

Calendar No. 372

114TH CONGRESS
2D SESSION**S. 1024****[Report No. 114–211]**

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

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2015

Mr. KIRK (for himself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

FEBRUARY 24, 2016

Reported by Mr. INHOFE, with an amendment

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

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 Restora-
5 tion Initiative Act of 2015”.

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

2 Section 118(c) of the Federal Water Pollution Con-
 3 trol Act (33 U.S.C. 1268(c)) is amended by striking para-
 4 graph (7) and inserting the following:

5 “(7) GREAT LAKES RESTORATION INITIA-
 6 TIVE.—

7 “(A) ESTABLISHMENT.—There is estab-
 8 lished in the Agency a Great Lakes Restoration
 9 Initiative (referred to in this paragraph as the
 10 ‘Initiative’) to carry out programs and projects
 11 for Great Lakes protection and restoration.

12 “(B) FOCUS AREAS.—The Initiative shall
 13 prioritize programs and projects carried out in
 14 coordination with non-Federal partners and
 15 programs and projects that address priority
 16 areas each fiscal year, including—

17 “(i) the remediation of toxic sub-
 18 stances 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 res-
3 toration and preservation; and

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

7 “(C) PROJECTS.—Under the Initiative, the
8 Agency shall collaborate with Federal partners,
9 including the Great Lakes Interagency Task
10 Force, to select the best combination of pro-
11 grams and projects for Great Lakes protection
12 and restoration using appropriate principles
13 and criteria, including whether a program or
14 project provides—

15 “(i) the ability to achieve strategic
16 and measurable environmental outcomes
17 that implement the Great Lakes Action
18 Plan and the Great Lakes Water Quality
19 Agreement;

20 “(ii) the feasibility of—

21 “(I) prompt implementation;

22 “(II) timely achievement of re-
23 sults; and

24 “(III) resource leveraging; and

1 “(iii) the opportunity to improve
2 interagency and inter-organizational co-
3 ordination and collaboration to reduce du-
4 plication and streamline efforts.

5 “(D) IMPLEMENTATION OF PROJECTS.—

6 “(i) IN GENERAL.—Funds made avail-
7 able to carry out the Initiative shall be
8 used to strategically implement—

9 “(I) Federal projects; and

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

14 “(ii) TRANSFER OF FUNDS.—With
15 amounts made available for the Initiative
16 each fiscal year, the Administrator may—

17 “(I) transfer not more than
18 \$300,000,000 to the head of any Fed-
19 eral department or agency, with the
20 concurrence of the department or
21 agency head, to carry out activities to
22 support the Initiative and the Great
23 Lakes Water Quality Agreement; and

24 “(II) enter into an interagency
25 agreement with the head of any Fed-

1 eral department or agency to carry
2 out activities described in subclause
3 (I).

4 “(E) SCOPE.—

5 “(i) IN GENERAL.—Projects shall be
6 carried out under the Initiative on multiple
7 levels, including—

8 “(I) Great Lakes-wide; and

9 “(II) Great Lakes basin-wide.

10 “(ii) LIMITATION.—No funds made
11 available to carry out the Initiative may be
12 used for any water infrastructure activity
13 (other than a green infrastructure project
14 that improves habitat and other ecosystem
15 functions in the Great Lakes) for which
16 amounts are made available from—

17 “(I) a State water pollution con-
18 trol revolving fund established under
19 title VI; or

20 “(II) a State drinking water re-
21 volving loan fund established under
22 section 1452 of the Safe Drinking
23 Water Act (42 U.S.C. 300j-12).

24 “(F) ACTIVITIES BY OTHER FEDERAL
25 AGENCIES.—Each relevant Federal department

or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

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

“(G) FUNDING.—There is authorized to be appropriated to carry out the Initiative \$300,000,000 for each of fiscal years 2016 through 2020.”.

SECTION 1. SHORT TITLE.

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

SEC. 2. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) GREAT LAKES RESTORATION INITIATIVE.—

“(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the

1 *‘Initiative’)* to carry out programs and projects
2 *for Great Lakes protection and restoration.*

3 “(B) *FOCUS AREAS.*—Each fiscal year
4 under a 5-year Initiative Action Plan, the Ini-
5 tiative shall prioritize programs and projects,
6 carried out in coordination with non-Federal
7 partners, that address priority areas, such as—

8 “(i) *the remediation of toxic substances*
9 *and areas of concern;*

10 “(ii) *the prevention and control of*
11 *invasive species and the impacts of invasive*
12 *species;*

13 “(iii) *the protection and restoration of*
14 *nearshore health and the prevention and*
15 *mitigation of nonpoint source pollution;*

16 “(iv) *habitat and wildlife protection*
17 *and restoration, including wetlands restora-*
18 *tion and preservation; and*

19 “(v) *accountability, monitoring, eval-*
20 *uation, communication, and partnership*
21 *activities.*

22 “(C) *PROJECTS.*—Under the Initiative, the
23 Agency shall collaborate with Federal partners,
24 including the Great Lakes Interagency Task
25 Force, to select the best combination of programs

1 *and projects for Great Lakes protection and res-*
 2 *toration using appropriate principles and cri-*
 3 *teria, including whether a program or project*
 4 *provides—*

5 *“(i) the ability to achieve strategic and*
 6 *measurable environmental outcomes that*
 7 *implement the Great Lakes Action Plan and*
 8 *the Great Lakes Water Quality Agreement;*

9 *“(ii) the feasibility of—*

10 *“(I) prompt implementation;*

11 *“(II) timely achievement of re-*
 12 *sults; and*

13 *“(III) resource leveraging; and*

14 *“(iii) the opportunity to improve*
 15 *interagency and inter-organizational co-*
 16 *ordination and collaboration to reduce du-*
 17 *plication and streamline efforts.*

18 *“(D) IMPLEMENTATION OF PROJECTS.—*

19 *“(i) IN GENERAL.—Subject to subpara-*
 20 *graph (G)(ii), funds made available to*
 21 *carry out the Initiative shall be used to*
 22 *strategically implement—*

23 *“(I) Federal projects; and*

24 *“(II) projects carried out in co-*
 25 *ordination with States, Indian tribes,*

1 *municipalities, institutions of higher*
 2 *education, and other organizations.*

3 “(ii) *TRANSFER OF FUNDS.—With*
 4 *amounts made available for the Initiative*
 5 *each fiscal year, the Administrator may—*

6 “(I) *transfer not more than*
 7 *\$300,000,000 to the head of any Fed-*
 8 *eral department or agency, with the*
 9 *concurrence of the department or agen-*
 10 *cy head, to carry out activities to sup-*
 11 *port the Initiative and the Great Lakes*
 12 *Water Quality Agreement;*

13 “(II) *enter into an interagency*
 14 *agreement with the head of any Fed-*
 15 *eral department or agency to carry out*
 16 *activities described in subclause (I);*
 17 *and*

18 “(III) *make grants to govern-*
 19 *mental entities, nonprofit organiza-*
 20 *tions, institutions, and individuals for*
 21 *planning, research, monitoring, out-*
 22 *reach, and implementation of projects*
 23 *in furtherance of the Initiative and the*
 24 *Great Lakes Water Quality Agreement.*

25 “(E) *SCOPE.—*

1 “(i) *IN GENERAL.—Projects shall be*
 2 *carried out under the Initiative on multiple*
 3 *levels, including—*

4 “(I) *Great Lakes-wide; and*

5 “(II) *Great Lakes basin-wide.*

6 “(ii) *LIMITATION.—No funds made*
 7 *available to carry out the Initiative may be*
 8 *used for any water infrastructure activity*
 9 *(other than a green infrastructure project*
 10 *that improves habitat and other ecosystem*
 11 *functions in the Great Lakes) for which*
 12 *amounts are made available from—*

13 “(I) *a State water pollution con-*
 14 *trol revolving fund established under*
 15 *title VI; or*

16 “(II) *a State drinking water re-*
 17 *volving loan fund established under*
 18 *section 1452 of the Safe Drinking*
 19 *Water Act (42 U.S.C. 300j–12).*

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 and the Great Lakes Water*
6 *Quality Agreement.*

7 “(G) *FUNDING.—*

8 “(i) *IN GENERAL.—There is authorized*
9 *to be appropriated to carry out this para-*
10 *graph \$300,000,000 for each of fiscal years*
11 *2017 through 2021.*

12 “(ii) *LIMITATION.—Nothing in this*
13 *paragraph creates, expands, or amends the*
14 *authority of the Administrator to imple-*
15 *ment programs or projects under—*

16 “(I) *this section;*

17 “(II) *the Initiative Action Plan;*

18 *or*

19 “(III) *the Great Lakes Water*
20 *Quality Agreement.”.*

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A BILL

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Initiative, and for other purposes.

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