

106TH CONGRESS
1ST SESSION

H. R. 2957

To amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1999

Mr. VITTER (for himself and Mr. JEFFERSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, 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 “Lake Pontchartrain
5 Basin Restoration Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the Lake Pontchartrain Basin forms one of
2 the largest natural estuaries in the continental
3 United States;

4 (2) the Basin drains an area of almost 5,000
5 square miles from 16 Louisiana parishes and 4 Mis-
6 sissippi counties;

7 (3) the ecology of the Basin provides the di-
8 verse essential habitat that supports numerous spe-
9 cies of fish, birds, mammals, and plants;

10 (4) the extensive wetlands of the Basin provide
11 the primary nursery for much of the seafood har-
12 vested in the Gulf Coast;

13 (5) urbanization, increasing population growth,
14 and rapid development combined with intensive land
15 use have resulted in dramatic threats to the environ-
16 ment and ecology of the Basin;

17 (6) sewage and septic tank discharges, animal
18 waste from farms, herbicides, pesticides, fertilizers,
19 stormwater runoff, sediments from construction, and
20 sewage from fishing camps are all among the many
21 increasing threats to the Basin;

22 (7) a major source of pollution in the Basin is
23 raw or partially treated human waste from—

24 (A) communities with poor sewer systems
25 or without sewer systems; and

1 (B) septic tank systems that are not oper-
2 ating properly;

3 (8) stormwater discharges that combine with ef-
4 fluent from sanitary discharges from broken lines
5 are channeled directly into Lake Pontchartrain or
6 adjacent bodies of water;

7 (9) a number of State and local government
8 agencies are working on restoration efforts that have
9 a direct impact on water quality in the Basin, in-
10 cluding the Department of Environmental Quality of
11 Louisiana, the New Orleans Sewerage and Water
12 Board, Jefferson Parish, and other governmental
13 agencies;

14 (10) a number of non-regulatory organizations,
15 such as the Lake Pontchartrain Basin Foundation
16 and the University of New Orleans, are performing
17 substantial, essential roles in restoration efforts;

18 (11) the Lake Pontchartrain Basin Foundation,
19 the University of New Orleans, and the Regional
20 Planning Commission for Jefferson, Orleans, St.
21 Bernard, and St. Tammany, Louisiana, have entered
22 into a memorandum of understanding to better fa-
23 cilitate the restoration and preservation of water
24 quality and habitats throughout the Basin; and

1 (12) the programs and activities of the various
2 Federal agencies involved with administration of
3 laws, programs, and assets that affect the water
4 quality of the Basin, including the Environmental
5 Protection Agency, the Army Corps of Engineers,
6 and other agencies, lack coordination and sufficient
7 resources to measure and remediate water quality
8 problems in the Basin.

9 (b) PURPOSES.—The purposes of this Act are—

10 (1) to coordinate the restoration efforts of Fed-
11 eral, State, and local agencies and non-regulatory or-
12 ganizations in the restoration of the Basin;

13 (2) to establish the Lake Pontchartrain Basin
14 Restoration Program within the Environmental Pro-
15 tection Agency; and

16 (3) to authorize and provide adequate resources
17 for restoration projects in the Basin.

18 **SEC. 3. LAKE PONTCHARTRAIN BASIN.**

19 Title I of the Federal Water Pollution Control Act
20 (33 U.S.C. 1251 et seq.) is amended by adding at the end
21 the following:

22 **“SEC. 121. LAKE PONTCHARTRAIN BASIN.**

23 **“(a) DEFINITIONS.—**In this section:

1 “(1) BASIN.—The term ‘Basin’ means the Lake
2 Pontchartrain Basin located in the State of Lou-
3 isiana.

4 “(2) COUNCIL.—The term ‘Council’ means the
5 Lake Pontchartrain Executive Council established
6 under subsection (b)(3)(A).

7 “(3) MANAGEMENT PLAN.—The term ‘manage-
8 ment plan’ means the watershed management plan
9 developed under subsection (b)(3)(B).

10 “(4) PROGRAM.—The term ‘program’ means
11 the Lake Pontchartrain Basin Restoration Program
12 established under subsection (b)(1).

13 “(b) LAKE PONTCHARTRAIN BASIN RESTORATION
14 PROGRAM.—

15 “(1) ESTABLISHMENT.—Not later than 180
16 days after the date of enactment of this section, the
17 Administrator shall establish within the Environ-
18 mental Protection Agency the Lake Pontchartrain
19 Basin Restoration Program.

20 “(2) PURPOSES.—The purposes of the program
21 shall be—

22 “(A) to coordinate efforts among and pro-
23 vide resources for Federal, State, and local gov-
24 ernmental agencies and non-regulatory organi-
25 zations to reduce pollution in the Basin; and

1 “(B) to restore the ecological health of the
2 Basin.

3 “(3) ADMINISTRATION.—

4 “(A) LAKE PONTCHARTRAIN EXECUTIVE
5 COUNCIL.—Not later than 180 days after the
6 date of enactment of this section, the Adminis-
7 trator shall establish the Lake Pontchartrain
8 Executive Council, to be composed of the fol-
9 lowing individuals (or their designees):

10 “(i) The Administrator.

11 “(ii) The Governor of the State of
12 Louisiana.

13 “(iii) The Chairman of the Regional
14 Planning Commission for Jefferson, Orle-
15 ans, St. Bernard, and St. Tammany, Lou-
16 isiana.

17 “(iv) The Chancellor of the University
18 of New Orleans.

19 “(v) The Executive Director of the
20 Lake Pontchartrain Basin Foundation.

21 “(B) MANAGEMENT PLAN.—

22 “(i) IN GENERAL.—Not later than
23 180 days after the date of enactment of
24 this section, the Administrator, in coopera-
25 tion with appropriate Federal, State, and

1 local authorities, shall assist the Council in
2 developing a comprehensive, multiuse, wa-
3 tershed management plan for the restora-
4 tion and protection of the Basin.

5 “(ii) ASSISTANCE.—Assistance pro-
6 vided by the Administrator under subpara-
7 graph (A) shall include grants for and
8 technical assistance in—

9 “(I) developing an annual work
10 plan endorsed by the Council;

11 “(II) supporting Basin-wide envi-
12 ronmental monitoring and research to
13 provide technical and scientific infor-
14 mation necessary to support manage-
15 ment decisions;

16 “(III) developing a comprehen-
17 sive research plan to address the tech-
18 nical needs of the program; and

19 “(IV) recommending restoration
20 projects for implementation by the
21 State of Louisiana, parishes, and non-
22 governmental entities.

23 “(c) RESTORATION PROJECTS.—In accordance with
24 the management plan, the Administrator shall provide

1 funding and oversight to carry out voluntary restoration
2 projects for the Basin that—

3 “(1) address human waste problems in the
4 Basin by providing a cost-sharing construction and
5 education program that offers incentives to parishes
6 and local communities to improve sewage treatment
7 facilities and procedures (including the continuation
8 of funding for the inflow and infiltration projects of
9 Orleans and Jefferson Parishes, Louisiana);

10 “(2) provide critical assistance to agricultural
11 operators designed to address and manage agricul-
12 tural runoff into the Basin;

13 “(3) provide for the rerouting of discharges
14 from selected pumping stations through adjacent
15 wetlands, using existing canals and small water con-
16 trol structures, in order to use natural wetland to
17 filter pollutants from urban stormwater;

18 “(4) improve Basin water quality—

19 “(A) by eliminating discharges of raw or
20 partially treated sewage from fishing camps;

21 “(B) where there are approved municipal
22 or community sewage systems, by providing tie-
23 ins from those systems for fishing camps; and

24 “(C) by establishing new sanitation and
25 sewage systems where needed;

1 “(5) reverse the trend of decreasing acreage of
2 coastal wetlands in the Basin by creating new sus-
3 tainable wetland habitat; and

4 “(6) retain the integrity of natural structural
5 elements in the coastal landscape, such as ridges
6 and barrier islands, in order to reduce storm surge
7 impacts to essential habitats and human infrastruc-
8 ture.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as are nec-
11 essary, to remain available until expended—

12 “(1) to continue to provide priority funding for
13 the New Orleans Inflow and Infiltration Project
14 sponsored by the New Orleans Sewerage and Water
15 Board and Jefferson Parish, Louisiana; and

16 “(2) to carry out subsections (b) and (c).”.

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