

ment approaches, to reduce water quality impairments from stormwater on a municipality-wide basis.

**(6) Increased resilience of treatment works**

Efforts to assess future risks and vulnerabilities of publicly owned treatment works to manmade or natural disasters, including extreme weather events and sea-level rise, and to carry out measures, on a systemwide or area-wide basis, to increase the resiliency of publicly owned treatment works.

**(b) Administration**

The Administrator, in coordination with the States, shall provide municipalities participating in a pilot project under this section the ability to engage in innovative practices, including the ability to unify separate wet weather control efforts under a single permit.

**(c) Report to Congress**

Not later than October 1, 2015, the Administrator shall transmit to Congress a report on the results of the pilot projects conducted under this section and their possible application nationwide.

(June 30, 1948, ch. 758, title I, § 122, formerly § 121, as added Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 112(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-225; renumbered § 122, Pub. L. 109-392, § 2, Dec. 12, 2006, 120 Stat. 2703; amended Pub. L. 113-121, title V, § 5011, June 10, 2014, 128 Stat. 1327.)

AMENDMENTS

2014—Pub. L. 113-121, § 5011(1), struck out “Wet weather” before “Watershed” in section catchline.

Subsec. (a). Pub. L. 113-121, § 5011(2)(A), in introductory provisions, substituted “to a municipality or municipal entity” for “for treatment works” and struck out “of wet weather discharge control” after “the following areas”.

Subsec. (a)(2). Pub. L. 113-121, § 5011(2)(B), substituted “to manage, reduce, treat, recapture, or reuse municipal stormwater, including techniques that utilize infiltration, evapotranspiration, and reuse of stormwater onsite” for “in reducing such pollutants from stormwater discharges”.

Subsec. (a)(3) to (6). Pub. L. 113-121, § 5011(2)(C), added pars. (3) to (6).

Subsecs. (c), (d). Pub. L. 113-121, § 5011(3)-(5), redesignated subsec. (d) as (c), substituted “October 1, 2015,” for “5 years after December 21, 2000,” and struck out former subsec. (c) which authorized appropriations to carry out this section.

**§ 1275. Columbia River Basin Restoration**

**(a) Definitions**

In this section, the following definitions apply:

**(1) Columbia River Basin**

The term “Columbia River Basin” means the entire United States portion of the Columbia River watershed.

**(2) Estuary Partnership**

The term “Estuary Partnership” means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 1330 of this title.

**(3) Estuary Plan**

**(A) In general**

The term “Estuary Plan” means the Estuary Partnership Comprehensive Conserva-

tion and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 1330 of this title.

**(B) Inclusion**

The term “Estuary Plan” includes any amendments to the plan.

**(4) Lower Columbia River Estuary**

The term “Lower Columbia River Estuary” means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

**(5) Middle and Upper Columbia River Basin**

The term “Middle and Upper Columbia River Basin” means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

**(6) Program**

The term “Program” means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

**(b) Columbia River Basin Restoration Program**

**(1) Establishment**

**(A) In general**

The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

**(B) Effect**

(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of December 16, 2016, including the roles of Federal agencies in the Columbia River Basin.

(ii) This section does not create any new regulatory authority.

**(2) Scope of Program**

The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

**(3) Duties**

The Administrator shall—

(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

(C) provide grants in accordance with subsection (d) for projects that assist in—

(i) eliminating or reducing pollution;

(ii) cleaning up contaminated sites;

(iii) improving water quality;

(iv) monitoring to evaluate trends;

(v) reducing runoff;

(vi) protecting habitat; or

(vii) promoting citizen engagement or knowledge.

**(c) Stakeholder Working Group**

**(1) Establishment**

The Administrator shall establish a Columbia River Basin Restoration Working Group (referred to in this subsection as the “Working Group”).

**(2) Membership****(A) In general**

Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

**(B) Invited representatives**

The Administrator shall invite, at a minimum, representatives of—

- (i) each State located in whole or in part in the Columbia River Basin;
- (ii) the Governors of each State located in whole or in part in the Columbia River Basin;
- (iii) each federally recognized Indian tribe in the Columbia River Basin;
- (iv) local governments in the Columbia River Basin;
- (v) industries operating in the Columbia River Basin that affect or could affect water quality;
- (vi) electric, water, and wastewater utilities operating in the Columbia<sup>1</sup> River Basin;
- (vii) private landowners in the Columbia River Basin;
- (viii) soil and water conservation districts in the Columbia River Basin;
- (ix) nongovernmental organizations that have a presence in the Columbia River Basin;
- (x) the general public in the Columbia River Basin; and
- (xi) the Estuary Partnership.

**(3) Geographic representation**

The Working Group shall include representatives from—

- (A) each State located in whole or in part in the Columbia River Basin; and
- (B) each of the lower, middle, and upper basins of the Columbia River.

**(4) Duties and responsibilities**

The Working Group shall—

- (A) recommend and prioritize projects and actions; and
- (B) review the progress and effectiveness of projects and actions implemented.

**(5) Lower Columbia River Estuary****(A) Estuary Partnership**

The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 1330 of this title.

**(B) Designation**

If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 1330 of this title, the Administrator may designate the new management conference to assume the duties and respon-

sibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

**(C) Incorporation**

If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this section shall be incorporated into the duties of the Working Group.

**(d) Grants****(1) In general**

The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

**(2) Federal share****(A) In general**

Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

- (i) shall not exceed 75 percent of the total cost of the project or activity; and
- (ii) shall be made on condition that the non-Federal share of such total cost shall be provided from non-Federal sources.

**(B) Exceptions**

With respect to cost-sharing for a grant provided under this subsection—

- (i) a tribal government may use Federal funds for the non-Federal share; and
- (ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

**(3) Allocation**

In making grants using funds appropriated to carry out this section, the Administrator shall—

- (A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;
- (B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, including the Snake River Basin; and
- (C) retain not more than 5 percent of the funds for the Environmental Protection Agency for purposes of implementing this section.

**(4) Reporting****(A) In general**

Each grant recipient under this subsection shall submit to the Administrator reports on

<sup>1</sup> So in original. Probably should be "Columbia".

progress being made in achieving the purposes of this section.

**(B) Requirements**

The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

**(5) Relationship to other funding**

**(A) In general**

Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 1330(g) of this title.

**(B) Limitation**

None of the funds made available under this subsection may be used for the administration of a management conference under section 1330 of this title.

**(6) Authorization of appropriations**

There is authorized to be appropriated to carry out this subsection \$30,000,000 for each of fiscal years 2020 and 2021.

**(e) Annual budget plan**

The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

- (1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;
- (2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and
- (3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.

(June 30, 1948, ch. 758, title I, § 123, as added Pub. L. 114-322, title IV, § 5010, Dec. 16, 2016, 130 Stat. 1898; amended Pub. L. 115-270, title IV, § 4105, Oct. 23, 2018, 132 Stat. 3875.)

AMENDMENTS

2018—Subsec. (d)(6). Pub. L. 115-270 added par. (6).

SUBCHAPTER II—GRANTS FOR  
CONSTRUCTION OF TREATMENT WORKS

**§ 1281. Congressional declaration of purpose**

**(a) Development and implementation of waste treatment management plans and practices**

It is the purpose of this subchapter to require and to assist the development and implementation of waste treatment management plans and practices which will achieve the goals of this chapter.

**(b) Application of technology: confined disposal of pollutants; consideration of advanced techniques**

Waste treatment management plans and practices shall provide for the application of the best practicable waste treatment technology before

any discharge into receiving waters, including reclaiming and recycling of water, and confined disposal of pollutants so they will not migrate to cause water or other environmental pollution and shall provide for consideration of advanced waste treatment techniques.

**(c) Waste treatment management area and scope**

To the extent practicable, waste treatment management shall be on an areawide basis and provide control or treatment of all point and nonpoint sources of pollution, including in place or accumulated pollution sources.

**(d) Waste treatment management construction of revenue producing facilities**

The Administrator shall encourage waste treatment management which results in the construction of revenue producing facilities providing for—

- (1) the recycling of potential sewage pollutants through the production of agriculture, silviculture, or aquaculture products, or any combination thereof;
- (2) the confined and contained disposal of pollutants not recycled;
- (3) the reclamation of wastewater; and
- (4) the ultimate disposal of sludge in a manner that will not result in environmental hazards.

**(e) Waste treatment management integration of facilities**

The Administrator shall encourage waste treatment management which results in integrating facilities for sewage treatment and recycling with facilities to treat, dispose of, or utilize other industrial and municipal wastes, including but not limited to solid waste and waste heat and thermal discharges. Such integrated facilities shall be designed and operated to produce revenues in excess of capital and operation and maintenance costs and such revenues shall be used by the designated regional management agency to aid in financing other environmental improvement programs.

**(f) Waste treatment management “open space” and recreational considerations**

The Administrator shall encourage waste treatment management which combines “open space” and recreational considerations with such management.

**(g) Grants to construct publicly owned treatment works**

(1) The Administrator is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the construction of publicly owned treatment works. On and after October 1, 1984, grants under this subchapter shall be made only for projects for secondary treatment or more stringent treatment, or any cost effective alternative thereto, new interceptors and appurtenances, and infiltration-in-flow correction. Notwithstanding the preceding sentences, the Administrator may make grants on and after October 1, 1984, for (A) any project within the definition set forth in section 1292(2) of this title, other than for a project referred to in the preceding sentence, and (B) any purpose for which a grant may be made under sections<sup>1</sup> 1329(h) and (i) of this title

<sup>1</sup> So in original. Probably should be “section”.