

America's Water Infrastructure Act

Supporting our nation's economic prosperity and keeping communities safe by improving America's water infrastructure.

America's Water Infrastructure Act of 2018 supports our nation's economic competitiveness by increasing water storage, providing protection from dangerous floodwaters, increasing local stakeholder input, deepening nationally significant ports, and maintaining the navigability of inland waterways across the country. The legislation is also fiscally responsible and increases state and local stakeholder input for water infrastructure projects.

America's Water Infrastructure Act of 2018:

Creates Jobs and Grows the Economy

- Maintains navigation routes for commerce and the movement of goods to keep America competitive in the global marketplace.
- Ensures that we maintain the competitiveness of our coastal and inland ports, and maintain the navigability of our inland waterways.
- Invests in the maintenance and construction of water and wastewater infrastructure.
- Invests in the development of a strong water utility workforce.
- Increases water storage and supply for rural America.
- Repairs aging irrigation systems to grow agricultural based economies.

Fiscally Responsible

- Includes $7 billion in new deauthorizations – saving taxpayers' dollars.
- Requires the Corps to responsibly manage non-Federal dollars by either applying excess funds to another project by the same sponsor or refunding the money.
- Holds the Army Corps financially accountable for any failures to complete studies and reports called for in the legislation in a timely manner.
- Reauthorizes the Water Infrastructure Flexibility Act (WIFIA) to promote leveraging millions in non-federal funds for water projects.

Promotes Federalism

- Cuts bureaucratic red tape to ensure local communities have more control over which projects receive funding.
- Empowers states during the permitting process for new water storage projects by allowing states to challenge Corps decisions on the purpose of a project, or permit conditions.
- Authorizes or reauthorizes important water infrastructure programs and projects that benefit all 50 states.

Protects Lives and Property

- Reduces flooding risks for rural communities.
- Invests in repairing aging drinking water and wastewater infrastructure.
- Gives small and rural communities the assistance they need to clean up and prevent pollution in their drinking water and wastewater systems.
- Assists in creating new standards to make water utilities and water storage more affordable for small and rural communities.
- Provides technical assistance to states to help complying with expensive and burdensome EPA regulatory standards that states cannot afford.

Key provisions in America's Water Infrastructure Act:

- The legislation would cut bureaucratic red tape to ensure local communities have more control over which projects receive funding.

- The bill requires the identification of $7 billion worth of previously authorized feasibility studies for deauthorization due to their now lack of viability.

- The bill allows for sediment management plans for Army Corps and Bureau of Reclamation reservoirs to restore the active water storage capacity of these reservoirs. Many of these reservoirs have lost a significant amount of water storage capacity due to sediment build up.

- The bill increases transparency during the permitting process for new water storage projects done by a state or local government. This provision will allow the Army Crops to more clearly and quickly assess and communicate the purpose and need, and draft permit conditions, on proposed new or modified water storage projects. The bill also allows for district level determinations by the Army Corps on purpose and need, and permit conditions, to be challenged and reviewed by a new board of appeals at the request of the applicant, prior to a final federal permit decision.

- The legislation increases overall authorizations for certain Continuing Authorities Programs (CAP), as well as their corresponding "per project" authorizations. This will increase the amount of authorized water resource projects in this country, which are integral to our infrastructure, such as flood damage reduction projects.

- The legislation authorizes the Environmental Protection Agency (EPA) to provide grants to small and medium water systems (systems that serve a population size of up to 75,000 people) for training and technical assistance in achieving Clean Water Act compliance and assist in obtaining financing for eligible clean water projects.

- The legislation reauthorizes the Water Infrastructure Finance and Innovation Act (WIFIA), which authorizes millions of dollars to accelerate investments in our nation's water infrastructure, leveraging to billions of dollars in investment.

- The legislation extends until 2028 the program to address the deferred maintenance needs of Bureau of Indian Affairs (BIA) dams. These dams protect communities across the West from dangerous floods.

- The bill establishes a ten-year pilot program to expedite the review of applications for permits to expand small city (80,000 people or less) reservoirs to increase water storage and supply if the city water supplies have been polluted from legacy Department of Defense (DOD) activities where mitigation is occurring.

- The legislation will improve transparency at the Army Corps. Several provisions in the legislation would require the Army Corps to increase transparency and accountability such as, issuing outstanding guidance, distributing repayments, identifying impediments of their programs and reporting their internal decision making processes.

- Provisions of the legislation expedite the construction of Army Corps projects by:
    - allowing the Army Corps to accept advanced funds from non-federal sponsors to carry out any water resource projects or from changing the non-federal cost-shares retroactively;
    - requiring the Army Corps to conduct a study to identify the measures necessary to expedite water resource projects; and
    - Reauthorizing a pilot program that evaluates the cost-effectiveness and project delivery efficiency of non-federal interests carrying out feasibility studies and the construction of projects.

- This legislation extends the Indian Irrigation Fund through fiscal year 2028. This fund was created in the WIIN Act and is used for maintenance, repair, and replacement activities of Indian irrigation projects.