

118TH CONGRESS
1ST SESSION

H. R. 5216

To direct restoration and protection efforts of the 5-State Connecticut River Watershed region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 15, 2023

Mr. MCGOVERN (for himself, Mr. COURTNEY, Mrs. HAYES, Ms. BALINT, Ms. KUSTER, Mr. NEAL, and Mr. HIMES) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct restoration and protection efforts of the 5-State Connecticut River Watershed region, 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 “Connecticut River Wa-
5 tershed Partnership Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ENVIRONMENTAL JUSTICE COMMUNITY.—

2 The term “environmental justice community” means
3 a community with significant representation of com-
4 munities of color, low-income communities, or Tribal
5 and Indigenous communities, that experiences, or is
6 at risk of experiencing, higher or more adverse
7 human health or environmental effects.

8 (2) FOUNDATION.—The term “Foundation”
9 means the National Fish and Wildlife Foundation.

10 (3) GRANT PROGRAM.—The term “grant pro-
11 gram” means the voluntary Connecticut River Wa-
12 tershed Partnership grant program established
13 under section 4(a).

14 (4) PROGRAM.—The term “program” means
15 the nonregulatory Connecticut River Watershed
16 Partnership program established under section 3(a).

17 (5) RESTORATION AND PROTECTION.—The
18 term “restoration and protection” means the con-
19 servation, stewardship, and enhancement of land and
20 water for fish, wildlife, and people—

21 (A) to preserve and improve ecosystems
22 and ecological processes on which fish, wildlife,
23 and people depend; and

24 (B) for use and enjoyment by the public.

1 (6) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior, acting through the Di-
3 rector of the United States Fish and Wildlife Serv-
4 ice.

5 (7) TRIBES.—The term “Tribes” means Native
6 American groups that descend from peoples indige-
7 nous to the Watershed, without regard to whether
8 the groups are—

9 (A) recognized by the Federal Government
10 or a Watershed State; or

11 (B) non-enfranchised.

12 (8) WATERSHED.—The term “Watershed”
13 means the 5-State watershed region, including the
14 Connecticut River and its tributaries and all of the
15 land area in portions of the Watershed States whose
16 surface water drains into the Connecticut River.

17 (9) WATERSHED STATE.—The term “Water-
18 shed State” means each of the States of Con-
19 necticut, Maine, Massachusetts, New Hampshire,
20 and Vermont.

21 **SEC. 3. CONNECTICUT RIVER WATERSHED PARTNERSHIP**
22 **PROGRAM.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of enactment of this Act, the Secretary shall es-

1 tablish a nonregulatory program, to be known as the
2 “Connecticut River Watershed Partnership program”.

3 (b) DUTIES.—In carrying out the program, the Sec-
4 retary shall draw on existing and new approved plans for
5 the Watershed, or portions of the Watershed, and work
6 in consultation with applicable management entities, in-
7 cluding representatives of the Friends of the Silvio O.
8 Conte National Fish and Wildlife Refuge, the Connecticut
9 River Joint Commissions, the Connecticut River Atlantic
10 Salmon Commission and its successor organization the
11 Connecticut River Migratory Fish Restoration Coopera-
12 tive, the Federal Government, and other State and local
13 governments, Tribal governments or organizations, and
14 regional and nonprofit organizations, as appropriate, to
15 identify, prioritize, and implement restoration and protec-
16 tion activities within the Watershed through the adoption
17 of an inclusive Watershed-wide strategy and framework.

18 (c) CONSULTATION.—In establishing the program,
19 the Secretary shall consult, as appropriate, with—

20 (1) the heads of Federal agencies, including—

21 (A) the Administrator of the Environ-
22 mental Protection Agency;

23 (B) the Administrator of the National Oce-
24 anic and Atmospheric Administration;

1 (C) the Chief of the Natural Resources
2 Conservation Service;

3 (D) the Director of the National Park
4 Service;

5 (E) the Chief of Engineers of the Corps of
6 Engineers;

7 (F) the Secretary of Transportation;

8 (G) the Secretary of Commerce; and

9 (H) the head of any other applicable Fed-
10 eral agency, as determined by the Secretary;

11 (2) the Governors of the Watershed States;

12 (3) Tribal governments or organizations, includ-
13 ing Tribes;

14 (4) the Friends of the Silvio O. Conte National
15 Fish and Wildlife Refuge;

16 (5) the Connecticut River Joint Commissions;

17 (6) the Connecticut River Atlantic Salmon
18 Commission and its successor organization the Con-
19 necticut River Migratory Fish Restoration Coopera-
20 tive;

21 (7) other public and quasi-public agencies and
22 organizations with authority for the planning and
23 implementation of conservation strategies in or af-
24 fecting the Watershed; and

1 (8) stakeholders from impacted environmental
2 justice communities.

3 (d) PURPOSES.—The purposes of the program are—

4 (1) to coordinate and collaborate on restoration
5 and protection activities among Federal, Tribal,
6 State, local, and regional entities and conservation
7 partners throughout the Watershed; and

8 (2) to carry out coordinated restoration and
9 protection activities in, and provide technical assist-
10 ance throughout, the Watershed—

11 (A) to restore, recover, and manage for
12 sustainable fish, wildlife, and plant populations;

13 (B) to sustain and enhance fish and wild-
14 life habitat restoration, stewardship, and pro-
15 tection activities;

16 (C) to improve and maintain water quality
17 to support fish, wildlife, and fish and wildlife
18 habitat, including to improve opportunities for
19 public access and recreation in the Watershed
20 consistent with the ecological needs of fish and
21 wildlife habitat;

22 (D) to advance the use of nature-based so-
23 lutions to maximize the resilience of commu-
24 nities, natural systems, and habitats under

1 changing sea levels, storm risks, and watershed
2 conditions;

3 (E) to support farmland conservation and
4 food equity, including habitat protection, cli-
5 mate resilience, and carbon sequestration on
6 working farms and forests;

7 (F) to engage the public, particularly envi-
8 ronmental justice communities, through out-
9 reach, education, and community involvement to
10 increase capacity and support for coordinated
11 restoration and protection activities in the Wa-
12 tershed;

13 (G) to identify, affirm, and promote the
14 practice and awareness of traditional Tribal
15 river and Watershed-related cultural practices
16 and traditional ecological knowledge;

17 (H) to improve access to open space and
18 trails by enhancing trails in the Watershed and
19 on-street active transportation, such as bike
20 lanes, sidewalks, public transportation, and bike
21 share;

22 (I) to sustain and enhance water manage-
23 ment for volume and flood damage mitigation
24 improvements to benefit fish and wildlife habi-
25 tat;

1 (J) to support land and water conservation
2 and management activities necessary to fulfill
3 the Watershed-wide strategy adopted under
4 subsection (b);

5 (K) to monitor environmental quality to
6 assess progress towards the purposes of the
7 program;

8 (L) to facilitate strategic planning to maxi-
9 mize the resilience of natural systems and habi-
10 tats under changing watershed conditions;

11 (M) to improve fish and wildlife habitats,
12 including opportunities for personal recreation,
13 hunting, fishing, and wildlife viewing along riv-
14 ers, particularly in environmental justice com-
15 munities;

16 (N) to increase scientific capacity to sup-
17 port the planning, monitoring, and research ac-
18 tivities necessary to carry out coordinated res-
19 toration and protection activities; and

20 (O) to provide technical assistance to carry
21 out restoration and protection activities in the
22 Watershed.

1 **SEC. 4. CONNECTICUT RIVER WATERSHED PARTNERSHIP**
2 **GRANT PROGRAM.**

3 (a) **DEFINITION OF ELIGIBLE ENTITY.**—In this sec-
4 tion, the term “eligible entity” means—

- 5 (1) a State, Tribal, or local government;
6 (2) a nonprofit organization; and
7 (3) an institution of higher education (as de-
8 fined in section 101(a) of the Higher Education Act
9 of 1965 (20 U.S.C. 1001(a))).

10 (b) **ESTABLISHMENT.**—Not later than 180 days after
11 the date of enactment of this Act, the Secretary shall es-
12 tablish a voluntary grant and technical assistance pro-
13 gram, to be known as the “Connecticut River Watershed
14 Partnership grant program”, to provide competitive
15 matching grants to eligible entities to carry out restoration
16 and protection activities for the Watershed.

17 (c) **CRITERIA.**—The Secretary, in consultation with
18 the agencies, organizations, and other individuals and en-
19 tities referred to in section 3(c), shall develop criteria for
20 the grant program to ensure—

- 21 (1) the equitable distribution of funds; and
22 (2) that projects funded under the grant pro-
23 gram accomplish 1 or more of the purposes de-
24 scribed in section 3(d).

25 (d) **COST SHARING.**—

- 26 (1) **FEDERAL SHARE.**—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the Federal share of the cost
3 of a project funded under the grant program
4 shall not exceed 75 percent of the total cost of
5 the project, as determined by the Secretary.

6 (B) ENVIRONMENTAL JUSTICE COMMU-
7 NITIES.—

8 (i) IN GENERAL.—Subject to clause
9 (ii), the Federal share of the cost of a
10 project funded under the grant program
11 that serves an environmental justice com-
12 munity shall be 90 percent of the total cost
13 of the project, as determined by the Sec-
14 retary.

15 (ii) WAIVER.—The Secretary may in-
16 crease the Federal share under clause (i)
17 to 100 percent of the total cost of the
18 project if the Secretary determines that the
19 grant recipient is unable to pay, or would
20 experience significant financial hardship if
21 required to pay, the non-Federal share.

22 (2) NON-FEDERAL SHARE.—The non-Federal
23 share of the cost of a project funded under the grant
24 program may be provided in cash or in the form of

1 an in-kind contribution of services, materials, or
2 land value.

3 (e) ADMINISTRATION.—

4 (1) IN GENERAL.—The Secretary may enter
5 into an agreement to manage the grant program
6 with the Foundation or a similar organization that
7 offers grant management services.

8 (2) FUNDING.—If the Secretary enters into an
9 agreement under paragraph (1), the Foundation or
10 similar organization selected shall—

11 (A) for each fiscal year in which the grant
12 program is carried out, receive amounts made
13 available to carry out this section for that fiscal
14 year in an advance payment of the entire
15 amounts on October 1 of that fiscal year, or as
16 soon as practicable thereafter;

17 (B) invest and reinvest those amounts for
18 the benefit of the grant program; and

19 (C) otherwise administer the grant pro-
20 gram to support partnerships between the pub-
21 lic and private sectors in accordance with this
22 Act.

23 (3) REQUIREMENTS.—If the Secretary enters
24 into an agreement with the Foundation under para-
25 graph (1), any amounts received by the Foundation

1 under this section shall be subject to the National
2 Fish and Wildlife Foundation Establishment Act (16
3 U.S.C. 3701 et seq.), excluding section 10(a) of that
4 Act (16 U.S.C. 3709(a)).

5 **SEC. 5. ANNUAL REPORTS.**

6 Not later than 180 days after the date of enactment
7 of this Act, and annually thereafter, the Secretary shall
8 submit to Congress a report on the implementation of this
9 Act, including a description of each project that has re-
10 ceived funding under the grant program in the preceding
11 fiscal year.

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-
14 priated to the Secretary to carry out this Act such sums
15 as are necessary for each of fiscal years 2023 through
16 2027.

17 (b) USE FOR GRANT PROGRAM.—Of the amounts
18 made available to carry out this Act for each fiscal year,
19 the Secretary shall use not less than 75 percent to carry
20 out the grant program and to provide, or provide for, tech-
21 nical assistance under that grant program.

22 (c) SUPPLEMENT, NOT SUPPLANT.—Amounts made
23 available to carry out this Act shall supplement, and not

- 1 supplant, funding for other activities carried out by the
- 2 Secretary in the Watershed.

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