

Union Calendar No. 354

114TH CONGRESS
2^D SESSION

H. R. 223

[Report No. 114-465]

To authorize the Great Lakes Restoration Initiative, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2015

Mr. JOYCE (for himself, Ms. SLAUGHTER, Mr. LEVIN, Mr. KELLY of Pennsylvania, Mr. HIGGINS, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. BENISHEK, Mr. COLLINS of New York, Mr. NOLAN, Ms. KAPTUR, Mr. REED, Mrs. WALORSKI, Mr. RYAN of Ohio, Mr. RENACCI, Ms. MOORE, Mrs. MILLER of Michigan, and Mr. THOMPSON of Pennsylvania) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MARCH 23, 2016

Additional sponsors: Mr. RIBBLE, Mr. CARTWRIGHT, Mr. DUFFY, Mr. BUCSHON, Mr. HUIZENGA of Michigan, Ms. FUDGE, Mr. VISCLOSKY, Mr. DOLD, Mr. KILDEE, Ms. DUCKWORTH, Mr. KATKO, Mr. QUIGLEY, Mr. WALZ, Ms. STEFANIK, Mr. HANNA, Mr. GIBSON, Mr. BISHOP of Michigan, Mrs. BEATTY, Mr. AMODEI, Mr. JOHNSON of Ohio, Mr. TROTT, Mr. ISRAEL, Mr. TONKO, Mr. ELLISON, Mr. TURNER, Mr. UPTON, Mr. WENSTRUP, Mr. GUTIÉRREZ, and Mr. STIVERS

MARCH 23, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 8, 2015]

A BILL

To authorize the Great Lakes Restoration Initiative, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Great Lakes Restoration*
5 *Initiative Act of 2016”.*

6 **SEC. 2. GREAT LAKES RESTORATION INITIATIVE.**

7 *Section 118(c)(7) of the Federal Water Pollution Con-*
8 *trol Act (33 U.S.C. 1268(c)(7)) is amended—*

9 *(1) by striking subparagraphs (B) and (C) and*
10 *inserting the following:*

11 *“(B) FOCUS AREAS.—In carrying out the*
12 *Initiative, the Administrator shall prioritize pro-*
13 *grams and projects, to be carried out in coordi-*
14 *nation with non-Federal partners, that address*
15 *the priority areas described in the Initiative Ac-*
16 *tion Plan, including—*

17 *“(i) the remediation of toxic substances*
18 *and areas of concern;*

19 *“(ii) the prevention and control of*
20 *invasive species and the impacts of invasive*
21 *species;*

22 *“(iii) the protection and restoration of*
23 *nearshore health and the prevention and*
24 *mitigation of nonpoint source pollution;*

1 “(iv) *habitat and wildlife protection*
2 *and restoration, including wetlands restora-*
3 *tion and preservation; and*

4 “(v) *accountability, monitoring, eval-*
5 *uation, communication, and partnership*
6 *activities.*

7 “(C) *PROJECTS.—*

8 “(i) *IN GENERAL.—In carrying out the*
9 *Initiative, the Administrator shall collabo-*
10 *rate with other Federal partners, including*
11 *the Great Lakes Interagency Task Force es-*
12 *tablished by Executive Order 13340 (69*
13 *Fed. Reg. 29043), to select the best combina-*
14 *tion of programs and projects for Great*
15 *Lakes protection and restoration using ap-*
16 *propriate principles and criteria, including*
17 *whether a program or project provides—*

18 “(I) *the ability to achieve stra-*
19 *tegic and measurable environmental*
20 *outcomes that implement the Initiative*
21 *Action Plan and the Great Lakes*
22 *Water Quality Agreement;*

23 “(II) *the feasibility of—*

24 “(aa) *prompt implementa-*
25 *tion;*

1 “(bb) *timely achievement of*
2 *results; and*

3 “(cc) *resource leveraging; and*

4 “(III) *the opportunity to improve*
5 *interagency, intergovernmental, and*
6 *inter-organizational coordination and*
7 *collaboration to reduce duplication and*
8 *streamline efforts.*

9 “(ii) *OUTREACH.—In selecting the best*
10 *combination of programs and projects for*
11 *Great Lakes protection and restoration*
12 *under clause (i), the Administrator shall*
13 *consult with the Great Lakes States and In-*
14 *Indian tribes and solicit input from other*
15 *non-Federal stakeholders.*

16 “(iii) *HARMFUL ALGAL BLOOM COOR-*
17 *DINATOR.—The Administrator shall des-*
18 *ignate a point person from an appropriate*
19 *Federal partner to coordinate, with Federal*
20 *partners and Great Lakes States, Indian*
21 *tribes, and other non-Federal stakeholders,*
22 *projects and activities under the Initiative*
23 *involving harmful algal blooms in the Great*
24 *Lakes.”;*

25 (2) *in subparagraph (D)—*

1 (A) by striking clause (i) and inserting the
2 following:

3 “(i) *IN GENERAL.*—Subject to subpara-
4 graph (J)(ii), funds made available to carry
5 out the Initiative shall be used to strategi-
6 cally implement—

7 “(I) Federal projects;

8 “(II) projects carried out in co-
9 ordination with States, Indian tribes,
10 municipalities, institutions of higher
11 education, and other organizations;
12 and

13 “(III) operations and activities of
14 the Program Office, including remedi-
15 ation of sediment contamination in
16 areas of concern.”;

17 (B) in clause (ii)(I), by striking “(G)(i)”
18 and inserting “(J)(i)”; and

19 (C) by inserting after clause (ii) the fol-
20 lowing:

21 “(iii) *AGREEMENTS WITH NON-FED-*
22 *ERAL ENTITIES.*—

23 “(I) *IN GENERAL.*—The Adminis-
24 trator, or the head of any other Federal
25 department or agency receiving funds

1 *under clause (ii)(I), may make a grant*
2 *to, or otherwise enter into an agree-*
3 *ment with, a qualified non-Federal en-*
4 *tity, as determined by the Adminis-*
5 *trator or the applicable head of the*
6 *other Federal department or agency re-*
7 *ceiving funds, for planning, research,*
8 *monitoring, outreach, or implementa-*
9 *tion of a project selected under sub-*
10 *paragraph (C), to support the Initia-*
11 *tive Action Plan or the Great Lakes*
12 *Water Quality Agreement.*

13 *“(II) QUALIFIED NON-FEDERAL*
14 *ENTITY.—For purposes of this clause, a*
15 *qualified non-Federal entity may in-*
16 *clude a governmental entity, nonprofit*
17 *organization, institution, or indi-*
18 *vidual.”; and*

19 *(3) by striking subparagraphs (E) through (G)*
20 *and inserting the following:*

21 *“(E) SCOPE.—*

22 *“(i) IN GENERAL.—Projects may be*
23 *carried out under the Initiative on multiple*
24 *levels, including—*

25 *“(I) locally;*

1 “(II) *Great Lakes-wide*; or

2 “(III) *Great Lakes basin-wide*.

3 “(ii) *LIMITATION.—No funds made*
4 *available to carry out the Initiative may be*
5 *used for any water infrastructure activity*
6 *(other than a green infrastructure project*
7 *that improves habitat and other ecosystem*
8 *functions in the Great Lakes) for which fi-*
9 *nanacial assistance is received—*

10 “(I) *from a State water pollution*
11 *control revolving fund established*
12 *under title VI;*

13 “(II) *from a State drinking water*
14 *revolving loan fund established under*
15 *section 1452 of the Safe Drinking*
16 *Water Act (42 U.S.C. 300j–12); or*

17 “(III) *pursuant to the Water In-*
18 *frastructure Finance and Innovation*
19 *Act of 2014 (33 U.S.C. 3901 et seq.).*

20 “(F) *ACTIVITIES BY OTHER FEDERAL AGEN-*
21 *CIES.—Each relevant Federal department or*
22 *agency shall, to the maximum extent prac-*
23 *ticable—*

24 “(i) *maintain the base level of funding*
25 *for the Great Lakes activities of that depart-*

1 *ment or agency without regard to funding*
2 *under the Initiative; and*

3 “(ii) *identify new activities and*
4 *projects to support the environmental goals*
5 *of the Initiative.*

6 “(G) *REVISION OF INITIATIVE ACTION*
7 *PLAN.—*

8 “(i) *IN GENERAL.—Not less often than*
9 *once every 5 years, the Administrator, in*
10 *conjunction with the Great Lakes Inter-*
11 *agency Task Force, shall review, and revise*
12 *as appropriate, the Initiative Action Plan*
13 *to guide the activities of the Initiative in*
14 *addressing the restoration and protection of*
15 *the Great Lakes system.*

16 “(ii) *OUTREACH.—In reviewing and*
17 *revising the Initiative Action Plan under*
18 *clause (i), the Administrator shall consult*
19 *with the Great Lakes States and Indian*
20 *tribes and solicit input from other non-Fed-*
21 *eral stakeholders.*

22 “(H) *MONITORING AND REPORTING.—The*
23 *Administrator shall—*

24 “(i) *establish and maintain a process*
25 *for monitoring and periodically reporting*

1 to the public on the progress made in imple-
2 menting the Initiative Action Plan;

3 “(ii) make information about each
4 project carried out under the Initiative Ac-
5 tion Plan available on a public website; and

6 “(iii) provide to the House Committee
7 on Transportation and Infrastructure and
8 the Senate Committee on Environment and
9 Public Works a yearly detailed description
10 of the progress of the Initiative and
11 amounts transferred to participating Fed-
12 eral departments and agencies under sub-
13 paragraph (D)(ii).

14 “(I) INITIATIVE ACTION PLAN DEFINED.—In
15 this paragraph, the term ‘Initiative Action Plan’
16 means the comprehensive, multi-year action plan
17 for the restoration of the Great Lakes, first devel-
18 oped pursuant to the Joint Explanatory State-
19 ment of the Conference Report accompanying the
20 Department of the Interior, Environment, and
21 Related Agencies Appropriations Act, 2010 (Pub-
22 lic Law 111–88).

23 “(J) FUNDING.—

24 “(i) IN GENERAL.—There is authorized
25 to be appropriated to carry out this para-

1 *graph \$300,000,000 for each of fiscal years*
2 *2017 through 2021.*

3 *“(ii) LIMITATION.—Nothing in this*
4 *paragraph creates, expands, or amends the*
5 *authority of the Administrator to imple-*
6 *ment programs or projects under—*

7 *“(I) this section;*

8 *“(II) the Initiative Action Plan;*

9 *or*

10 *“(III) the Great Lakes Water*
11 *Quality Agreement.”.*

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