

118TH CONGRESS
2D SESSION

S. 3754

To establish the Mississippi River Restoration and Resilience Initiative to carry out projects for the protection and restoration of the Mississippi River Corridor, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2024

Ms. BALDWIN (for herself, Ms. DUCKWORTH, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish the Mississippi River Restoration and Resilience Initiative to carry out projects for the protection and restoration of the Mississippi River Corridor, 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 “Mississippi River Res-
5 toration and Resilience Initiative Act” or the “MRRRI
6 Act”.

7 **SEC. 2. FINDINGS; PURPOSE.**

8 (a) FINDINGS.—Congress finds that—

1 (1) the Mississippi River flows more than 2,300
2 miles from its source at Lake Itasca through the
3 center of the continental United States to the Gulf
4 of Mexico;

5 (2) as of 2019, the main stem of the Mississippi
6 River flows through 10 States that collectively are
7 home to 55,400,000 people;

8 (3) the Mississippi River provides drinking
9 water to more than 20,000,000 people in 50 cities;

10 (4) the Mississippi River drives a vibrant nat-
11 ural resource and recreation-based economy that—

12 (A) generates nearly \$500,000,000,000 in
13 annual revenue; and

14 (B) directly employs more than 1,500,000
15 people;

16 (5) the Mississippi River and its 30,000,000
17 acre floodplain provide an ecological lifeline for all of
18 North America, supporting more than 780 species of
19 fish and wildlife and providing a vital migration cor-
20 ridor for 60 percent of all North American birds and
21 40 percent of the migratory waterfowl in the United
22 States;

23 (6) the Mississippi River serves as a major
24 transportation corridor for grain and cargo;

1 (7) Congress has designated the Mississippi
2 River System as a nationally significant ecosystem
3 and a nationally significant navigation system, the
4 only inland river system to receive both designations;

5 (8) despite the critical value of the Mississippi
6 River to the United States, the Mississippi River is
7 in a severe state of ecological decline, as documented
8 by the United States Geological Survey, the Corps of
9 Engineers, and other Federal and State agencies;

10 (9) modifications to the Mississippi River have
11 resulted in the extensive loss of wetlands and com-
12 plex river habitats, causing profound harm to the
13 treasured fish and wildlife resources in the United
14 States and increasing flood risks to communities;

15 (10) polluted runoff has drastically reduced
16 water quality and created a massive dead zone in the
17 Gulf of Mexico;

18 (11) invasive aquatic species threaten—

19 (A) the ecological integrity of the Mis-
20 sissippi River and Gulf of Mexico; and

21 (B) the fisheries and recreation organiza-
22 tions in the Mississippi River and the Gulf of
23 Mexico that rely on a healthy ecosystem;

24 (12) ecological degradation of the Mississippi
25 River has resulted in—

- 1 (A) more flooding;
2 (B) less wildlife;
3 (C) fewer jobs;
4 (D) reduced recreational opportunities; and
5 (E) higher costs for keeping communities
6 safe and ensuring that communities have clean
7 drinking water;

8 (13) the consequences of ecological degradation
9 have disproportionately harmed rural communities,
10 economically disadvantaged communities, and com-
11 munities of color; and

12 (14) existing Federal programs lack sufficient
13 coordination, funding, and participation with States,
14 Indian Tribes, local governments, and nongovern-
15 mental organizations—

16 (A) to address the challenges described in
17 this subsection; and

18 (B) to reverse the decline of the Mis-
19 sissippi River.

20 (b) PURPOSE.—The purpose of this Act and the
21 amendments made by this Act is to establish the Mis-
22 sissippi River Restoration and Resilience Initiative, a non-
23 regulatory initiative—

24 (1) to protect and restore the ecological health
25 and resilience of the Mississippi River for—

1 (A) current and succeeding generations of
2 people of the United States; and

3 (B) the fish and wildlife that rely on the
4 Mississippi River and the floodplain of the Mis-
5 sissippi River; and

6 (2) to build on existing efforts and provide
7 funding for projects and activities to protect and re-
8 store the nationally significant resources of the Mis-
9 sissippi River by—

10 (A) establishing the Mississippi River Na-
11 tional Program Office;

12 (B) establishing the focus areas for the
13 Mississippi River Restoration and Resilience
14 Initiative;

15 (C) identifying qualifying activities for the
16 programs and projects of the Mississippi River
17 Restoration and Resilience Initiative;

18 (D) to guide the Mississippi River Restora-
19 tion and Resilience Initiative, directing the de-
20 velopment of—

21 (i) actionable goals;

22 (ii) an action plan;

23 (iii) a science plan; and

24 (iv) updates to the goals and plans de-
25 scribed in clauses (i) through (iii);

1 (E) establishing criteria for measuring the
 2 success of the Mississippi River Restoration and
 3 Resilience Initiative in restoring the ecological
 4 health and resilience of the Mississippi River;

5 (F) requiring the Administrator to coordi-
 6 nate and consult with Federal and non-Federal
 7 stakeholders to carry out the Mississippi River
 8 Restoration and Resilience Initiative; and

9 (G) establishing the Mississippi River Cor-
 10 ridor Research Centers.

11 **SEC. 3. MISSISSIPPI RIVER RESTORATION AND RESILIENCE**
 12 **INITIATIVE.**

13 Title I of the Federal Water Pollution Control Act
 14 (33 U.S.C. 1251 et seq.) is amended by adding at the end
 15 the following:

16 **“SEC. 127. MISSISSIPPI RIVER RESTORATION AND RESIL-**
 17 **IENCE INITIATIVE.**

18 “(a) DEFINITIONS.—In this section:

19 “(1) ACTION PLAN.—The term ‘action plan’
 20 means the action plan required under subsection
 21 (d)(2)(A), including any updates to that plan.

22 “(2) AGENCY.—The term ‘Agency’ means the
 23 Environmental Protection Agency.

24 “(3) COMMUNITY OF COLOR.—The term ‘com-
 25 munity of color’ means a geographically distinct area

1 in which the population of any of the following cat-
 2 egories of individuals is higher than the average pop-
 3 ulation of that category for the State in which the
 4 geographically distinct area is located:

5 “(A) Black.

6 “(B) African American.

7 “(C) Asian.

8 “(D) Pacific Islander.

9 “(E) Hispanic.

10 “(F) Latino.

11 “(G) Indian (as defined in section 202 of
 12 the Indian Land Consolidation Act (25 U.S.C.
 13 2201)).

14 “(4) **ECONOMICALLY DISADVANTAGED COMMU-**
 15 **NITY.**—The term ‘economically disadvantaged com-
 16 munity’ means any census block group in which 30
 17 percent or more of the population are individuals
 18 with an annual household income that is not more
 19 than the greater of—

20 “(A) an amount equal to 80 percent of the
 21 median income of the area in which the house-
 22 hold is located, as reported by the Department
 23 of Housing and Urban Development; and

24 “(B) an amount equal to 200 percent of
 25 the Federal poverty line.

1 “(5) MISSISSIPPI RIVER RESTORATION AND RE-
2 SILIENCE INITIATIVE; MRRRI.—The terms ‘Mis-
3 sissippi River Restoration and Resilience Initiative’
4 and ‘MRRRI’ means the Mississippi River Restora-
5 tion and Resilience Initiative established under sub-
6 section (c)(1).

7 “(6) MRRRI DIRECTOR.—The term ‘MRRRI
8 Director’ means the Director of the Mississippi
9 River National Program Office appointed by the Ad-
10 ministrators under subsection (b)(3).

11 “(7) MISSISSIPPI RIVER CORRIDOR.—The term
12 ‘Mississippi River Corridor’ means the portions of
13 the Mississippi River watershed (including tributary
14 watersheds) located in a Mississippi River State.

15 “(8) MISSISSIPPI RIVER STATE.—The term
16 ‘Mississippi River State’ means any of the States of
17 Arkansas, Illinois, Iowa, Kentucky, Louisiana, Min-
18 nesota, Mississippi, Missouri, Tennessee, or Wis-
19 consin.

20 “(9) PROGRAM OFFICE.—The term ‘Program
21 Office’ means the Mississippi River National Pro-
22 gram Office established by the Administrator under
23 subsection (b)(1).

1 “(10) RELEVANT FEDERAL AGENCY.—The
2 term ‘relevant Federal agency’ means any of the fol-
3 lowing Federal agencies:

4 “(A) The Department of Agriculture, in-
5 cluding—

6 “(i) the Natural Resources Conserva-
7 tion Service; and

8 “(ii) the Forest Service.

9 “(B) The Department of the Interior, in-
10 cluding—

11 “(i) the Bureau of Indian Affairs;

12 “(ii) the United States Fish and Wild-
13 life Service;

14 “(iii) the United States Geological
15 Survey; and

16 “(iv) the National Park Service.

17 “(C) The Corps of Engineers.

18 “(D) The Federal Emergency Management
19 Agency.

20 “(E) The National Oceanic and Atmos-
21 pheric Administration.

22 “(F) The Coast Guard.

23 “(G) Any other Federal agency the
24 MRRRI Director determines to be relevant.

1 “(11) RURAL.—The term ‘rural’ means an area
2 that is not delineated by the Bureau of the Census
3 as an urbanized area or an urban cluster based on
4 decennial census results.

5 “(12) TRIBAL GOVERNMENT.—The term ‘Tribal
6 government’ means the recognized governing body of
7 any Indian Tribe, band, nation, pueblo, village, com-
8 munity, component band, or component reservation
9 individually identified (including parenthetically) in
10 the most recent list published pursuant to section
11 104(a) of the Federally Recognized Indian Tribe
12 List Act of 1994 (25 U.S.C. 5131(a)).

13 “(13) TRIBAL ORGANIZATION.—The term ‘Trib-
14 al organization’ has the meaning given the term in
15 section 4 of the Indian Self-Determination and Edu-
16 cation Assistance Act (25 U.S.C. 5304).

17 “(b) MISSISSIPPI RIVER NATIONAL PROGRAM OF-
18 FICE.—

19 “(1) IN GENERAL.—The Administrator shall es-
20 tablish a Mississippi River National Program Office
21 within the Agency to carry out the Mississippi River
22 Restoration and Resilience Initiative.

23 “(2) LOCATION.—The Program Office shall be
24 located in a Mississippi River State.

1 “(3) DIRECTOR.—The Program Office shall be
2 headed by a Director, appointed by the Adminis-
3 trator, who—

4 “(A) has management experience and tech-
5 nical expertise relating to the Mississippi River;
6 and

7 “(B) is highly qualified to direct the devel-
8 opment of programs and plans on a variety of
9 issues related to restoration of the Mississippi
10 River.

11 “(4) FUNCTIONS.—The MRRRI Director
12 shall—

13 “(A) coordinate actions of the Agency that
14 seek to protect and restore the Mississippi
15 River Corridor;

16 “(B) develop, implement, and update the
17 MRRRI, the actionable goals under subsection
18 (d)(1), and the action plan, in coordination with
19 relevant Federal agencies and non-Federal enti-
20 ties;

21 “(C)(i) document information and updates
22 related to the development and implementation
23 of the MRRRI, the actionable goals under sub-
24 section (d)(1) and the action plan; and

1 “(ii) make that information and those up-
2 dates available to the public, including on a
3 public website;

4 “(D) facilitate engagement and consulta-
5 tion with Tribal governments and Tribal organi-
6 zations to ensure Tribal needs and priorities are
7 solicited early and throughout the development
8 of the actionable goals under subsection (d)(1)
9 and the action plan;

10 “(E) work cooperatively with the Bureau
11 of Indian Affairs and other relevant Federal
12 agencies to carry out subparagraph (D); and

13 “(F) submit to Congress, and make avail-
14 able on a public website, an annual report de-
15 scribing—

16 “(i) progress made in implementing
17 the MRRRI;

18 “(ii) the coordination of the MRRRI
19 with other Federal, State, Tribal, and local
20 programs;

21 “(iii) any funds transferred to rel-
22 evant Federal agencies under this section;

23 “(iv) any grants awarded under sub-
24 section (c)(3)(B); and

1 “(v) specific projects and activities
2 carried out pursuant to this section.

3 “(5) AGREEMENTS.—In carrying out paragraph
4 (4), the MRRRI Director may enter into agree-
5 ments, as applicable, with relevant Federal agencies
6 and non-Federal entities.

7 “(6) TRIBAL LIAISON.—The MRRRI Director
8 shall appoint a Tribal Liaison within the Program
9 Office—

10 “(A) to ensure enhanced interagency tech-
11 nical support, communication, and coordination
12 with Tribal governments, Tribal organizations,
13 and Tribal stakeholders; and

14 “(B) to carry out other duties as deter-
15 mined necessary to meet the needs of Indian
16 Tribes.

17 “(c) MISSISSIPPI RIVER RESTORATION AND RESIL-
18 IENCE INITIATIVE.—

19 “(1) ESTABLISHMENT.—There is established
20 within the Agency the Mississippi River Restoration
21 and Resilience Initiative to implement projects and
22 activities for systemic, large-scale restoration of the
23 Mississippi River Corridor.

1 “(2) FOCUS AREAS.—Any project or activity
2 carried out under this section shall address at least
3 1 of the following focus areas:

4 “(A) The improvement of water quality in
5 the Mississippi River Corridor and drinking
6 water quality in the Mississippi River States
7 by—

8 “(i) reducing the amount of polluted
9 runoff, excess agricultural nutrients, and
10 sediment in the Mississippi River Corridor;
11 and

12 “(ii) improving source water protec-
13 tions.

14 “(B) The improvement of community resil-
15 ience throughout the Mississippi River Corridor
16 by restoring the ability of the Mississippi River
17 floodplain, riverine wetlands, delta and coastal
18 wetlands, and backwaters to minimize and ame-
19 liorate flood and storm risks.

20 “(C) The protection and restoration of fish
21 and wildlife habitat in and along the Mississippi
22 River Corridor.

23 “(D) The prevention of the spread of
24 aquatic invasive species in the Mississippi River
25 Corridor.

1 “(E) The improvement of communication
2 and partnership activities related to the focus
3 areas described in subparagraphs (A) through
4 (D).

5 “(F) Monitoring, collecting, and evaluating
6 scientific data to assess the focus areas de-
7 scribed in subparagraphs (A) through (D).

8 “(3) PROJECT AND ACTIVITY IMPLEMENTA-
9 TION.—

10 “(A) IN GENERAL.—Funds made available
11 to carry out the MRRRI may be used to imple-
12 ment eligible projects and activities described in
13 paragraph (5) that are carried out by a relevant
14 Federal agency or a non-Federal entity.

15 “(B) GRANT AUTHORITY.—The MRRRI
16 Director, or the head of any other relevant Fed-
17 eral agency receiving funds under this section,
18 may make a grant to, or otherwise enter into
19 an agreement with, any non-Federal entity (in-
20 cluding any State, local, or Tribal governmental
21 entity, nonprofit organization, institution of
22 higher education (as defined in section 101 of
23 the Higher Education Act of 1965 (20 U.S.C.
24 1001)), or individual) that the MRRRI Director
25 or agency head determines is qualified to carry

1 out an eligible project or activity described in
2 paragraph (5).

3 “(4) PROJECT AND ACTIVITY SELECTION.—

4 “(A) IN GENERAL.—In carrying out the
5 MRRRI, the MRRRI Director shall collaborate
6 with relevant Federal agencies to select projects
7 and activities to be implemented pursuant to
8 this section using appropriate principles and
9 criteria, including—

10 “(i) the selection of an equitable dis-
11 tribution of projects and activities along
12 the entire Mississippi River Corridor;

13 “(ii) the ability of a project to achieve
14 strategic and measurable environmental
15 outcomes;

16 “(iii) the recognition that projects and
17 activities may provide benefits to local or
18 regional communities or to the entire Mis-
19 sissippi River Corridor;

20 “(iv) the feasibility of prompt imple-
21 mentation, timely achievement of measur-
22 able results, and resource leveraging; and

23 “(v) the opportunity to improve inter-
24 agency, intergovernmental, and inter-
25 organizational coordination and collabora-

1 tion to reduce duplication and improve
2 measurable environmental outcomes.

3 “(B) PRIORITY.—In selecting projects and
4 activities under subparagraph (A), the MRRRI
5 Director shall give priority to projects or activi-
6 ties that carry out actions described in para-
7 graph (5)(B)(xi).

8 “(C) COMPATIBILITY.—The MRRRI Di-
9 rector shall ensure that projects and activities
10 carried out under this section are compatible
11 with—

12 “(i) the ability of the Corps of Engi-
13 neers to maintain navigation in the Mis-
14 sissippi River; and

15 “(ii) the structural integrity or effec-
16 tiveness of Federal, State, local, or Tribal
17 disaster risk reduction infrastructure.

18 “(5) ELIGIBLE PROJECTS AND ACTIVITIES.—

19 “(A) IN GENERAL.—Funds made available
20 to carry out this section may only be used to
21 implement a project or activity that—

22 “(i) addresses at least 1 of the focus
23 areas described in paragraph (2); and

24 “(ii) carries out at least 1 of the ac-
25 tions described in subparagraph (B).

1 “(B) ACTIONS DESCRIBED.—The actions
2 referred to in subparagraph (A)(ii) are actions
3 that—

4 “(i) protect or restore naturally occur-
5 ring hydrologic, geomorphic, and ecological
6 functions and processes, including the res-
7 toration or rehabilitation of wetlands, in-
8 stream habitats (including through re-
9 connection of side channels and back-
10 waters), living shorelines, or upland habi-
11 tats;

12 “(ii) remove or modify structures, in-
13 cluding culverts, levees, and dams, to re-
14 store—

15 “(I) natural hydrology of rivers,
16 streams, floodplains, wetlands, or
17 coasts; or

18 “(II) the form, function, or proc-
19 esses of rivers, streams, floodplains,
20 wetlands, or coasts;

21 “(iii) permanently protect privately
22 owned lands through fee title acquisition or
23 enrollment into voluntary permanent wet-
24 land, flooding, or other conservation ease-
25 ments;

1 “(iv) facilitate habitat restoration
2 using responsibly sourced and clean
3 dredged sediment material by covering the
4 cost differential between the Federal
5 standard for dredge disposal and the cost
6 of transportation;

7 “(v) relocate, elevate, or demolish and
8 clean up flood-prone structures and carry
9 out any related floodplain restoration;

10 “(vi) increase water retention and in-
11 filtration through actions that promote a
12 healthy soil ecosystem, including maxi-
13 mizing soil cover, maximizing soil biodiver-
14 sity, and maximizing the presence of living
15 roots;

16 “(vii) reduce nonpoint sources of pol-
17 lution and promote landscape-scale vegeta-
18 tive cover (including perennial grains, pe-
19 rennial woody crops, winter annual cover
20 crops, perennial pasture, and other ap-
21 proaches to maintain year-round vegetative
22 cover) through the implementation of vol-
23 untary initiatives developed with the sup-
24 port of market research;

1 “(viii) reduce stormwater flows and
2 inflows that contribute to combined sewer
3 overflow events, and accelerate the adop-
4 tion of urban stormwater pollution preven-
5 tion minimum control measures through
6 municipal separate storm sewer system
7 permits issued under section 402(p);

8 “(ix) facilitate the cleanup of legacy
9 contaminants that are not hazardous sub-
10 stances (as defined in section 101 of the
11 Comprehensive Environmental Response,
12 Compensation, and Liability Act of 1980
13 (42 U.S.C. 9601));

14 “(x) control, manage, or eradicate
15 nonnative aquatic invasive species or re-
16 introduce native aquatic species, including
17 through—

18 “(I) investments in technology
19 and research to combat the spread of
20 aquatic invasive species;

21 “(II) the use of in-river physical
22 deterrents or controls; or

23 “(III) the promotion of commer-
24 cial harvesting of nonnative aquatic
25 species;

1 “(xi) address the disproportionate ef-
2 fects of the ecological degradation of the
3 Mississippi River Corridor on economically
4 disadvantaged communities in rural and
5 urban areas and on communities of color,
6 including through—

7 “(I) community based
8 participatory research;

9 “(II) project or community-wide
10 planning;

11 “(III) outreach and community
12 engagement; or

13 “(IV) restoration-related job
14 training and workforce development;
15 or

16 “(xii) additional actions determined to
17 be eligible pursuant to subsection
18 (d)(2)(B)(v).

19 “(C) PROTECTION AGAINST INVASIVE
20 PLANT SPECIES.—Funds made available to
21 carry out this section may not be used for a
22 project or activity that proposes to use a plant
23 that has an elevated risk of becoming invasive,
24 as determined by the MRRRI Director through
25 the use of a credible weed risk assessment tool.

1 “(6) MONITORING PLAN.—A relevant Federal
2 agency or non-Federal entity receiving funds to
3 carry out a project or activity under this section
4 shall develop a detailed plan for monitoring the im-
5 plementation and ecological success of that project
6 or activity, as applicable, that—

7 “(A) describes criteria for ecological suc-
8 cess by which the project or activity will be
9 evaluated based on replacement of lost func-
10 tions and values of the Mississippi River Cor-
11 ridor habitat, including hydrologic and vegeta-
12 tive characteristics;

13 “(B) identifies an entity responsible for the
14 monitoring; and

15 “(C) includes continuation of the moni-
16 toring until the project or activity is determined
17 to be successful based on documented achieve-
18 ment of the ecological success criteria described
19 under subparagraph (A).

20 “(d) ACTIONABLE GOALS; ACTION PLANS.—

21 “(1) ACTIONABLE GOALS.—Not later than 1
22 year after the date of enactment of this section, the
23 MRRRI Director shall develop measurable goals for
24 the MRRRI, including establishing criteria for meas-
25 uring the success of the MRRRI in—

1 “(A) addressing the focus areas described
2 in subsection (c)(2); and

3 “(B) restoring the overall ecological health
4 and resilience of the Mississippi River Corridor.

5 “(2) ACTION PLAN.—

6 “(A) IN GENERAL.—Not later than 2 years
7 after the date of enactment of this section, the
8 MRRRI Director shall develop an action plan to
9 make progress on the MRRRI through the im-
10 plementation of MRRRI projects and activities
11 under subsection (c).

12 “(B) CONTENTS.—The MRRRI Director
13 shall include in the action plan—

14 “(i) a description of existing Federal,
15 State, Tribal, and regional plans, pro-
16 grams, and activities affecting the Mis-
17 sissippi River Corridor that may be used to
18 advance the MRRRI;

19 “(ii) recommendations for a com-
20 prehensive approach to advancing systemic,
21 large-scale restoration of the Mississippi
22 River Corridor that, where appropriate,
23 leverages existing Federal and State pro-
24 grams;

1 “(iii) a multi-year plan that identifies
2 objectives within each of the focus areas
3 described in subsection (c)(2), with cor-
4 responding commitments for activities, re-
5 search, and measures for progress to meet
6 those objectives;

7 “(iv) a plan to monitor the implemen-
8 tation of any recommendations developed
9 under clause (ii); and

10 “(v) a description of any additional
11 actions the MRRRI Director determines are
12 eligible under this section.

13 “(C) PROJECT RECOMMENDATIONS.—The
14 action plan may include recommendations for
15 specific projects or activities that advance the
16 objectives developed under subparagraph
17 (B)(iii), including timelines, budgets, and the
18 identification of entities responsible for the im-
19 plementation of those projects or activities.

20 “(3) UPDATES.—

21 “(A) IN GENERAL.—Not less frequently
22 than once every 5 years, the MRRRI Director
23 shall review and update the actionable goals de-
24 veloped under paragraph (1) and the action
25 plan.

1 “(B) INTEGRATION WITH SCIENCE
2 PLAN.—In updating the action plan under sub-
3 paragraph (A), the MRRRI Director shall in-
4 corporate any relevant information contained in
5 the science plan developed pursuant to section
6 4(e) of the MRRRI Act.

7 “(4) COORDINATION AND CONSULTATION.—In
8 developing and updating the actionable goals devel-
9 oped under paragraph (1) and the action plan, the
10 MRRRI Director shall—

11 “(A) consult with Mississippi River States,
12 Tribal governments within Mississippi River
13 States, the Secretary of the Interior, the Chief
14 of Engineers, and the Secretary of Agriculture;

15 “(B) engage with relevant Federal agen-
16 cies, units of local government, nongovern-
17 mental organizations, institutions of higher edu-
18 cation (as defined in section 101 of the Higher
19 Education Act of 1965 (20 U.S.C. 1001)), and
20 members of the public; and

21 “(C) solicit input from the entities de-
22 scribed in subparagraph (B) through a formal
23 public notice and comment period.

24 “(e) FUNDING.—

1 “(1) TRANSFER OF FUNDS TO FEDERAL ENTI-
2 TIES.—The MRRRI Director may use funds made
3 available to carry out this section for each fiscal
4 year—

5 “(A) to transfer funds to the head of any
6 relevant Federal agency, with the concurrence
7 of the head of the relevant Federal agency, to
8 carry out activities in accordance with this sec-
9 tion;

10 “(B) to transfer funds to other Federal
11 programs to be used for achieving specifically
12 targeted and measurable environmental out-
13 comes that advance the actionable goals devel-
14 oped and updated under subsection (d); and

15 “(C) to enter into an interagency agree-
16 ment with the head of any relevant Federal
17 agency to carry out projects and activities in
18 accordance with this section.

19 “(2) TRANSFER OF FUNDS TO BUREAU OF IN-
20 DIAN AFFAIRS.—The MRRRI Director shall transfer
21 not less than 5 percent of the funds made available
22 to carry out this section for each fiscal year to the
23 Director of the Bureau of Indian Affairs, with the
24 concurrence of the Director of the Bureau of Indian
25 Affairs, to make grants or otherwise enter into

1 agreements with Tribal governments or Tribal orga-
2 nizations to carry out projects or activities under
3 this section.

4 “(3) AVAILABILITY OF FUNDS TO IMPLEMENT
5 PROJECTS PRIOR TO COMPLETION OF THE FIRST AC-
6 TION PLAN.—Before the date on which the first ac-
7 tion plan is developed under subsection (d)(2), the
8 MRRRI Director may transfer funds to a relevant
9 Federal agency or another Federal entity, or award
10 a grant or otherwise enter into an agreement with
11 a non-Federal entity—

12 “(A) to carry out projects or activities that
13 meet the requirements of subsection (c)(5); or

14 “(B) to establish the Mississippi River
15 Corridor Research Centers required under sec-
16 tion 4(b) of the MRRRI Act.

17 “(4) COST SHARE.—

18 “(A) IN GENERAL.—Except as provided in
19 subparagraph (B), the Federal share of the cost
20 of a project or activity carried out by a non-
21 Federal entity under this section shall not ex-
22 ceed 80 percent of the total cost of the project
23 or activity.

24 “(B) EXCEPTIONS.—

1 “(i) INDIAN TRIBES.—The Federal
2 share of the cost of a project or activity
3 carried out by a Tribal government or
4 Tribal organization under this section shall
5 be 100 percent.

6 “(ii) PRIORITY PROJECTS AND ACTIVITIES.—The Federal share of the cost of a
7 project or activity described in subsection
8 (c)(5)(B)(xi) carried out by a non-Federal
9 entity shall be 100 percent.
10

11 “(C) IN-KIND CONTRIBUTION.—The non-
12 Federal share of the cost of a project or activity
13 carried out under this section may include the
14 value of an in-kind contribution provided by a
15 non-Federal entity.

16 “(5) LIMITATIONS.—No funds made available
17 to carry out this section may be used for any water
18 infrastructure project or activity for which financial
19 assistance is received under—

20 “(A) a State water pollution control revolving
21 fund established under section 603;

22 “(B) a State drinking water treatment revolving loan fund established under section
23 1452 of the Safe Drinking Water Act (42
24 U.S.C. 300j–12); or
25

1 “(C) the Water Infrastructure Finance and
2 Innovation Act of 2014 (33 U.S.C. 3901 et
3 seq.).

4 “(6) RULE OF CONSTRUCTION.—Nothing in
5 this section waives any requirement under any appli-
6 cable Federal environmental law, including—

7 “(A) this Act;

8 “(B) the National Environmental Policy
9 Act of 1969 (42 U.S.C. 4321 et seq.);

10 “(C) the Endangered Species Act of 1973
11 (16 U.S.C. 1531 et seq.); or

12 “(D) the Fish and Wildlife Coordination
13 Act (16 U.S.C. 661 et seq.).

14 “(f) SET-ASIDE.—

15 “(1) IN GENERAL.—Of the total amount made
16 available to carry out the MRRRI for each fiscal
17 year—

18 “(A) not less than 25 percent shall be used
19 for projects or activities that carry out actions
20 described in subsection (c)(5)(B)(xi); and

21 “(B) not less than 10 percent shall be used
22 for projects or activities carried out in a per-
23 sistent poverty county that has had poverty
24 rates of 20 percent or greater, as determined by

1 the Bureau of the Census, for at least 30 con-
2 secutive years preceding the fiscal year.

3 “(2) ACTION PLAN.—

4 “(A) IN GENERAL.—Of the total amount
5 made available to carry out the MRRRI for
6 each fiscal year beginning with the first fiscal
7 year after which the action plan is first devel-
8 oped, not more than 5 percent may be used for
9 projects and activities that are eligible under
10 subsection (c)(5) but that do not address an ob-
11 jective identified in the action plan under sub-
12 section (d)(2)(B)(iii).

13 “(B) PRIORITY.—In carrying out subpara-
14 graph (A), the MRRRI Director shall prioritize
15 projects or activities that reduce the effects of
16 natural disasters or respond to emerging
17 threats from natural disasters.

18 “(g) ACTIVITIES BY OTHER RELEVANT FEDERAL
19 AGENCIES.—

20 “(1) IN GENERAL.—The head of a relevant
21 Federal agency that is engaged in, or has authority
22 over, a program relating to research, monitoring,
23 and planning to maintain, enhance, preserve, or re-
24 habilitate the environmental quality and natural re-
25 sources of the Mississippi River shall—

1 “(A) submit to the Administrator an an-
2 nual report describing the activities of the agen-
3 cy relating to the MRRRI;

4 “(B) strive to identify new projects and ac-
5 tivities to support the goals of the MRRRI;

6 “(C) ensure that any funding provided
7 through the MRRRI supplements, and not sup-
8 plants, funding obtained through other agency
9 budgets or other sources of funds for activities
10 relating to the Mississippi River; and

11 “(D) strive to maintain, and where possible
12 increase, the base level of funding for activities
13 of the relevant Federal agency related to the
14 Mississippi River, without regard to funding
15 under the MRRRI.

16 “(h) BUDGET ITEM.—

17 “(1) IN GENERAL.—The Administrator shall, in
18 the annual budget submission of the Agency to Con-
19 gress, include a funding request for the MRRRI as
20 a separate budget line item.

21 “(2) INCLUSION.—The budget justification for
22 the budget line item described in paragraph (1) shall
23 include the amount to support the operation and ac-
24 tivities of the Program Office.”.

1 **SEC. 4. MISSISSIPPI RIVER CORRIDOR RESEARCH CENTERS**
2 **AND SCIENCE PLAN.**

3 (a) DEFINITIONS.—In this section:

4 (1) DIRECTOR.—The term “Director” means
5 the Director of the United States Geological Survey.

6 (2) FWPCA TERMS.—The terms “MRRRI”,
7 “MRRRI Director”, “Mississippi River Corridor”,
8 “Mississippi River State”, “relevant Federal agen-
9 cy”, “Tribal government”, and “Tribal organiza-
10 tion” have the meanings given those terms in section
11 127(a) of the Federal Water Pollution Control Act.

12 (b) MISSISSIPPI RIVER CORRIDOR RESEARCH CEN-
13 TERS.—

14 (1) IN GENERAL.—The Secretary of the Inte-
15 rior shall coordinate with the MRRRI Director to es-
16 tablish a network of 4 Mississippi River Corridor
17 Research Centers within the United States Geologi-
18 cal Survey.

19 (2) LOCATION.—The network of research cen-
20 ters established under paragraph (1) shall consist
21 of—

22 (A) a National Mississippi River Corridor
23 Research Center located at an office of the
24 United States Geological Survey; and

25 (B) 3 regional research centers, each of
26 which shall be based out of a host institution of

1 higher education (as defined in section 101 of
2 the Higher Education Act of 1965 (20 U.S.C.
3 1001)), of which—

4 (i) 1 shall be an Upper Mississippi
5 River Research Center located in the re-
6 gion from the headwaters of the Mis-
7 sissippi River to the confluence of the Mis-
8 sissippi River with the Missouri River;

9 (ii) 1 shall be a Middle Mississippi
10 River Research Center located in the re-
11 gion downriver from the confluence of the
12 Missouri River to the confluence of the
13 Ohio River; and

14 (iii) 1 shall be a Lower Mississippi
15 River Research Center located in the re-
16 gion downriver from the confluence of the
17 Ohio River to the Gulf of Mexico.

18 (3) FUNCTIONS.—The functions of the research
19 centers established under paragraph (1) shall be—

20 (A) to conduct scientific research on the
21 MRRRI focus areas described in section
22 127(c)(2) of the Federal Water Pollution Con-
23 trol Act;

24 (B) to consult with and advise relevant
25 Federal agencies on—

1 (i) the improvement of programs that
2 monitor water quality in the Mississippi
3 River Corridor and the health of the Mis-
4 sissippi River Corridor habitat or the es-
5 tablishment of such programs, where nec-
6 essary;

7 (ii) the impact of projects and activi-
8 ties carried out under the MRRRI; and

9 (iii) any additional goals, priorities,
10 metrics, and research objectives proposed
11 as part of the science plan described in
12 subsection (c)(2); and

13 (C) to consult, and, to the extent prac-
14 ticable, collaborate, with relevant Federal agen-
15 cies and non-Federal entities with respect to re-
16 search, monitoring, and other efforts to pro-
17 mote the restoration and resiliency of the Mis-
18 sissippi River Corridor.

19 (4) INTEGRATION WITH OTHER FEDERAL AC-
20 TIVITIES.—The Secretary of the Interior shall en-
21 sure that research and other activities carried out at
22 a research center established under paragraph (1)
23 are carried out in coordination with other Federal
24 research and monitoring activities related to efforts

1 to promote the restoration and resiliency of the Mis-
2 sissippi River Corridor.

3 (c) SCIENCE PLAN.—

4 (1) MISSISSIPPI RIVER SCIENCE FORUM.—

5 (A) IN GENERAL.—Not later than 1 year
6 after the date of enactment of this Act, the Di-
7 rector shall host a Mississippi River science
8 forum with relevant Federal agencies, Mis-
9 sissippi River States, Tribal governments, Trib-
10 al organizations, academia, and other non-Fed-
11 eral entities—

12 (i) to share current science and iden-
13 tify data gaps and areas of concern relat-
14 ing to the ecological health of the Mis-
15 sissippi River Corridor; and

16 (ii) to determine the resources that
17 are necessary—

18 (I) to address any data gaps and
19 areas of concern identified under
20 clause (i); and

21 (II) to develop an integrated
22 science plan under paragraph (2).

23 (B) REPORT.—Not later than 270 days
24 after the date on which the Director hosts the
25 Mississippi River science forum under subpara-

1 graph (A), the Director shall submit a report
2 on the findings from that forum to—

3 (i) the Administrator of the Environ-
4 mental Protection Agency;

5 (ii) the MRRRI Director;

6 (iii) the Committees on Appropria-
7 tions, Natural Resources, and Transpor-
8 tation and Infrastructure of the House of
9 Representatives; and

10 (iv) the Committees on Appropria-
11 tions, Energy and Natural Resources, and
12 Environment and Public Works of the Sen-
13 ate.

14 (2) SCIENCE PLAN DEVELOPMENT.—

15 (A) IN GENERAL.—Not later than 2 years
16 after the date on which the Mississippi River
17 science forum required by paragraph (1)(A)
18 concludes, the Director shall develop a science
19 plan that establishes priorities, metrics, and re-
20 search proposals for the MRRRI.

21 (B) SUBMISSION.—On completion of the
22 science plan developed under subparagraph (A),
23 the Director shall make the plan available on a
24 public website and submit the plan to the
25 MRRRI Director to inform the implementation

1 of the actionable goals and action plans devel-
2 oped for the MRRRI under section 127(d) of
3 the Federal Water Pollution Control Act.

4 (C) UPDATES.—Not less frequently than
5 once every 5 years, the Director shall coordi-
6 nate with the MRRRI Director and the re-
7 search centers established under subsection
8 (b)(1) to review and update the science plan de-
9 veloped under subparagraph (A).

10 (D) COORDINATION.—In developing and
11 updating the science plan under this paragraph,
12 the Director shall solicit input and comment
13 from the public through a formal public notice
14 and comment period.

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