



August 3, 2020

UPDATE ON WATER INFRASTRUCTURE FUNDING

The attached report from Key Advocates includes a full run down of the various vehicles for funding increases to support water infrastructure investment.

On July 31st the House passed its mega infrastructure bill by a mostly partisan vote of 233-188. The cornerstone of the bill is the reauthorization of the FAST Act – the highway/transit program. See the following links:

- Text of the Moving Forward Act is: <https://transportation.house.gov/download/bill-text-moving-forward-act>
- A Section by Section is: <https://transportation.house.gov/download/sec-by-sec-moving-forward-act>

“Water items of interest” included:

- Alternative Water Source Program - \$600M - see p. 49 of the Section-by-Section and pp.1122-1124 of the Bill Text;
- Clean Water SRF -\$40B (\$8B annually for 5 years) - see p.50 of the Section-by-Section and pp.1132-1133 of the Bill Text;
- Safe Drinking Water SRF - \$4.140B for FY22; \$4.8B for FY23; and \$5.5B for FY 24 and 25 - see p.61 of the Section-by-Section and p.1463 of the Bill Text; and,
- Title 16 WIIN Grants - \$500M - sec p.78 of the Section-by-Section and pp.1781-1783 of the Bill Text; and,
- Rewrite of the Huffman omnibus bill including a process to de-authorize inactive USBR water projects

So far the discussion of a Senate infrastructure bill has focused only on the bipartisan FAST Act and WRDA reauthorization bills reported by the Environment and Public Works Committee. COVID-19 Recovery Bills have not included water infrastructure funding to any noteworthy degree. The House Bills "America's Water Infrastructure Act of 2020" (AWIA) and the "Drinking Water Infrastructure Act of 2020") funding levels are favored by, but are not expected to move in the Senate.

Highlights of both bills and others are included in the full report from Key Advocates.

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Robert Briant, Jr. – Chairman

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* Steering Committee Member



HOUSE WRDA BILL

On July 29, the House passed H.R. 7575, the “Water Resources Development Act of 2020” which would authorize an estimated \$8.6 billion in federal funds to help finance **34 new Army Corps of Engineers construction projects** subject to appropriations. Counting the projects' nonfederal shares, it is estimated that the projects' total funding will be at about **\$13 billion**.

The bill is a Corps of Engineers bill only and is trending as a bipartisan effort. No other water programs included such as reauthorization of the CWSRF. The Senate bills, already reported from committee, include non-Corps items (see above). However, of interest is H.R. 1497 (details included in Key Advocates report) which, while a separate bill, will probably link up with the House WRDA bill as it goes to conference, thereby creating a situation where reauthorization of the CWSRF (a high priority for the CWCC) has a good chance of happening.

Among other provisions in the new WRDA is a priority for committee Chairman Peter DeFazio (D-Ore.), language to “unlock” the surplus in the Harbor Maintenance Trust Fund. DeFazio is quoted saying that the bill would allow about \$10 billion in already collected Harbor Maintenance Taxes to be used for port improvements and harbor dredging around the U.S.

WRDA authorizes Corps projects while the Energy and Water Appropriations Bill provides funding. Section 401 includes a list of projects, which we have pulled out and **attached as a PDF to this report**.

Section-by-Section:

<https://transportation.house.gov/imo/media/doc/WRDA%202020%20Section%20by%20Section%20Final.pdf>

Fact Sheet:

https://transportation.house.gov/imo/media/doc/WRDA%202020%20Fact%20Sheet_FINAL-2.pdf



FEDS ADOPT REGULATIONS TO MODERNIZE IMPLEMENTATION OF NEPA

On July 15th, the Trump Administration announced it has finalized the recent NEPA proposal supported by the UTCA. The changes aim to streamline environmental reviews that can take many years to complete. The White House states that these reforms will reduce review time to two years or less.

According to the new proposal, its revisions would modernize the NEPA regulations and facilitate more efficient, effective, and timely NEPA reviews. The proposed changes to NEPA will result in a more expeditious, while still thorough, review process, without impacting existing environmental standards. Projects that trigger NEPA reviews are not put out to bid until its processes (and any litigation) play out. Efforts to streamline and modernize NEPA are long overdue and welcome to the infrastructure construction industry.

As a reminder, CWCC added a policy position to encourage streamlining approvals for infrastructure projects in 2019. Although most water infrastructure projects do not trigger NEPA review, a lot of underground utility work critical to the economic outlook for our members comes alongside transportation projects. Associations engaged in advocacy for energy utility project work and flooding / hardening and/or coastal resiliency should pay close attention to this proposal.

CWCC members supported this proposal with the expectation that streamlined procedures and clearer requirements will allow projects to proceed without sacrificing a thorough and efficient review. We expect that these reforms will lead to more projects moving to bid faster than in the past. This will result in providing for faster and longer-lasting improvements to highway and utility infrastructure in New Jersey and throughout the United States.

[Click Here](#) for the statement from the White House.

KEY ADVOCATES REPORT

Included with this notice is Key Advocates recent report which is current to the end of July.

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August 2020 Insights

Infrastructure (The House)

On July 1 the House passed its mega infrastructure bill by a mostly partisan vote of 233-188. The cornerstone of the bill is the reauthorization of the FAST Act – the highway/transit program. See the following links:

- Text of the Moving Forward Act is: <https://transportation.house.gov/download/bill-text-moving-forward-act>
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“Water items of interest” included:

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- Safe Drinking Water SRF - \$4.140B for FY22; \$4.8B for FY23; and \$5.5B for FY 24 and 25 - see p.61 of the Section-by-Section and p.1463 of the Bill Text; and,
- Title 16 WIIN Grants - \$500M - see p.78 of the Section-by-Section and pp.1781-1783 of the Bill Text; and,
- Rewrite of the Huffman omnibus bill including a process to de-authorize inactive USBR water projects

Other inclusions:

\$750 million for water storage projects, \$260 million for desalination projects, funding for water technology prizes; \$130 billion in school infrastructure targeted at high-poverty schools; structural challenges and upgrades for child care facilities; \$100 billion for affordable housing infrastructure; \$70 billion to modernize energy infrastructure; \$100 billion for affordable high-speed broadband Internet access to all parts of the country; \$30 billion to modernize the health care infrastructure; \$25 billion to modernize and strengthen the Postal Service; promotes new renewable energy infrastructure; and, promotes investments in communities

Infrastructure (The Senate)

So far the discussion of a Senate infrastructure bill has focused only on the bipartisan FAST Act and WRDA reauthorization bills reported by the Environment and Public Works Committee.

Infrastructure (The White House)

To review, the President's FY21 Budget has two major infrastructure components. The first is a \$810 billion, 10-year reauthorization of surface transportation programs. The second is a \$190 billion in investments across a range of infrastructure, as follows:

- **\$60 Billion for a new Building Infrastructure Great grants program:** This “mega-projects” program will focus on delivery of such projects across a range of sectors: surface transportation road, bridge, rail, transit, pipeline, landside port, and intermodal connection capital investments; lock, dam, and canal investments; drinking water and waste treatment capital investments; and energy and broadband capital investments.
- **\$50 billion for a new Moving America's Freight Safely and Efficiently program.** This program will support projects with significant economic, mobility, and safety benefits on our strategic highway, rail, port, and waterway freight networks.
- **\$35 billion for a new Bridge Rebuilding program.** This program will make targeted investments in critical bridge infrastructure to restore them to good condition. \$12 billion will be provided for “off- system” bridges allocated via formula, and \$23 billion will be provided for larger bridges via a competitive process.
- **\$25 billion for a new Revitalizing Rural America program.** This program focuses on the needs and contributions to our economy made by rural communities and helps them deliver broadband, transportation, water and other infrastructure projects.
- **\$20 billion for a Transit State of Good Repair Sprint program.** The program will focus exclusively on rehabilitating existing transit assets (no new capacity projects).
- **\$6.5 billion for a Public Lands Infrastructure Fund.** This program would address the deferred maintenance backlog in our national parks, forests, wildlife refuges and other public lands, along with Bureau of Indian Education

S. 1932, “Drought Resiliency and Water Supply Infrastructure Act”

Status: No word on negotiations for a bipartisan bill.

To review, support for a bipartisan compromise bill is still pending. It was reported that Senator Manchin, Ranking Democrat on the Natural Resources Committee has or had an issue with stormwater – funding and policy. Not sure if this or other matters are unresolved. Also, once agreement is reached, a hearing would follow. To review, the essence of the compromise is that the Republicans got “more” funding for water storage in return for the Dems getting “more” on the recycled water issue (\$160M over 5 years).

To review, the bill was introduced on June 20 by Senator Cory Gardner (R-CO) with cosponsors Senators Feinstein, McSally (R-AZ), Sinema (D-AZ) and Rosen (D-NV). The bill was referred to the Energy and Natural Resources Committee. McSally is the Chair of its Water and Power Subcommittee. Gardner is a member of the Subcommittee. Feinstein and Sinema are not on the Committee. As introduced, the bill would authorize for FY19-24 \$670M for surface and groundwater storage projects, \$100M for water recycling projects, and \$60M for desalination projects. It would also create a new loan program at 30-year Treasury rates for water supply projects known as the Reclamation Infrastructure Finance and Innovation Act (RIFIA). The \$150M authorized for the program would make available \$8 to \$12B in lending authority for the

low interest loans. The loans would use existing criteria under the WIFIA program, with projects for funding to be recommended by the Bureau of Reclamation, and with the loans to be administered by EPA. The bill would also authorize \$140M for restoration and environmental compliance projects. The bill provides offsets, one of which is a process to de-authorize inactive water recycling projects – projects for which no Federal or sponsor funds were spent on construction in the past 10 years, with an allowance of two and one-half years to spend funds to prevent de-authorization.

H.R. 1162, the “Water Recycling Investment and Improvement Act”

Status: Included in H.R. 2. As such, the Committee sees no need at this point to move it or Huffman’s bill separately.

To review, on Feb.13, Congresswoman Napolitano introduced the bill (with 17 cosponsors, now 27– all Dems). On June 13, the Subcommittee on Water, Oceans, and Wildlife (WOW) of the Natural Resources Committee held a hearing on the bill and on March 11, the Full Committee marked it up. The bill:

- Increases the WIIN Act authorization for Title XVI from \$50 million to \$500 million
- Makes the WIIN Act Title XVI program permanent as it currently expires in 2021.
- Strikes the requirement that projects must be in drought or disaster areas
- Strikes the requirement that the projects need to be designated in an appropriations legislation
- Increase the limitation on the federal share of individual Title XVI projects from the current \$20 million in October 1996 prices to \$30 million in January 2019 prices
- Does not change the 25% Federal cost share

Huffman Omnibus Water Bill

Status: Included, as revised, in H.R. 2.

To review, on January 10, Congressman Jared Huffman (D-CA-2), Chair of the Water, Oceans, and Wildlife Subcommittee of the Natural Resources Committee, unveiled a draft for comment of his omnibus water bill, the “FUTURE Drought Resiliency Act,” that includes Cong. Napolitano’s HR. 1162 and a section from Cong Harder’s HR. 2473 (both also included in this monthly report). The included Napolitano language increases from \$50M to \$500M the authorization for Title XVI WIIN grants and from \$20M to \$30M the Federal share.

The included Harder language authorizes \$300M per year for a new "Water Infrastructure and Drought Solutions Fund," of which \$100M is for ground water storage projects, \$100M for water reclamation and reuse projects, and \$100M for WaterSMART grants. Because it will take years for revenues (they would come from the existing reclamation fund) to reach the \$300M level, the authorizations are for FY2030-2060.

Other provisions in the draft -

- \$750M for storage projects
- \$240 for desalination projects
- \$100M for disadvantaged communities without adequate drinking water
- Various technology provisions
- Various ecosystem protection provision

DeFazio H.R.1497, the “Water Quality Protection and Job Creation Act of 2019.”

Status: Goal is Floor action this month.

To review, on March 10 Chair DeFazio, Subcommittee Chair Napolitano, and Representatives Don Young and John Katko introduced the above bill (now with 56 cosponsors) which was amended in markup to authorize \$14B over the next five fiscal years for the CWSRF, \$1.125B for overflow and sewer grants, \$1.295B for state water pollution control programs, \$110M for innovative water grants, and \$150M for alternative water source projects. A Coalition support letter was submitted.

Senate WRDA Bills

Status: Tied up with strategy on highway bill and infrastructure.

To review, on May 6, the Senate Environment and Public Works Committee reported two water bills – S. 3591, the “America’s Water Infrastructure Act of 2020” (AWIA) and S. 3590, the “Drinking Water Infrastructure Act of 2020.” The two bills are intended to form the Senate 2020 WRDA bill. There are two bills because of the split jurisdiction in the House - AWIA is a Corps of Engineers/clean water bill which is under the jurisdiction of the House T&I Committee; the Drinking Water bill falls under the jurisdiction of the House Energy and Commerce Committee.

Highlights on both bills -

- \$25M for FY 2022-2024 for the Alternative Water Source Grants Program - the DeFazio bill authorizes \$75M for each of 5 fiscal years;
- \$2B in FY 2022, \$2.5B in FY 2023 and \$3B in FY 2024 for the Clean Water SRF (subject to scorekeeping and offsets if necessary) - the DeFazio bill authorizes \$14B over 5 fiscal years;
- Reauthorization and expansion of the Drinking Water Infrastructure Risk and Resiliency Program (\$10M for FY 2022-2024 of the Drinking Water bill), and the creation of a companion \$15M for FY2022-2024 program for clean water systems;
- \$250M for FY 2021-2022 for reauthorization of the Sewer Overflow and Stormwater Reuse Grant Program - the DeFazio bill authorizes \$225M for each of five fiscal years;
- \$50M for WIFIA for FY 2022-2024;
- No authorizations for the Safe Drinking Water SRF as that was re-authorized and increased last Congress;
- No funds for the Title XVI WIIN grant program as that falls under the jurisdiction of the Senate Energy and Natural Resources Committee;

House WRDA Bill

Status: On July 29, the House passed H.R. 7575, the “Water Resources Development Act of 2020.”

The bill is a Corps of Engineers bill only. No other water programs included such as reauthorization of the CWSRF. The Senate bills, already reported from committee, include non-Corps items (see above). However, of interest is H.R. 1497 (also above) which, while a separate bill, will probably link up with the House WRDA bill as it goes to conference, thereby creating a situation where reauthorization of the CWSRF etc. have a good chance of happening. See link s to House WRDA bill:

Section-by-Section:

<https://transportation.house.gov/imo/media/doc/WRDA%202020%20Section%20by%20Section%20Final.pdf>

Fact Sheet:

https://transportation.house.gov/imo/media/doc/WRDA%202020%20Fact%20Sheet_FINAL-2.pdf

Current law expires Sept. 30 of this year. Goal is to re-authorize the program this year to keep it on a two-year cycle.

FY21 Corps of Engineers Projects

WRDA authorizes Corps projects while the Energy and Water Appropriations Bill provides funding, see the following for projects (note: these are projects in the House bills only; Senate action is still pending)

H.R. 7575 Water Resources Development Act of 2020 - see section 401 per the following link

<https://www.congress.gov/bill/116th-congress/house-bill/7575/text?q=%7B%22search%22%3A%5B%22hr+7575%22%5D%7D&r=1&s=3#toc-H514F7AAF51084A6384FBB17B344BC35A>

H.R. 7613 FY21 Energy and Water Appropriations Bill - see pp.19-70 per the following link

<https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY21%20EW%20Full%20Committee%20Print%20Report.PDF>

Senate Highway Bill

FAST Act reauthorization required by Sept. 30 when current program expires. Senate EPW has reported its version of the bill. Other Senate committees that need to act include Banking (mass transit), Commerce (trucking, rail and safety), and Finance (how to pay for the bill). Senate Banking Committee held an authorization hearing on Feb. 25.

To review, the EPW bipartisan bill would authorize \$287 billion in highway spending, 90-percent of which would be distributed to the states by formula. The bill also features a title on climate change, which would authorize \$10.8 billion for various programs addressing resiliency and other climate issues over the next five fiscal years. That includes \$1 billion for electric, hydrogen, and natural gas vehicle charging and fueling stations. It would also provide billions for programs aimed at curbing emissions and reducing congestion and truck idling. The legislation would also streamline infrastructure permitting and set a two-year target for environmental reviews. Lastly, the bill would authorize \$12.5 million per year to fund state and regional pilot testing of user-based alternative revenue mechanisms to the gas tax.

House FY21 “Water” Appropriations Updates

The House is beginning to pass minibus appropriations bills. One such bill, H.R. 7608 which includes the State, Ag, Interior, Military and Veterans bill, passed on July 24. Included in the Interior bill are \$1.639B for the CWSRF and \$1.126B for the SDWSRF – both the FY20 enacted levels. The President’s budget proposed \$1.119B for the CWSRF and \$863.2M for the SDWSRF. Another minibus - H.R. 7617 - includes the Energy and Water bill at \$63.665M for

Title XVI, of which \$11.791M is for the WIIN Grant program, and \$60M for WaterSmart. The following is also included in the report accompanying the bill:

House FY21 Transportation Appropriations Bill

H.R. 7617 also includes the Transportation Appropriations bill, as follows:

- \$1 billion for **National Infrastructure Investments (TIGER/BUILD)**, equal to the FY 2020 enacted level and the President's budget request
- \$3 million to support the **Highly Automated Systems Safety Center of Excellence** established in fiscal year 2020. This program was not in the President's budget request
- \$10 million for **Transportation Planning Grants** to assist areas of persistent poverty. This new competitive grant program was not in the FY 2020 enacted bill or the President's budget request
- \$1 billion for discretionary **Highway Infrastructure Programs**, a decrease of \$1.2 billion below the FY 2020 enacted level and \$1 billion above the President's budget request
- \$881 million for the **Federal Motor Carrier Safety Administration**, consistent with the INVEST in America Act, an increase of \$202 million above the FY 2020 enacted level and \$179 million above the President's budget request
- \$1.3 billion for the **National Highway Traffic Safety Administration**, consistent with the INVEST in America Act, an increase of \$268 million above the FY 2020 enacted level and \$293 million above the President's budget request
- \$3 billion for the **Federal Railroad Administration**, an increase of \$201.8 million above the FY 2020 enacted level and \$1 billion above the President's budget request
- \$2.05 billion for **Amtrak**, an increase of \$50 million above the FY 2020 enacted level and \$1.1 billion above the President's budget request
- \$18.9 billion for the **Federal Transit Administration**

Senate FY21 Appropriations Bills

Hearings continue. No markups scheduled.

Bill Tracking

S.40 — 116th Congress (2019-2020)

Bureau of Reclamation Transparency Act^[SEP]

Sponsor: Sen. Barrasso, John [R-WY] (Introduced 01/08/2019) Cosponsors: (1)^[SEP] Committees: Energy and Natural Resources

S.611 — 116th Congress (2019-2020)

Water Affordability, Transparency, Equity, Reliability Act of 2019

Sponsor: Sen. Sanders, Bernard [I-VT] (Introduced 02/28/2019) Cosponsors: (2, now 3)

Committees: Environment and Public Works

H.R.1764 — 116th Congress (2019-2020)

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

Sponsor: Rep. Garamendi, John [D-CA-3] (Introduced 03/14/2019) Cosponsors: (8, now 10)

Committees: House - Transportation and Infrastructure

H.R.5628 — 116th Congress (2019-2020)

Clean Water Allotment Modernization Act

Sponsor: Rep. Waltz, Michael [R-FL-6] (Introduced 01/16/2020) Cosponsors: (8)

Committees: House - Transportation and Infrastructure

S.3211 — 116th Congress (2019-2020)

Clean Water Allotment Modernization Act

Sponsor: Sen. Rubio, Marco [R-FL] (Introduced 01/16/2020) Cosponsors: (1)

Committees: Senate - Environment and Public Works

S.3160 — 116th Congress (2019-2020)

Affordable Safe Drinking Water Act of 2020

Sponsor: Sen. Warren, Elizabeth [D-MA] (Introduced 01/08/2020) Cosponsors: (1)

Committees: Senate - Environment and Public Works

H.R.5539 — 116th Congress (2019-2020)

Clean Water Standards for PFAS Act of 2020

Sponsor: Rep. Pappas, Chris [D-NH-1] (Introduced 01/03/2020) Cosponsors: (13)

Committees: House - Transportation and Infrastructure

H.R.5513 — 116th Congress (2019-2020)

Affordable Safe Drinking Water Act of 2019

Sponsor: Rep. Kennedy, Joseph P., III [D-MA-4] (Introduced 12/19/2019) Cosponsors: (8)

Committees: House - Energy and Commerce; Transportation and Infrastructure

H.R.5445 — 116th Congress (2019-2020)

Critical Infrastructure Act of 2019

Sponsor: Rep. Stewart, Chris [R-UT-2] (Introduced 12/17/2019) Cosponsors: (6)

Committees: House - Natural Resources

H.R.5361 — 116th Congress (2019-2020)

Safe Drinking Water Assistance Act of 2019

Sponsor: Rep. Blunt Rochester, Lisa [D-DE-At Large] (Introduced 12/09/2019) Cosponsors: (1)

Committees: House - Energy and Commerce; Science, Space, and Technology

H.R.4780 — 116th Congress (2019-2020)

National Infrastructure Investment Corporation Act of 2019

Sponsor: Rep. Carbajal, Salud O. [D-CA-24] (Introduced 10/22/2019) **Cosponsors:** (0)

Committees: House - Transportation and Infrastructure

H.R.4687 — 116th Congress (2019-2020)

SMART Infrastructure Act

Sponsor: Rep. Rouda, Harley [D-CA-48] (Introduced 10/16/2019) **Cosponsors:** (3, now 5)

Committees: Transportation and Infrastructure; Science, Space, and Technology; Agriculture; Energy and Commerce

S.352 — 116th Congress (2019-2020)

BUILD Act

Sponsor: Sen. Cornyn, John [R-TX] (Introduced 02/06/2019) Cosponsors: (1)

Committees: Finance Increases from \$15 billion to \$20.8 billion the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.

H.R.180 — 116th Congress (2019-2020)

Build America Act of 2019

Sponsor: Rep. Hastings, Alcee L. [D-FL-20] (Introduced 01/03/2019) Cosponsors: (7, now 12)
Committees: Transportation and Infrastructure and Ways and Means Directs the Department of Transportation (DOT) to carry out a national infrastructure investment grant program for capital investments in surface transportation infrastructure. Projects eligible for funding under the program include, at a minimum, highway and bridge projects, public transportation projects, passenger and freight rail transportation projects, and port infrastructure investments. In distributing grants under the program, DOT shall ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and investment in a variety of transportation modes. At least 20% of grant funds must be set aside for projects in rural areas. The bill amends the Internal Revenue Code to: (1) establish a National Infrastructure Investment Trust Fund, and (2) increase the tax on gasoline other than aviation gasoline and on diesel fuel or kerosene.

S.146 — 116th Congress (2019-2020)

Move America Act of 2019

Sponsor: Sen. Hoeven, John [R-ND] (Introduced 01/16/2019) Cosponsors: (1)
Committees: Finance Allows tax exempt Move America bonds and Move America tax credits to be used for certain infrastructure projects. A Move America bond is treated as a tax-exempt private facility bond with certain exceptions. At least 95% of the net proceeds from the issuance of the bond must be used for infrastructure projects. The bill specifies exceptions and modifications to existing rules for bonds regarding land acquisition, government ownership, rehabilitation expenditures, and the alternative minimum tax. The bonds are subject to a volume cap equal to 50% of a state's current private activity bond volume cap. States may exchange all or a portion of the volume cap for Move America tax credits to be allocated to taxpayers. The credits include (1) an equity credit for a portion of the basis of each qualified facility; and (2) an infrastructure fund credit for investments in qualified infrastructure funds, including a state infrastructure bank, a water pollution control revolving fund, or a drinking water treatment revolving loan fund.

H.R.658 — 116th Congress (2019-2020)

National Infrastructure Development Bank Act of 2019

Sponsor: Rep. DeLauro, Rosa L. [D-CT-3] (Introduced 01/17/2019) Cosponsors: (60, now 61)
Committees: Energy and Commerce, Transportation and Infrastructure, Financial Services and Ways and Means

S.353 — 116th Congress (2019-2020)

RAPID Act

Sponsor: Sen. Cornyn, John [R-TX] (Introduced 02/06/2019) Cosponsors: (1)
Committees: Environment and Public Works This bill revises the transportation infrastructure finance and innovation (TIFIA) program to (1) require program applicants to obtain investment grade ratings from at least two credit rating agencies, unless the federal credit instrument is less than \$150 million (currently, less than \$75 million), in which case one rating will suffice; (2) require the Department of Transportation (DOT) to implement an expedited decision timeline for public agency borrowers seeking secured loans; and (3) require DOT to publish status reports on program applications on the TIFIA website.

S.403 — 116th Congress (2019-2020)

IMAGINE Act

Sponsor: Sen. Whitehouse, Sheldon [D-RI] (Introduced 02/07/2019) Cosponsors: (5, now 7)
Committees: Environment and Public Works. Encourages the use of innovative construction

materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.

H.R.228 — 116th Congress (2019-2020)

Increase Transportation Alternatives Investment Act of 2019

Sponsor: Rep. Velazquez, Nydia M. [D-NY-7] (Introduced 01/03/2019) Cosponsors: (2) Committees: Transportation and Infrastructure Directs the Department of Transportation (DOT) to ensure that states give preference under the Surface Transportation Block Grant Program to eligible projects that (1) are located in areas that are undergoing extensive repair or reconstruction of transportation infrastructure, including federal-aid highways, federally owned roads open for public travel, passenger rail facilities, and public transportation facilities; and (2) will provide transportation alternatives related to the closure of transportation infrastructure in such areas. DOT shall (1) carry out a competitive grant program to support community efforts to invest in transportation alternatives; and (2) give preference in awarding grants to projects located in such areas. Entities eligible for grants include state and local governments, metropolitan planning organizations, and rural planning organizations.^[SEP]

H.R.880 — 116th Congress (2019-2020)

Surface Transportation Investment Act of 2019

Sponsor: Rep. Brownley, Julia [D-CA-26] (Introduced 01/30/2019) Cosponsors: (1) Committees: Ways and Means and Transportation and Infrastructure. This bill limits or repeals certain tax benefits for major integrated oil companies, including (1) the foreign tax credit for companies that are dual capacity taxpayers, (2) the tax deduction for intangible drilling and development costs, (3) the percentage depletion allowance for oil and gas wells, and (4) the tax deduction for qualified tertiary injectant expenses. The bill modifies the definition of "major integrated oil company" to include certain successors in interest that control more than 50% of the crude oil production or natural gas production of the company. The bill establishes a Transportation Block Grant Fund and appropriates to the fund amounts equal to the increase in revenues as a result of this bill. The funds must be used for making grants under the Surface Transportation Block Grant Program.

S.1518 — 116th Congress (2019-2020) **Rebuild America Now Act**

Sponsor: Sen. Sullivan, Dan [R-AK] (Introduced 05/16/2019) Cosponsors: (4) Committee: Environment and Public Works. To improve the processes by which environmental documents are prepared and permits and applications are processed and regulated by Federal departments and agencies, and for other purposes.

H.R.3134 — 116th Congress (2019-2020) **To direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes.** Sponsor: Rep.

Langevin, James R. [D-RI-2] (Introduced 06/05/2019) Cosponsors: (2) Committee: Transportation and Infrastructure. To direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

SEC. 401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 ([33 U.S.C. 2282d](#)) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$368,173,000 Non-Federal: \$122,746,000 Total: \$490,919,000
2. AK	Unalaska (Dutch Harbor) Channels	February 7, 2020	Federal: \$26,202,750 Non-Federal: \$8,734,250 Total: \$34,937,000
3. CT	New Haven Harbor Navigation Improvement Project	May 7, 2020	Federal: \$53,489,000 Non-Federal: \$18,822,000 Total: \$72,311,000
4. NY, NJ	New York and New Jersey Harbor Anchorages	April 23, 2020	Federal: \$18,940,000 Non-Federal: \$6,310,000 Total: \$25,250,000
5. TX	Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks	October 23, 2019	Total: \$409,777,000, to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund.
6. TX	Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties	April 23, 2020	Federal: \$462,803,000 Non-Federal: \$414,045,000 Total: \$876,848,000
7. TX	Matagorda Ship Channel Improvement Project, Port Lavaca	November 15, 2019	Federal: \$138,660,000 Non-Federal: \$79,664,000 Total: \$218,324,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AZ	Little Colorado River at Winslow, Navajo County	December 14, 2018	Federal: \$52,462,000 Non-Federal: \$28,249,000 Total: \$80,711,000
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$314,506,000 Non-Federal: \$910,092,000 Total: \$1,224,598,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$14,702,500 Non-Federal: \$14,702,500 Total: \$29,405,000
4. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$58,041,750 Non-Federal: \$31,253,250 Total: \$89,295,000
5. NJ	Peckman River Basin	April 29, 2020	Federal: \$95,022,000 Non-Federal: \$51,166,000 Total: \$146,188,000
6. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$190,538,000 Non-Federal: \$102,598,000 Total: \$293,136,000
7. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$86,780,000 Non-Federal: \$46,728,000 Total: \$133,508,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. DE	Delaware Beneficial Use of Dredged Material for the Delaware River	March 6, 2020	Initial Federal: \$53,220,000 Initial Non-Federal: \$28,660,000 Total: \$81,880,000 Renourishment Federal: \$116,380,000 Renourishment Non-Federal: \$116,380,000 Renourishment Total: \$232,760,000
2. NJ	New Jersey Beneficial Use of Dredged Material for the Delaware River	April 8, 2020	Initial Federal: \$80,780,000 Initial Non-Federal: \$43,500,000 Total: \$124,280,000 Renourishment Federal: \$82,140,000 Renourishment Non-Federal: \$82,140,000 Renourishment Total: \$164,280,000
3. NJ	Rahway River Basin, New Jersey Coastal Storm Risk Management	June 9, 2020	Federal: \$46,754,000 Non-Federal: \$25,175,000 Total: \$71,929,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
4. NY	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York	August 22, 2019	Initial Federal: \$604,203,000 Initial Non-Federal: \$0 Total: \$604,203,000 Renourishment Federal: \$189,763,000 Renourishment Non-Federal: \$189,763,000 Renourishment Total: \$379,526,000
5. NY	Hashamomuck Cove Coastal Storm Risk Management	December 9, 2019	Initial Federal: \$11,549,000 Initial Non-Federal: \$6,218,000 Total: \$17,767,000 Renourishment Federal: \$23,481,500 Renourishment Non-Federal: \$23,481,500 Renourishment Total: \$46,963,000
6. RI	Pawcatuck River Coastal Storm Risk Management Project	December 19, 2018	Federal: \$37,848,000 Non-Federal: \$20,379,000 Total: \$58,227,000
7. VA	Norfolk Coastal Storm Risk Management	February 5, 2019	Federal: \$909,040,000 Non-Federal: \$489,480,000 Total: \$1,398,520,000

(4) FLOOD RISK MANAGEMENT AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CO	South Platte River and Tributaries, Adams and Denver Counties	July 29, 2019	Federal: \$334,412,000 Non-Federal: \$200,406,000 Total: \$534,818,000
2. NY	Fire Island Inlet to Montauk Point, New York Reformulation	July 9, 2020	Initial Federal: \$1,541,981,000 Initial Non-Federal: \$0 Total: \$1,541,981,000 Renourishment Federal: \$742,926,500 Renourishment Non-Federal: \$742,926,500 Renourishment Total: \$1,485,853,000

(5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CA	Delta Islands and Levees	December 18, 2018	Federal: \$16,746,395 Non-Federal: \$9,016,736 Total: \$25,763,131

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. CA	Yuba River Ecosystem Restoration	June 20, 2019	Federal: \$65,014,326 Non-Federal: \$35,008,268 Total: \$100,022,594
3. FL	Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties	April 8, 2020	Federal: \$372,232,000 Non-Federal: \$368,528,000 Total: \$740,760,000
4. IL	The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County	May 23, 2019	Federal: \$690,643,200 Non-Federal: \$172,660,800 Total: \$863,304,000
5. IL	South Fork of the South Branch of the Chicago River, Bubbly Creek, Ecosystem Restoration	July 9, 2020	Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000
6. MD	Anacostia Watershed Restoration, Prince George's County	December 19, 2018	Federal: \$23,171,000 Non-Federal: \$12,476,000 Total: \$35,647,000
7. MO	St. Louis Riverfront- Meramec River Basin Ecosystem Restoration	November 1, 2019	Federal: \$60,124,000 Non-Federal: \$32,375,000 Total: \$92,499,000
8. NM	Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico Ecosystem Restoration	August 5, 2019	Federal: \$16,163,000 Non-Federal: \$8,703,000 Total: \$24,866,000
9. NY, NJ	Hudson-Raritan Estuary Ecosystem Restoration	May 26, 2020	Federal: \$265,320,000 Non-Federal: \$142,864,000 Total: \$408,184,000
10. TX	Jefferson County Ecosystem Restoration	September 12, 2019	Federal: \$37,615,000 Non-Federal: \$20,254,000 Total: \$57,869,000

(6) WATER SUPPLY.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. OR	Willamette River Basin Review Reallocation,	December 18, 2019	Federal: \$0 Non-Federal: \$0 Total: \$0

(7) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. FL	Caloosahatchee River West Basin Storage Reservoir (C-43 WBSR)	July 24, 2020	Federal: \$503,466,500 Non-Federal: \$503,466,500 Total: \$1,006,933,000
2. KY	Kentucky Lock	June 9, 2020	Total: \$1,152,769,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NC	Carolina Beach Integrated Beach Renourishment	June 16, 2020	Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000
4. NC	Wrightsville Beach	July 2, 2020	Federal: \$53,788,000 Non-Federal: \$22,329,000 Total: \$76,117,000 Renourishment Federal: \$14,553,000 Renourishment Non-Federal: \$14,553,000 Renourishment Total: \$29,106,000
5. TX	Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves	May 4, 2020	Federal: \$403,000,000 Non-Federal: \$273,010,000 Total: \$676,010,000

SEC. 402. SPECIAL RULES.

(a) GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.—The Secretary shall carry out the project for ecosystem restoration, Great Lakes and Mississippi River Interbasin project, Brandon Road, Will County, Illinois, authorized by section 401 of this Act, substantially in accordance with the terms and conditions described in the Report of the Chief of Engineers, dated May 23, 2019, with the following modifications:

(1) The Federal share of the cost of construction shall be 80 percent.

(2) The Secretary may include the addition or substitution of technologies or measures not described in the report, as the Secretary determines to be advisable.

(b) WILLAMETTE RIVER BASIN REVIEW REALLOCATION STUDY.—The Secretary shall carry out the project for water supply, Willamette River Basin Review Reallocation, Oregon, authorized by section 401 of this Act, substantially in accordance with the terms and conditions described in the Report of the Chief of Engineers, dated December 18, 2019, with the following modifications:

(1) The Secretary shall meet the obligations of the Corps of Engineers under the Endangered Species Act of 1973 by complying with the June 2019 NMFS Willamette Basin Review Study Biological Opinion Reasonable and Prudent Alternative until such time, if any, as it is modified or replaced, in whole or in part, through the consultation process under section 7(a) of the Endangered Species Act of 1973.

(2) The Secretary may reallocate not more than 10 percent of overall storage in the joint conservation pool, as authorized by this Act and without further congressional action, if such reallocation is consistent with the ongoing consultation under section 7(a) of the Endangered Species Act of 1973 related to Willamette Valley System operations.

(3) The Secretary shall ensure that the revised reallocation is not reallocated from a single storage use, does not seriously affect authorized project purposes, and does not otherwise involve major operational changes to the project.

(c) CANO MARTIN PENA, SAN JUAN, PUERTO RICO.—Section 5127 of the Water Resources Development Act of 2007 (121 Stat. 1242) is amended by striking “\$150,000,000” and inserting “\$232,430,000”.

SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASIBILITY STUDIES PREPARED BY NON-FEDERAL INTERESTS.

(a) IN GENERAL.—The Secretary is authorized to carry out the following projects for water resources development and conservation and other purposes, subject to subsection (b):

(1) FORT PIERCE, ST. LUCIE COUNTY, FLORIDA.—The project for hurricane and storm damage reduction, Fort Pierce, St. Lucie County, Florida, as described in the review assessment of the Secretary, titled “Review Assessment of St. Lucie County, Florida Fort Pierce Shore Protection Project Section 203 Integrated Feasibility Study and Environmental Assessment (June 2018)” and dated July 2018, at a total cost of \$33,107,639, and at an estimated total cost of \$97,958,972 for periodic nourishment over the 50-year life of the project.

(2) BAPTISTE COLLETTE BAYOU, LOUISIANA.—The project for navigation, Baptiste Collette Bayou, Louisiana, as described in the review assessment of the Secretary, titled “Review Assessment of Plaquemines Parish Government’s Section 203 Study Baptiste Collette Bayou Navigation Channel Deepening Project Integrated Feasibility Study and Environmental Assessment (January 2017, Amended April 2018)” and dated June 2018, at a total cost of \$44,920,000.

(3) HOUMA NAVIGATION CANAL, LOUISIANA.—The project for navigation, Houma Navigation Canal, Louisiana, as described in the review assessment of the Secretary, titled “Review Assessment of Houma Navigation Canal Deepening Project Section 203 Integrated Feasibility Report and DRAFT Environmental Impact Statement (June 2018)” and dated July 2018, at a total cost of \$253,458,000.

(4) PORT FOURCHON BELLE PASS CHANNEL, LOUISIANA.—The project for navigation, Port Fourchon Belle Pass Channel, Louisiana, as described in the review assessment of the Secretary, titled “Review Assessment of Port Fourchon Belle Pass Channel Deepening Project Section 203 Feasibility Study (January 2019, revised January 2020)” and dated April 2020, at a total cost of \$95,483,000.

(5) WILMINGTON HARBOR, NORTH CAROLINA.—The project for navigation, Wilmington Harbor, North Carolina, as described in the review assessment of the Secretary, titled “Review Assessment of Wilmington Harbor, North Carolina Navigation Improvement Project Integrated Section 203 Study & Environmental Report (February 2020)” and dated May 2020, at a total cost of \$834,093,000.

(6) CHACON CREEK, TEXAS.—The project for flood risk management, ecosystem restoration, and other purposes, Chacon Creek, Texas, as described in the review assessment of the Secretary, titled “Review Assessment of Chacon Creek, Texas Section 203 Integrated Feasibility Report and DRAFT Environmental Assessment (August 2018)” and dated September 2018, at a total cost of \$51,973,000.

(b) REQUIREMENTS.—The Secretary may only carry out a project authorized under subsection (a)—

(1) substantially in accordance with the applicable review assessment for the project submitted by the Secretary under section 203(c) of the Water Resources Development Act of 1986, as identified in subsection (a) of this section, and subject to such modifications or conditions as the Secretary considers appropriate and identifies in a final assessment that addresses the concerns, recommendations, and conditions identified by the Secretary in the applicable review assessment; and

(2) after the Secretary transmits to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate such final assessment.

(c) TECHNICAL CORRECTION.—Section 203(c)(1) of the Water Resources Development Act of 1986 ([33 U.S.C. 2231\(c\)\(1\)](#)) is amended, in the matter preceding subparagraph (A), by striking “a report” and inserting “an assessment”.

