

WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION (WIIN) ACT

The Water Infrastructure Improvements for the Nation (WIIN) Act is comprehensive legislation to address the needs of America's harbors, locks, dams, flood protection, and other water resources infrastructure critical to the Nation's economic growth, health, and competitiveness.

The WIIN Act is a measure that includes the Water Resources Development Act (WRDA) of 2016, which overwhelmingly passed the House in September, in addition to provisions to improve drinking water infrastructure around the country, address control of coal combustion residuals, improve water storage and delivery to help drought-stricken communities, address federal dam maintenance backlogs, and approve longstanding water settlement agreements for the benefit of taxpayers and Native Americans.

The WIIN Act is the result of bicameral negotiations, improves critical infrastructure across America, and strengthens the economy.

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WATER RESOURCES DEVELOPMENT ACT (WRDA) OF 2016 (TITLE I)

Contact the Transportation and Infrastructure Committee at 202-225-9446

The Water Resources Development Act fulfills Congress' commitment to support and improve America's water resources infrastructure, which is critical to our Nation's economic competitiveness and domestic security.

Restoring certainty to the WRDA process and returning to the two-year cycle of Congress considering WRDA legislation is vital for our Nation, as other countries continue to invest in their own water resources infrastructure. For example, the expanded Panama Canal opened in June 2016, with the capacity to accommodate larger vessels that can carry nearly three times as many shipping containers. However, fewer than 10 of America's ports are currently capable of handling these fully loaded modern container ships.

WRDA invests in America to ensure that we are prepared for this growth and that the United States can compete globally with a 21st century infrastructure. WRDA 2016 follows the strong bipartisan reforms included in the Water Resources Reform and Development Act of 2014, and adheres to the process Congress established in the 2014 law for oversight, review, and consideration of proposed water resources development activities of the Corps.

HIGHLIGHTS OF WRDA 2016

Improves America's Water Resources Infrastructure

- Authorizes needed investment in America's ports, channels, locks, dams, and other infrastructure that supports the maritime and waterways transportation system and provides flood protection for communities.
- Authorizes Army Corps of Engineers Chief's Reports received since WRRDA 2014; Chief's Reports are the final recommendations to Congress by the Corps' Chief of Engineers for water resources infrastructure investment.
 - » These infrastructure improvements have been proposed at the local level, in cooperation and consultation with the Corps, and have national economic and environmental benefits.
 - » All Chief's Reports have been fully vetted by the Committee at hearings this year.
- Authorizes studies for future water resources improvements and makes modifications to previous authorizations.
 - » Strengthens process reforms established under WRRDA 2014 for greater local participation in project selection, and empowers non-federal participation in construction and operation and maintenance activities.
- Accelerates and broadens reforms for infrastructure project permit processing.
- Cuts red tape by requiring timely approvals for non-federal modifications to Corps of Engineers projects.
- Keeps American jobs in America by strengthening our competitiveness and ensuring that our transportation system remains attractive to private sector job creators.

Fiscally Responsible

- Fully offsets new authorizations.
- Ensures that authorizations for inactive projects will sunset to prevent future project backlogs.
- Reduces the inventory of projects that are not needed for the missions of the Corps.
- Saves taxpayers money by shedding excess property no longer needed by the Corps.

Strengthens Oversight, Transparency, and Accountability

- Contains no earmarks.
- Follows the new transparent process developed in WRRDA 2014 to review and prioritize water resources development activities with strong Congressional oversight.
- Enhances transparency of the Executive Branch related to Corps projects and permit evaluations, and strengthens Congressional oversight.

Return to Regular Order

- Returning to the two-year cycle of considering WRDA legislation ensures proper Congressional oversight of the Army Corps of Engineers and reasserts Congress' roll in addressing the Nation's water infrastructure needs.
- Maintaining regular order saves money by allowing needed water resources infrastructure improvements and project modifications to move forward, and preventing the unnecessary increases in project costs that occur when authorizations are stalled or delayed.

WATER AND WASTE ACT OF 2016 (TITLE II)

Contact the Energy and Commerce Committee at 202-225-2927

The Water and Waste Act of 2016 makes changes to the Safe Drinking Water Act and the Solid Waste Disposal Act to help communities, particularly economically distressed ones, pursue better quality drinking water and obtain certainty for protecting a community's economic, environmental, and public health well-being.

Improves Safe Drinking Water Infrastructure

- Empowers small and economically disadvantaged communities to improve their drinking water services.
- Equips communities with programs and activities to reduce concentrations of lead in drinking water, including the replacement of lead service lines.
- Empowers states and provides them flexibility to incorporate underserved communities that have inadequate drinking water systems, and aids smaller, lower-income communities, tribes, and states in water quality testing and general compliance with Safe Drinking Water Act requirements.
- Benefits communities by requiring public water systems to notify customers if the utility is exceeding federal drinking water lead action levels, similar to H.R. 4470 which passed the House 416-2.
- Creates a voluntary program for testing for lead in school and childcare center drinking water.
- Promotes transparency and accountability by creating a clearinghouse of public information on the cost-effectiveness of alternative drinking water delivery systems, including systems that are supported by wells.
- Authorizes research on innovative water technologies, including those that identify and mitigate sources of drinking water contamination and improve compliance with the Safe Drinking Water Act.

Addresses Control of Coal Combustion Residuals

- Provides for the establishment of state and EPA permit programs for coal combustion residuals (coal ash).
- Provides flexibility for states to incorporate the EPA final rule for coal combustion residuals or develop other criteria that are at least as protective as the final rule.
- Requires EPA to approve state permit programs within 180 days of a state submitting a program for approval.

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Natural Resources (TITLE III)

Contact the Natural Resources Committee at 202-225-2761

Provisions in the Natural Resources title address outdated statutes and policies to improve water storage and delivery for suffering, drought-stricken communities in California and the West. Additional provisions address long-standing water settlement agreements for the benefit of taxpayers and Native Americans, and expand conservation, recreation, and management of water and other natural resources.

Provides drought relief for California and the West

- Expedites water storage and delivery, and alternative water supply programs in the West to help drought-stricken communities.
- Provides regulatory flexibility to capture more water in existing reservoirs during the wet months in California while not changing the Endangered Species Act.

Improves environmental conservation and management

- Authorizes a non-regulatory program for watersheds in Delaware, New Jersey, New York, and Pennsylvania without additional federal funding.
- Enhances environmental restoration and forest management activities in the Lake Tahoe Basin.
- Improves initiatives to benefit fish and wildlife in the Great Lakes.

Increases recreational opportunities

- Limits the increase of permit fees for cabins and trailers on certain Bureau of Reclamation lands.
- Enhances recreational opportunities in the Lake Tahoe Basin.

Enhances Indian water infrastructure and sources

- Improves flood mitigation and dam safety needs for Indian communities.
- Expedites repairs to Indian irrigation projects in the western U.S.
- Settles long-standing water rights disputes with the Pechanga Tribe, the Choctaw Nation, the Chickasaw Nation, and the Blackfeet Tribe, among others.

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John Boozman, United States Senator for Arkansas

Press Releases

WASHINGTON – The U.S. Senate passed *The Water Infrastructure Improvements for the Nation (WIIN) Act* early Saturday. This legislation will strengthen our nation’s waterway infrastructure, provide clean water and drinking water assistance around the country and address agriculture water supply needs. The legislation includes several provisions authored by U.S. Senator John Boozman (R-AR) to benefit Arkansas.

“This is an important water infrastructure bill that will deliver important water resources to Arkansans and provide Arkansas farmers and factories a reliable method to move their goods to market, creating more economic opportunities and jobs for the hardworking people of our state. I am pleased the Senate was able to pass this bill with strong bipartisan support,” Boozman, a member of the Senate Environment and Public Works (EPW) Committee said.

The legislation includes reforms to address our nation’s drinking water, sewer and agricultural water supply needs. It focuses on the concerns of rural areas that struggle to meet expensive regulatory requirements.

Boozman-authored provisions include:

Improving the Water Infrastructure Finance and Innovation Act (WIFIA)

The United States faces a multi-hundred billion dollar shortfall in the need for water infrastructure investments, which includes drinking water, sewer and agricultural water supply projects. The federal government has provided funding to establish revolving loan grant programs — administered by the states — as well as resources such as the WIFIA. This program leverages small investments to make sure taxpayers get the most bang for the buck. In an effort to make the WIFIA program a viable option for critical agricultural water-supply projects in Arkansas, Boozman included language in the WRDA bill to reform the WIFIA program. The WIFIA program can only finance up to 49 percent of a project's costs. The Boozman language clarifies that costs incurred and in-kind contributions made before the receipt of a WIFIA loan count toward the 51 percent of the project that must be financed by non-WIFIA dollars. This is a great first step to open up a new financing option to ensure that farmers have access to the water necessary to keep Arkansas agriculture strong.

Expanding the Mission of the Ouachita-Black Rivers System

For decades, the U.S. Army Corps of Engineers (Corps) has managed the Ouachita-Black Rivers System for the purpose of promoting navigation and shipping on the rivers. Under the Boozman-authored provision, the Corps will determine whether it makes sense to expand the project's purpose to include: (1) water supply and (2) bank stabilization. Arkansans and Louisianans already use the Ouachita-Black Rivers System for water supply, but expanding the official project purpose will ensure the Corps fully considers the water supply benefits when making project management decisions. Adding bank stabilization would improve water quality and make it easier to maintain a navigation channel in the river.

Partnerships for Corps Parks

Boozman's provision restores an earlier practice of the Corps, by which user fees were reinvested through public-private partnerships to enhance operation, maintenance and management of recreation sites. For many years, the Corps used its authority to allow these community and non-profit partners to collect and reinvest recreation user fees. However, in 2013, the Corps released guidance disallowing this practice. Based on a legal review, the Corps determined that these partnerships were not allowed under the law. As a result, the Corps was forced to collect these fees without reinvesting the money at the local parks. Boozman's provision will ensure that the Corps can once again form these partnerships with local communities and non-profits. These partnerships save money and help keep parks open and well-maintained.

Providing Technical Assistance to Small Community Water Systems

The most recent Environmental Protection Agency (EPA) Water Drinking Needs Survey reflects a shortfall of \$64 billion in drinking water infrastructure funding. Boozman's provision will update existing EPA and U.S. Department of Agriculture (USDA) programs to provide cost-saving information about innovative and alternate drinking water delivery systems including those supported by wells. It also requires that alternative drinking water supplies such as individual, shared and community wells be considered in applications for federal funding for drinking water systems serving 500 or fewer people.

Protecting the Arkansas River 12-Foot Channel Project

A previously passed law authored by then-Congressman Boozman, authorized a project to deepen the Arkansas River navigation channel to 12 feet. This would provide a 40 percent increase in the capacity of river barges to transport products for Arkansas farmers and factories. However, in recent years, the critical maintenance needs on the Arkansas River have

consumed considerable funding to keep our locks and the existing river channel open. Also, funding for 12-foot channel construction is not currently available, because the money from the Inland Waterway Trust Fund is currently dedicated to the Olmsted Lock and Dam. As a result, the 12-foot channel project is at risk of automatic de-authorization. Boozman's language in the WRDA bill will ensure that the 12-foot channel project authority will continue at least until after Olmsted is complete, which will free up funding for other inland waterways projects like the 12-foot channel.

Permalink:

<http://www.boozman.senate.gov/public/index.cfm/2016/12/senate-approves-boozman-authored-provisions-to-benefit-arkansas-in-water-resources-development-act>



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