

114TH CONGRESS
2^D SESSION

H. R. 223

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Great Lakes Restora-
3 tion Initiative Act of 2016”.

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

5 Section 118(e)(7) of the Federal Water Pollution
6 Control Act (33 U.S.C. 1268(e)(7)) is amended—

7 (1) by striking subparagraphs (B) and (C) and
8 inserting the following:

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

15 “(i) the remediation of toxic sub-
16 stances and areas of concern;

17 “(ii) the prevention and control of
18 invasive species and the impacts of invasive
19 species;

20 “(iii) the protection and restoration of
21 nearshore health and the prevention and
22 mitigation of nonpoint source pollution;

23 “(iv) habitat and wildlife protection
24 and restoration, including wetlands res-
25 toration and preservation; and

1 “(v) accountability, monitoring, eval-
2 uation, communication, and partnership
3 activities.

4 “(C) PROJECTS.—

5 “(i) IN GENERAL.—In carrying out
6 the Initiative, the Administrator shall col-
7 laborate with other Federal partners, in-
8 cluding the Great Lakes Interagency Task
9 Force established by Executive Order No.
10 13340 (69 Fed. Reg. 29043), to select the
11 best combination of programs and projects
12 for Great Lakes protection and restoration
13 using appropriate principles and criteria,
14 including whether a program or project
15 provides—

16 “(I) the ability to achieve stra-
17 tegic and measurable environmental
18 outcomes that implement the Initia-
19 tive Action Plan and the Great Lakes
20 Water Quality Agreement;

21 “(II) the feasibility of—

22 “(aa) prompt implementa-
23 tion;

24 “(bb) timely achievement of
25 results; and

1 “(cc) resource leveraging;

2 and

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

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

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

24 (2) in subparagraph (D)—

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

3 “(i) IN GENERAL.—Subject to sub-
4 paragraph (J)(ii), funds made available to
5 carry out the Initiative shall be used to
6 strategically 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 Admin-
24 istrator, or the head of any other Fed-
25 eral department or agency receiving

1 funds under clause (ii)(I), may make
2 a grant to, or otherwise enter into an
3 agreement with, a qualified non-Fed-
4 eral entity, as determined by the Ad-
5 ministrator or the applicable head of
6 the other Federal department or agen-
7 cy receiving funds, for planning, re-
8 search, monitoring, outreach, or im-
9 plementation of a project selected
10 under subparagraph (C), to support
11 the Initiative Action Plan or the Great
12 Lakes Water Quality Agreement.

13 “(II) QUALIFIED NON-FEDERAL
14 ENTITY.—For purposes of this clause,
15 a 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 nancial 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
21 AGENCIES.—Each relevant Federal department
22 or 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 de-

1 partment or agency without regard to
2 funding 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
9 than once every 5 years, the Adminis-
10 trator, in conjunction with the Great Lakes
11 Interagency Task Force, shall review, and
12 revise as appropriate, the Initiative Action
13 Plan to guide the activities of the Initiative
14 in addressing the restoration and protec-
15 tion of 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-
21 Federal 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 im-
2 plementing 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.—

15 In this paragraph, the term ‘Initiative Action
16 Plan’ means the comprehensive, multi-year ac-
17 tion plan for the restoration of the Great
18 Lakes, first developed pursuant to the Joint
19 Explanatory Statement of the Conference Re-
20 port accompanying the Department of the Inte-
21 rior, Environment, and Related Agencies Ap-
22 propriations Act, 2010 (Public Law 111–88).

23 “(J) FUNDING.—

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

1 paragraph \$300,000,000 for each of fiscal
2 years 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.”.

Passed the House of Representatives April 26, 2016.

Attest:

Clerk.

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