

114TH CONGRESS
2D SESSION

H. R. 4648

To provide incentives for investment in green stormwater infrastructure, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 2016

Mr. KILMER (for himself and Mr. HECK of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To provide incentives for investment in green stormwater
infrastructure, 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 “Green Stormwater In-
5 frastructure Investment Act”.

6 **SEC. 2. DEFINITION.**

7 Section 502 of the Federal Water Pollution Control
8 Act (33 U.S.C. 1362) is amended by adding at the end
9 the following:

1 “(27) GREEN STORMWATER INFRASTRUC-
2 TURE.—

3 “(A) IN GENERAL.—The term ‘green
4 stormwater infrastructure’ means any stormwa-
5 ter management technique that—

6 “(i) uses natural systems or engi-
7 neered systems that mimic natural proc-
8 esses to infiltrate, evapotranspire, or filter
9 stormwater; and

10 “(ii) preserves, enhances, or mimics
11 natural hydrology to protect or restore
12 water quality.

13 “(B) INCLUSIONS.—The term ‘green
14 stormwater infrastructure’ includes—

15 “(i) systems that promote absorption,
16 uptake, evapotranspiration, filtration by
17 soil and plant life, and stormwater system
18 resiliency, such as bioretention, permeable
19 pavements, green roofs, and natural vege-
20 tation; and

21 “(ii) the preservation or restoration
22 of—

23 “(I) interconnected networks of
24 natural land or topography that pro-

1 tect essential ecological functions crit-
 2 ical for water quality;

3 “(II) ecological function, includ-
 4 ing forests, grasslands, and deserts;

5 “(III) bodies of water, including
 6 lakes, rivers, flood plains, headwaters,
 7 creeks, wetlands, estuaries, and
 8 sounds; and

9 “(IV) native soil characteristics
 10 of composition, structure, and trans-
 11 missivity.”.

12 **SEC. 3. GREEN STORMWATER INFRASTRUCTURE RESERVE.**

13 Title VI of the Federal Water Pollution Control Act
 14 (33 U.S.C. 1381 et seq.) is amended by adding at the end
 15 the following:

16 **“SEC. 609. GREEN STORMWATER INFRASTRUCTURE RE-**
 17 **SERVE.**

18 “(a) IN GENERAL.—To the extent there are sufficient
 19 eligible project applications, not less than 20 percent of
 20 the funds made available under this title to each State
 21 shall be used by the State for projects that are otherwise
 22 eligible under this title and include a green stormwater
 23 infrastructure component.

24 “(b) OPERATION AND MAINTENANCE.—Funds re-
 25 served under this section may be used for operation and

1 maintenance costs of green stormwater infrastructure con-
 2 structed using funds reserved under this section.”.

3 **SEC. 4. PUBLIC TRANSPORTATION PROJECTS.**

4 (a) IN GENERAL.—Chapter 53 of title 49, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing:

7 **“§ 5341. Priority for green stormwater infrastructure**
 8 **projects**

9 “(a) IN GENERAL.—In selecting public transpor-
 10 tation infrastructure projects to receive financial assist-
 11 ance under this chapter or any other provision of law, the
 12 Secretary shall prioritize projects that include green
 13 stormwater infrastructure, as defined in section 502 of the
 14 Federal Water Pollution Control Act (33 U.S.C. 1362).

15 “(b) TIGER GRANT PROGRAM.—The projects re-
 16 ferred to in subsection (a) include projects selected under
 17 the Transportation Investment Generating Economic Re-
 18 covery competitive grant program.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-
 20 ter 53 of title 49, United States Code, is amended by add-
 21 ing at the end the following:

“5341. Priority for green stormwater infrastructure projects.”.

1 **SEC. 5. PERMITTING GREEN STORMWATER INFRASTRUC-**
2 **TURE.**

3 Section 402 of the Federal Water Pollution Control
4 Act (33 U.S.C. 1342) is amended by adding at the end
5 the following:

6 “(s) GREEN STORMWATER INFRASTRUCTURE.—Not-
7 withstanding subsection (b)(1)(B), a permit under this
8 section for green stormwater infrastructure may be for a
9 term not to exceed 10 years.”.

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