water Programs

**\$19.908 billion** to the EPA in appropriations for Clean Water SRF capitalization grants for fiscal years 2022 through 2026. Authorizes an additional **\$14.65 billion** for the Clean Water SRF over FYs 2022—2026. Additional authorities are provided for further subsidizations from the SRF.



**\$1 billion** to the EPA in appropriations for Clean Water SRF capitalization grants to address per- and polyfluoroalkyl substances (PFAS) for fiscal years 2022 through 2026.

**\$100 million** to the EPA for the Wastewater Efficiency Grant Program for fiscal years 2022 through 2026. The program provides funding to publicly owned treatment works to create or improve waste-to-energy systems. Grants may be awarded for sludge collection systems, anaerobic digesters, methane capture or transfer, and other emerging technologies that transform waste to energy.

**\$125 million** to the EPA for the Pilot Program for Alternative Water Source Projects for fiscal years 2022 through 2026. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Alternative water source projects include those projects that provide alternative sources of water through conserving, managing, reclaiming, or reusing water, stormwater, or wastewater.

**\$1.4 billion** to the EPA for the Sewer Overflow and Stormwater Reuse Municipal Grants Program for fiscal years 2022 through 2026, placing a particular emphasis on projects in rural and financially distressed communities. The federal cost share for rural or financially distressed communities would be no less than 90 percent. The bill also expands eligible projects to include “notification systems to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters.”

**\$125 million** to the EPA for the Clean Water Infrastructure Resiliency and Sustainability Program to provide grants for protecting water systems from weather events and cybersecurity risks for fiscal years 2022 through 2026.

**\$50 million** to the EPA for the Small and Medium Publicly Owned Treatment Works Circuit Rider Program for fiscal years 2022 through 2026. The program awards grants to provide on-site technical assistance to owners and operators of small and medium publicly owned treatment works.

**\$250 million** to the EPA for a grant program that allows nonprofit organizations to receive funds for the construction, repair, or replacement of decentralized wastewater systems for low- or moderate-income households, or groups of such households for fiscal years 2022 through 2026.

**\$200 million** to the EPA for a program to provide grants to publicly owned treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system for fiscal years 2022 through 2026.

**\$25 million** to the EPA for the Innovative Water Infrastructure Workforce Development Program for fiscal years 2022 through 2026.

**\$75 million** to the EPA for a water data sharing pilot program aimed at ensuring the coordination of data and information regarding water quality and needs between state and local governments for fiscal years 2022 through 2026.

**\$250 million** to the EPA for WIFIA for fiscal years 2022 through 2026. Requires the EPA to develop and begin implementation of an outreach plan to promote WIFIA assistance to small communities and rural communities. The legislation also changes the WIFIA requirement that mandates each WIFIA project applicant must provide two final agency rating opinion letters. Under this section, project applicants will only need to provide one final agency rating opinion letter, like the requirements of other federal loan programs, prior to final acceptance and financing of the project.

**\$50 million** to the EPA for a Stormwater Infrastructure Technology program that provides grants to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies for fiscal years 2022 through 2026. Authorizes an additional **\$25 million** for FYs 2022—2026 to the EPA to establish Centers of Excellence for stormwater control infrastructure and create a public website to share the results of the research.

**\$25 million** to the EPA to conduct and complete an assessment of wastewater system capital improvement needs of all treatment works in the United States that are eligible for assistance from state water pollution control revolving funds established under the CWA for fiscal years 2022 through 2026.

**\$25 million** to the EPA to provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers for fiscal years 2022 through 2026.

Authorizes a new Small Publicly Owned Treatment Works Efficiency Grant Program at the EPA for small publicly owned treatment works to support water and energy efficiency in disadvantaged communities, as well as those in rural areas with a population of less than 10,000. The bill does not provide a specific authorized funding level for this program.



## The House Committee on Transportation & Infrastructure

Chairman Peter A. DeFazio  
Ranking Member Sam Graves

**The T&I Committee provisions in the Build Back Better Act include nearly \$40 billion in critical investments focused on supporting the U.S. effort to combat climate change and improve the resiliency of our infrastructure. Specifically, the bill includes:**

- \$10 billion to support access to affordable housing and enhance mobility for low-income individuals and residents of disadvantaged or persistent poverty communities.
- \$4 billion for reduction of carbon pollution in the surface transportation sector—addressing the largest source of transportation greenhouse gas emissions.
- \$4 billion to support neighborhood equity, safety, and affordable transportation access, including reconnecting communities divided by existing infrastructure barriers.
- \$10 billion for high-speed rail development and improvement.
- \$300 million to the Department of Transportation to support projects that develop, demonstrate, or apply low-emission technologies or produce, transport, blend, or store sustainable aviation fuels.
- \$150 million to the Federal Emergency Management Agency (FEMA) to help state and local governments implement the most recent consensus-based building codes and standards incorporating hazard resistant designs to ensure American communities are built to be as resilient as possible to more frequent and severe natural disasters.
- \$5.25 billion to the Economic Development Administration to provide investments in persistently distressed communities, provide assistance to energy and industrial transition communities, and to create economic growth clusters.
- \$500 million to the General Services Administration to invest in high-performance green buildings.
- \$650 million for climate resilient Coast Guard infrastructure.
- \$350 million for a Great Lake Icebreaker.
- \$600 million to the Maritime Administration to support more sustainable port infrastructure and supply chain resilience.
- \$2.125 billion to invest in water infrastructure including sewer overflow and stormwater reuse projects, including increased federal cost share for financially distressed communities and Tribes; wastewater infrastructure investment for the installation, repair, or replacement of domestic septic systems; and investments for alternative water source projects like groundwater recharge and potable reuse.



# MPWMD Legislative Tracker

Last Updated: November 18, 2021

## Overview

The following legislative tracker provides the status of legislation introduced in the 117th Congress pertaining to water issues. Each of the bill numbers is hyperlinked to the bill text, FiscalNote (FN) Outlook information and other related details.

The FN Outlook on the right side of each bill provides the legislation's pre-Floor (left) and Floor (right) likelihood of passing. The percentages shown are the status of the bill in the Chamber where it is currently under consideration (this is shown under 'Status'). The pre-Floor score is defined as the bill's likelihood of passing after it has been introduced but while it is being considered in that chamber's committees - before it has moved to the Floor for a vote.

## Bills of Interest (24)

Bill Number	Last Action	Status	FN Outlook
HR 535	Referred To The Committee On Oversight And Reform And In Addition To The Committee On Financial Services 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 2021 01 28	In House	7.8% 74.6%
<b>Title</b> Special Districts Provide Essential Services Act	<b>Bill Summary:</b> This bill would make special districts eligible for direct federal financial assistance in the future, along with state, county, and local governments that are also subject to the same oversight requirements. The legislation would also provide special districts access to the Federal Reserve's Municipal Liquidity Facility, which provides states, counties, and cities federally guaranteed bridge financing to offset unexpected short-term revenue shortfalls caused by the COVID-19 pandemic.		
<b>Primary Sponsors</b> John Garamendi	<b>Introduction Date:</b> 2021-01-28		
Bill Number	Last Action	Status	FN Outlook
HR 616	Referred To The Subcommittee On Environment And Climate Change 2021 02 02	In House	9.3% 82.2%
<b>Title</b> Emergency Water is a Human Right Act	<b>Bill Summary:</b> This bill prohibits water shutoffs during the COVID-19 emergency period, and provides drinking and waste water assistance to households.		
<b>Primary Sponsors</b> Rashida Tlaib	<b>Introduction Date:</b> 2021-01-28		

Bill Number

HR 737

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 02 23

Status

In House

FN Outlook

11.1%

81.0%

**Title**

RENEW WIIN Act

**Primary Sponsors**

David Valadao

**Bill Summary:** This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN Act) providing operational flexibility, drought relief, and other benefits to the State of California.

**Introduction Date:** 2021-02-02

Bill Number

HR 866

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 03 03

Status

In House

FN Outlook

7.8%

76.7%

**Title**

FISH Act

**Primary Sponsors**

Ken Calvert

**Bill Summary:** This bill amends the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters.

**Introduction Date:** 2021-02-05

Bill Number

HR 1015

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 03 15

Status

In House

FN Outlook

13.1%

71.2%

**Title**

Water Recycling Investment and Improvement Act

**Primary Sponsors**

Grace Napolitano

**Bill Summary:** This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.

**Introduction Date:** 2021-02-11

Bill Number

HR 1563

Last Action

Referred To The Committee On Natural Resources And In Addition To The Committee On Science Space And Technology 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 2021 03 03

Status

In House

FN Outlook

11.1%

67.3%

#### Title

To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

**Bill Summary:** This bill extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.

**Introduction Date:** 2021-03-03

#### Primary Sponsors

Mike Garcia

Bill Number

HR 1915

Last Action

Placed On The Union Calendar Calendar No 48 2021 06 22

Status

In House

FN Outlook

24.4%

81.5%

#### Title

Water Quality Protection and Job Creation Act of 2021

**Bill Summary:** This bill amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

**Introduction Date:** 2021-03-16

#### Primary Sponsors

Peter DeFazio

Bill Number

HR 1917

Last Action

Received In The Senate And Read Twice And Referred To The Committee On Homeland Security And Governmental Affairs 2021 11 15

Status

In Senate

FN Outlook

3.4%

77.2%

#### Title

Hazard Eligibility and Local Projects Act

**Bill Summary:** This bill makes an entity seeking assistance under a hazard mitigation assistance program eligible to receive such assistance for certain projects already in progress.

**Introduction Date:** 2021-03-16

#### Primary Sponsors

Lizzie Fletcher

Bill Number

HR 2241

Last Action

Referred To The Subcommittee On Conservation And Forestry 2021 06 15

Status

In House

FN Outlook

10.9%

78.5%

#### Title

Civilian Climate Corps Act of 2021

**Bill Summary:** This bill directs the Secretary of the Interior and the Secretary of Agriculture to establish a Civilian Climate Corps, and for other purposes. The legislation provides a multi-billion dollar fund to establish the 21st century civilian climate corps, in addition to funding wildfire mitigation and adaptation efforts and investing in the outdoor recreation economy.

**Introduction Date:** 2021-03-26

#### Primary Sponsors

Joe Neguse

Bill Number

HR 2979

Last Action

Referred To The Subcommittee On Health  
2021 05 05

Status

In House

FN Outlook

6.5%

70.1%

**Title**

To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

**Bill Summary:** This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

**Introduction Date:** 2021-05-04

**Primary Sponsors**

John Garamendi

Bill Number

HR 3023

Last Action

Sponsor Introductory Remarks On Measure Cr  
H 2345 2021 05 14

Status

In House

FN Outlook

5.4%

65.7%

**Title**

Restoring WIFIA Eligibility Act

**Bill Summary:** This bill amends the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.

**Introduction Date:** 2021-05-07

**Primary Sponsors**

Jim Costa

Bill Number

HR 3112

Last Action

Referred To The House Committee On Natural  
Resources 2021 05 11

Status

In House

FN Outlook

15.3%

76.2%

**Title**

Western Water Recycling and Drought Relief Act of 2021

**Bill Summary:** This bill authorizes the Department of the Interior to participate in the design, planning, and construction of specified recycled water system facilities in California.

**Introduction Date:** 2021-05-11

**Primary Sponsors**

Jerry McNerney

Bill Number

HR 3404

Last Action

Referred To The Subcommittee On Water  
Resources And Environment 2021 05 21

Status

In House

FN Outlook

10.9%

73.4%

**Title**

FUTURE Western Water Infrastructure and Drought Resiliency Act

**Bill Summary:** This bill includes major investments to provide drought preparedness and improve water supply reliability to the Nation. It also includes provisions for ecosystem restoration and protection, water job training and education, improved technology and data, and infrastructure development.

**Introduction Date:** 2021-05-20

**Primary Sponsors**

Jared Huffman

Bill Number	Last Action	Status
HR 3684	Became Public Law No 117 58 2021 11 15	Enacted
<hr/>		
<b>Title</b> Infrastructure Investment and Jobs Act	<b>Bill Summary:</b> The INVEST in America Act is a comprehensive surface transportation bill that would modernize roads, bridges, transit, rail and more. The legislation totals around \$1.2 trillion, with roughly \$550 billion constituting new federal spending. The legislation includes \$110 billion in new spending for roads and bridges; \$73 billion for power grid upgrades; \$66 billion for passenger and freight rail; \$65 billion for broadband expansion; \$55 billion for water infrastructure; \$50 billion for resiliency and western water storage; \$39 billion for public transit; \$25 billion for airports; \$17 billion for ports and waterways; \$15 billion for electric vehicles; \$11 billion for road safety; and \$1 billion for a new "Reconnecting Communities Pilot Program."	
<b>Primary Sponsors</b> Peter DeFazio	<b>Introduction Date:</b> 2021-06-04	

Bill Number	Last Action	Status	FN Outlook
HR 4018	Sponsor Introductory Remarks On Measure Cr H 3093 2021 06 24	In House	7.7% 68.4%
<hr/>			
<b>Title</b> NEED Water Act	<b>Bill Summary:</b> This bill provides emergency drought relief for the Central Valley. The legislation would protect water currently in the Central Valley Project system for human needs and reduce regulatory burdens in order to lessen the negative impacts of the drought on Central Valley residents. The bill would also extend the California provisions of the WIIN Act.		
<b>Primary Sponsors</b> David Valadao	<b>Introduction Date:</b> 2021-06-17		

Bill Number	Last Action	Status	FN Outlook
HR 4099	Subcommittee Hearings Held 2021 06 29	In House	9.2% 72.5%
<hr/>			
<b>Title</b> Large-Scale Water Recycling Project Investment Act	<b>Bill Summary:</b> This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects.		
<b>Primary Sponsors</b> Grace Napolitano	<b>Introduction Date:</b> 2021-06-23		



Bill Number

HR 4712

Last Action

Referred To The Subcommittee On Water  
Oceans And Wildlife 2021 08 09

Status

In House

FN Outlook

7.7%

66.5%

**Title**

Desalination Development Act

**Primary Sponsors**

Mike Levin

**Bill Summary:** This bill authorizes \$260 million over the next five years for desalination projects and creates new environmental safeguards for the funded projects. This bill directs the Bureau of Reclamation to submit project funding recommendations to Congress based on specific criteria, prioritizing projects that benefit drought-stricken communities. The legislation would also require projects to comply with all state environmental laws, maximize the use of renewable energy and energy efficiency, and reduce reliance on imported water supplies from imperiled ecosystems.

**Introduction Date:** 2021-07-27

Bill Number

S 29

Last Action

Read Twice And Referred To The Committee  
On Environment And Public Works 2021 01 22

Status

In Senate

FN Outlook

4.6%

54.9%

**Title**

Local Water Protection Act

**Primary Sponsors**

Amy Klobuchar

**Bill Summary:** This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.

**Introduction Date:** 2021-01-22

Bill Number

S 91

Last Action

Read Twice And Referred To The Committee  
On Finance 2021 01 28

Status

In Senate

FN Outlook

3.9%

57.6%

**Title**

Special Districts Provide Essential Services Act

**Primary Sponsors**

Kyrsten Sinema

**Bill Summary:** This bill would make special districts eligible for direct federal financial assistance in the future, along with state, county, and local governments that are also subject to the same oversight requirements. The legislation would also provide special districts access to the Federal Reserve's Municipal Liquidity Facility, which provides states, counties, and cities federally guaranteed bridge financing to offset unexpected short-term revenue shortfalls caused by the COVID-19 pandemic.

**Introduction Date:** 2021-01-28

Bill Number

S 914

Last Action

By Senator Carper From Committee On  
Environment And Public Works Filed Written  
Report Report No 117 20 2021 05 10

Status

In House

FN Outlook

84.0%

85.6%

**Title**

Drinking Water and Wastewater Infrastructure Act of 2021

**Primary Sponsors**

Tammy Duckworth

**Bill Summary:** This bill amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater.

**Introduction Date:** 2021-03-23

Bill Number

S 953

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 03 24

Status

In Senate

FN Outlook

2.2%

79.7%

**Title**

Water for Conservation and Farming Act

**Primary Sponsors**

Ron Wyden

**Bill Summary:** This bill establishes a funding source for certain water resources development projects in western states. The bill also reauthorizes and expands existing water resources development programs, as well as establishes new programs. Specifically, the bill establishes the Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). The bill also reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage projects in certain areas that drain into the Pacific Ocean). The bill also establishes new programs directed at western states to provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats, award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and prepare plans to sustain the survival of critically important fisheries during periods of drought.

**Introduction Date:** 2021-03-24

Bill Number

S 1057

Last Action

Read Twice And Referred To The Committee  
On Health Education Labor And Pensions 2021  
03 25

Status

In Senate

FN Outlook

2.3%

79.8%

**Title**

Civilian Climate Corps Act of 2021

**Primary Sponsors**

Chris Coons

**Bill Summary:** This bill directs the Secretary of the Interior and the Secretary of Agriculture to establish a Civilian Climate Corps, and for other purposes. This bill directs the Secretary of the Interior and the Secretary of Agriculture to establish a Civilian Climate Corps, and for other purposes. The legislation provides a multi-billion dollar fund to establish the 21st century civilian climate corps, in addition to funding wildfire mitigation and adaptation efforts and investing in the outdoor recreation economy.

**Introduction Date:** 2021-03-25

Bill Number

S 2185

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 06 23

Status

In Senate

FN Outlook

3.2%

60.4%

**Title**

Western Water Infrastructure Act of 2021

**Primary Sponsors**

John Barrasso

**Bill Summary:** This bill reauthorizes expiring programs for the Bureau of Reclamation (BOR) and authorizes funding to eliminate the BOR infrastructure maintenance backlog. The bill will also create a new program to restore water storage capacity at BOR and U.S. Army Corps of Engineers reservoirs by developing and implementing sediment management plans at the request of project beneficiaries.

**Introduction Date:** 2021-06-23

Bill Number

S 2334

Last Action

Read Twice And Referred To The Committee  
On Energy And Natural Resources 2021 07 13

Status

In Senate

FN Outlook

2.1%

76.0%

**Title**

Large Scale Water Recycling Project and Drought Resiliency  
Investment Act

**Primary Sponsors**

Catherine Cortez Masto

**Bill Summary:** This bill directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.

**Introduction Date:** 2021-07-13

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