

117TH CONGRESS
1ST SESSION

H. R. 3751

To amend the Federal Water Pollution Control Act to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2021

Mr. CARBAJAL 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 establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters, 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 “Clean Water Infra-
5 structure Resilience and Sustainability Act of 2021”.

1 **SEC. 2. CLEAN WATER INFRASTRUCTURE RESILIENCY AND**
2 **SUSTAINABILITY PROGRAM.**

3 Title II of the Federal Water Pollution Control Act
4 (33 U.S.C. 1281 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY**
7 **AND SUSTAINABILITY PROGRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) a municipality; or

12 “(B) an intermunicipal, interstate, or State
13 agency.

14 “(2) NATURAL HAZARD.—The term ‘natural
15 hazard’ means a natural event that threatens the
16 functioning of a publicly owned treatment works, in-
17 cluding extreme weather events and hydrological
18 changes.

19 “(3) PROGRAM.—The term ‘program’ means
20 the clean water infrastructure resilience and sustain-
21 ability program established under subsection (b).

22 “(4) RESILIENCE.—The term ‘resilience’ means
23 the ability of a publicly owned treatment works or
24 an asset of a publicly owned treatment works—

1 “(A) to adapt to, or withstand the effects
2 of, a natural hazard, without interruption to the
3 function of the plant or asset; or

4 “(B) if the function is interrupted due to
5 a natural hazard, to rapidly return to a normal
6 operating condition.

7 “(b) ESTABLISHMENT.—The Administrator shall es-
8 tablish a clean water infrastructure resilience and sustain-
9 ability program under which the Administrator shall
10 award grants to eligible entities for the purpose of increas-
11 ing the resilience of publicly owned treatment works to a
12 natural hazard.

13 “(c) USE OF FUNDS.—An eligible entity that receives
14 a grant under the program shall use the grant funds for
15 planning, designing, or constructing projects (on a system-
16 wide or area-wide basis) that increase the resilience of a
17 publicly owned treatment works to a natural hazard
18 through—

19 “(1) the conservation of water;

20 “(2) the enhancement of water use efficiency;

21 “(3) the enhancement of wastewater and
22 stormwater management by increasing watershed
23 preservation and protection, including through the
24 use of—

1 “(A) natural and engineered green infra-
2 structure; and

3 “(B) reclamation and reuse of wastewater
4 and stormwater, such as aquifer recharge zones;

5 “(4) the modification or relocation of an exist-
6 ing publicly owned treatment works that is at risk
7 of being significantly impaired or damaged by a nat-
8 ural hazard;

9 “(5) the development and implementation of
10 projects to increase the resilience of publicly owned
11 treatment works to a natural hazard; or

12 “(6) the enhancement of energy efficiency or
13 the use and generation of recovered or renewable en-
14 ergy in the management, treatment, or conveyance
15 of wastewater or stormwater.

16 “(d) APPLICATION.—To be eligible to receive a grant
17 under the program, an eligible entity shall submit to the
18 Administrator an application at such time, in such man-
19 ner, and containing such information as the Administrator
20 may require, including—

21 “(1) a proposal of the project to be planned, de-
22 signed, or constructed using funds under the pro-
23 gram;

24 “(2) an identification of the natural hazard risk
25 to be addressed by the proposed project;

1 “(3) documentation prepared by a Federal,
2 State, regional, or local government agency of the
3 natural hazard risk of the area where the proposed
4 project is to be located;

5 “(4) a description of any recent natural hazard
6 events that have affected the publicly owned treat-
7 ment works;

8 “(5) a description of how the proposed project
9 would improve the performance of the publicly
10 owned treatment works under an anticipated natural
11 hazard; and

12 “(6) an explanation of how the proposed project
13 is expected to enhance the resilience of the publicly
14 owned treatment works to an anticipated natural
15 hazard.

16 “(e) GRANT AMOUNT AND OTHER FEDERAL RE-
17 QUIREMENTS.—

18 “(1) COST SHARE.—A grant under the program
19 shall not exceed 75 percent of the total cost of the
20 proposed project.

21 “(2) REQUIREMENTS.—The requirements of
22 section 608 shall apply to a project funded with a
23 grant under the program.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section
3 \$15,000,000 for each of fiscal years 2022 through 2026.”.

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