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Ecosystem Restoration in the Infrastructure Investment and Jobs Act: Overview and Issues for Congress

October 3, 2022

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R47263

CRS REPORT
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Committees of Congress

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SUMMARY

R47263

October 3, 2022

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Ecosystem Restoration in the Infrastructure Investment and Jobs Act: Overview and Issues for Congress

Congressional interest in ecosystem restoration focuses on federal activities for specific geographic regions, such as the Everglades, Chesapeake Bay, and the Great Lakes, as well as federal restoration programs and activities. Congress has passed laws authorizing the structure, purpose, and governance of restoration initiatives and programs and has provided appropriations for their implementation. Congress passed numerous ecosystem restoration-related provisions in the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58), which was signed into law on November 15, 2021.

The IIJA contains numerous provisions that authorized and funded federal ecosystem restoration activities. Some provisions directly addressed ecosystems or components of an ecosystem (e.g., actions to remove in-stream barriers); other provisions addressed ecosystem restoration indirectly (e.g., activities to restore landscapes after energy or mineral extraction). Divisions A through G of the law included new or amended authorizations for a wide range of government activities broadly related to infrastructure, some of which address ecosystem restoration. Division J of the law provided emergency supplemental appropriations, some of which were for ecosystem restoration or related activities. Congress appropriated some of this funding as a one-time appropriation for FY2022 and spread out other funding over FY2022 through FY2026.

Some of the most prominent ecosystem restoration-related provisions in the IIJA included the following:

- Appropriating $7.81 billion in funding for forestry, federal land management, and wildfire-related activities, many of which relate directly or indirectly to ecosystem restoration, to the Department of the Interior and the U.S. Forest Service (in the U.S. Department of Agriculture)
- Appropriating $1.90 billion for authorized U.S. Army Corps of Engineers ecosystem restoration construction projects
- Appropriating $1 billion for a new National Culvert Removal, Replacement, and Restoration Grant Program in the Department of Transportation
- Extending the authorization for the Sport Fish Restoration and Boating Trust Fund mandatory appropriations until FY2026
- Appropriating $492 million for the National Oceanic and Atmospheric Administration's (NOAA's) National Oceans and Coastal Security Fund and $491 million for NOAA habitat restoration activities
- Appropriating $1.72 billion for the U.S. Environmental Protection Agency's Geographic Programs, which support restoration efforts in specific water bodies, such as the Great Lakes and Chesapeake Bay
- Appropriating $255 million for the U.S. Fish and Wildlife Service's regional ecosystem restoration activities
- Authorizing and appropriating $250 million for the Bureau of Reclamation's new Aquatic Ecosystem Restoration Program

Congress may consider several questions and issues associated with new authorizations and increased funding for ecosystem restoration under the IIJA. Questions may include (1) whether the restoration programs that the IIJA addresses are adequately coordinated with existing efforts and follow an effective strategy, (2) if federal and nonfederal entities can promptly and effectively obligate restoration funding, and (3) how best to monitor the implementation progress and performance of these restoration activities.

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Ecosystem Restoration

In the past few decades, the federal government has committed billions of dollars toward restoring ecosystems through federal programs and restoration initiatives. Some of these programs and initiatives address large ecosystems, such as in the Chesapeake Bay, Florida Everglades, and Great Lakes. However, no federal programs or laws comprehensively address ecosystem restoration at a national level.

Federal ecosystem restoration programs typically arise out of either (1) federal agency authority to address one or more specific component of an ecosystem (e.g., water quality or endangered and threatened species) and/or a specific type of ecosystem (e.g., coastal ecosystems) or (2) an authorized restoration initiative or plan that addresses a specific geographical region or area that represents an ecosystem (e.g., Lake Tahoe). These two approaches to ecosystem restoration are not mutually exclusive. For example, several restoration initiatives that address specific areas draw upon broad-based laws. Federal ecosystem restoration efforts can be conducted by one federal agency or by multiple agencies contributing to a shared effort. In addition, federal restoration initiatives, programs, and activities often are conducted in partnership with nonfederal stakeholders, some of which are responsible for a certain cost share of the work.

Congressional interest in ecosystem restoration focuses on both geographically specific restoration initiatives and broader federal restoration programs and authorities. Congress has passed laws authorizing the structure, purpose, and governance of restoration initiatives and programs and has provided appropriations for their implementation. Congress recently enacted significant new provisions related to ecosystem restoration efforts in the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58).[1] The IIJA contains numerous provisions that authorized and/or funded federal ecosystem restoration activities. Many IIJA provisions that address ecosystem restoration focus on broad federal ecosystem restoration programs and authorities. Several provisions also address specific restoration initiatives coordinated by agencies such as the Environmental Protection Agency (EPA) and the U.S. Fish and Wildlife Service (FWS).

This report lists selected federal programs and activities related to ecosystem restoration in the IIJA, such as activities to restore degraded ecosystems; to conserve ecosystems and habitats and the species they support; and to support studies to inform ecosystem restoration.[2] Some activities directly address ecosystems or components of an ecosystem (e.g., water quality), whereas other activities address ecosystem restoration indirectly (e.g., activities to restore landscapes after energy or mineral extraction). The report also discusses issues and questions that Congress may consider related to implementation and oversight of ecosystem restoration provisions in the IIJA and for future considerations of ecosystem restoration funding.

Infrastructure Investment and Jobs Act

On November 15, 2021, the IIJA, an omnibus authorization and appropriations bill, was signed into law. Divisions A through G of the law included new or amended authorizations for a wide range of government activities broadly related to infrastructure. Some of these authorizations

[1] This report generally refers to the law by its title, the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58). Some sources, including some documents published by the Biden Administration, have referred to the legislation as the *Bipartisan Infrastructure Law*.

[2] An *ecosystem* in the context of this report is a system consisting of biotic and abiotic components that function together as a unit. The biotic components include all living things, such as plants, fish, and wildlife; the abiotic components are the nonliving things, such as toxins and nutrients, soils, and climate.

address ecosystem restoration. For example, Section 40804 of Division D authorized the Chief of the U.S. Forest Service (FS) and the Secretary of the Interior to conduct various ecosystem restoration activities.

Division J of the IIJA provided emergency supplemental appropriations to various agencies.[3] Congress directed agencies to use some of these appropriations for ecosystem restoration or related activities. Congress appropriated some of this funding as a one-time appropriation in FY2022 and spread out appropriations for some agencies in specific amounts over multiple fiscal years, through FY2026.

Table 1 lists provisions in the IIJA directly or indirectly related to ecosystem restoration activities. For each provision, the table provides a brief description of the activity, any IIJA sections that amend previously enacted authorities or provide new authorizations for the activity, and appropriations provided by Division J of the IIJA, if applicable.

[3] Division H of the IIJA also included extension of certain trust fund expenditure authorities, such as the Highway Trust Fund and the Sport Fish Restoration and Boating Trust Fund (§80101 of the IIJA). As noted in **Table 1**, Section 11123(b) of the IIJA authorized appropriations for FY2022 through FY2026 out of the Highway Trust Fund via contract authority for the Wildlife Crossings Pilot Program. **Table 1** also describes the Sport Fish Restoration and Boating Trust Fund and amendments made to the fund by Section 28001(a) of the IIJA.

Table 1. Ecosystem Restoration Activity Provisions in the IIJA

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Multiple Federal Agencies			
Department of the Interior (DOI) and Department of Energy (DOE) Orphaned Well Site Plugging, Remediation, and Restoration	Amended Section 349 of the Energy Policy Act of 2005 (42 U.S.C. §15907) to authorize and provide funding for the Secretary of the Interior to establish multiple programs related to plugging, remediating, and reclaiming orphaned oil and gas wells. Priority projects may include those that remediate soil and restore native species habitat that have been degraded due to the presence of orphaned wells and associated pipelines, facilities, and infrastructure. Congress directed the Secretary of the Interior to establish a program to plug, remediate, and reclaim orphaned wells located on lands managed by DOI and the U.S. Department of Agriculture (USDA). Congress authorized $250 million for this program. Congress also authorized the Secretary of the Interior to provide initial grants ($775 million authorization), formula grants ($2.000 billion authorization), and performance grants ($1.500 billion authorization) to states for activities under this section. Congress authorized the Secretary of the Interior to establish a program to provide grants to Indian tribes or, at the request of the tribe and in lieu of a grant, to administer and carry out activities on behalf of Indian tribes for activities under this section, and authorized $150 million for these activities. In addition, the Secretary of Energy is to provide technical assistance to the federal land management agencies, states, and Indian tribes to support practical, economical remedies for environmental problems caused by orphaned wells. Congress authorized $30 million for DOE for these activities. For information on agency implementation, see DOI, "Legacy Pollution," at https://www.doi.gov/priorities/investing-americas-infrastructure/legacy-pollution; and DOE, "Orphaned Well Site Plugging, Remediation, and Restoration," at https://www.energy.gov/bil/orphaned-well-site-plugging-remediation-and-restoration.	Section 40601	$4.677 billion total for FY2022 to DOI, including • $250 million for activities located on lands managed by DOI and USDA, to remain available until FY2030 • $755 million for initial grants to states, to remain available until FY2030 • $2.000 billion for formula grants to states, to remain available until FY2030 • $1.500 billion for performance grants to states, to remain available until FY2030 • $150 million for grants to tribes, to remain available until FY2030 $30 million total for FY2022 to DOE, to remain available until expended.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Environmental Protection Agency (EPA) and the Department of Transportation (DOT) Study on Stormwater Best Management Practices	Directed the EPA and the Secretary of Transportation to offer to enter into an agreement with the National Academy of Sciences to conduct a study to, among other things, estimate stormwater runoff pollution loads and provide recommendations regarding stormwater management and total maximum daily load compliance strategies within a watershed, including environmental restoration and pollution abatement.	Section 11520	—
Sport Fish Restoration and Boating Trust Fund	Extended authorization for the Sport Fish Restoration and Boating Trust Fund's mandatory appropriations until FY2026 and recalculated the formula for providing appropriations from the fund. The law also addressed expenses for the fund's administration. The fund is authorized under 26 U.S.C. §9504 and is administered under the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. §§777a–777m). The fund's revenue comes from excise taxes on sport fishing equipment, import duties on fishing tackle and pleasure boats, and the portion of the gasoline fuel tax attributable to small engines and motorboats. It provides funds to state fish and wildlife agencies for fishery projects, boating access, coastal wetlands restoration, and aquatic education; the fund also is allocated to support programs and activities administered by the U.S. Fish and Wildlife Service (FWS), the Coast Guard, and the U.S. Army Corps of Engineers (USACE). For FY2022, approximately $400.00 million was provided to states from this fund. For more information on the Sport Fish Restoration and Boating Trust Fund, see https://www.fws.gov/program/sport-fish-restoration.	Sections 28001(a) and 80101(b)	—

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
U.S. Forest Service (FS) and DOI Ecosystem Restoration	Authorized and provided funding and direction for FS and DOI for several ecosystem restoration-related activities on federal and nonfederal lands. Authorized $2.130 billion combined in discretionary funding from FY2022 to FY2026 ($1.225 billion for FS and $905 million for DOI). For information on agency implementation, see FS, "Bipartisan Infrastructure Law," at https://www.fs.usda.gov/managing-land/infrastructure, and DOI, "Investing in America's Infrastructure," at https://www.doi.gov/priorities/investing-americas-infrastructure.	Section 40804 (16 U.S.C. §6592a)	$4.289 billion total for FY2022-FY2026 ($1.385 billion for FY2022; $664 million for each of FY2023-FY2026) to FS for implementing both Section 40803 and Section 40804 combined. Some funds are to remain available until expended; other funds are to remain available for four years. $905 million total for FY2022-FY2026 ($337 million in FY2022, $142 million for each of FY2023-FY2026) to DOI's Office of the Secretary for implementing Section 40804, to remain available until expended.
FS and DOI Wildfire Risk Reduction	Authorized and provided funding and direction for several FS and DOI activities related to mitigating future wildfire risk and facilitating postfire recovery, rehabilitation, and restoration on federal and nonfederal lands. Authorized $3.369 billion combined in discretionary funding from FY2022 to FY2026; $2.314 billion for FS and $1.055 billion for DOI. For information on agency implementation, see FS, "Bipartisan Infrastructure Law," at https://www.fs.usda.gov/managing-land/infrastructure, and DOI, "Investing in America's Infrastructure," at https://www.doi.gov/priorities/investing-americas-infrastructure.	Section 40803 (16 U.S.C. §6592)	$4.289 billion total for FY2022-FY2026 ($1.385 billion for FY2022; $664 million for each of FY2023-FY2026) to FS for implementing both Section 40803 and Section 40804 combined. Some funds are to remain available until expended; other funds are to remain available for four years. $1.055 billion total for FY2022-FY2026 ($408 million in FY2022, $263 million for each of FY2023-FY2026) to DOI's Wildland Fire Management account, to remain available until expended.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Department of Agriculture, National Resource Conservation Service and U.S. Forest Service			
Joint Chiefs Landscape Restoration Partnership (JCLRP) Program	Authorized funding and provided program direction for the JCLRP. The JCLRP is administered by the USDA's Natural Resources Conservation Service (NRCS) and FS. The program provides assistance for private landowners to implement eligible restoration activities. Funds also may be used for restoration activities on National Forest System lands, administered by FS. For more information on the JCLRP, see USDA, "Joint Chiefs' Landscape Restoration Partnership," at https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/features/?cid=stelprdb1244394.	Section 40808 (16 U.S.C. §6592d)	—
Department of Agriculture, National Resource Conservation Service			
Watershed and Flood Prevention Operations (WFPO)	Provided funding for the WFPO, which is authorized by the Flood Control Act of 1944 (P.L. 78-534), as amended, and the Watershed Protection and Flood Prevention Act (P.L. 83-566), as amended. The WFPO provides financial and technical assistance to state and local organizations to plan and install measures to prevent erosion, sedimentation, and flood damage and to conserve, develop, and use land and water resources. For information on agency implementation, see USDA, "Landscape Planning," at https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/.	—	$500 million in FY2022, to remain available until expended.
Department of Agriculture, U.S. Forest Service			
FS Legacy Road and Trail Remediation (LRT) Program	Authorized and provided $250 million total for FY2022-FY2026 and program direction for the FS LRT program (§8 of P.L. 88–657; 16 U.S.C. §§532 et seq.) to close and decommission temporary, unauthorized, and otherwise unneeded roads and trails within the National Forest System (NFS) to restore watersheds, habitats, and fish passages. For information on agency implementation, see FS, "Bipartisan Infrastructure Law," at https://www.fs.usda.gov/managing-land/infrastructure.	Section 40801 (16 U.S.C. §538a)	$250 million total for FY2022-FY2026 ($50 million annually), to remain available for four years.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
NFS Reforestation Requirements and the Reforestation Trust Fund	Amended the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. §§1601 et seq.) to direct FS to perform reforestation activities on NFS lands impacted by unplanned disturbance events (e.g., wildfires). Removed the annual limit of $30 million in mandatory appropriations from the Reforestation Trust Fund (16 U.S.C. §1606a) for reforestation purposes. For information on agency implementation, see FS, "Bipartisan Infrastructure Law," at https://www.fs.usda.gov/managing-land/infrastructure.	Sections 70301-70303 (16 U.S.C. §1600 note and 16 U.S.C. §1601 note)	—
Other FS Restoration Activities	Division J provided $5.447 billion in total funding for FS, of which $4.289 billion was appropriated to implement certain specified provisions in the IIJA as discussed in other entries in this table. Provided $849 million in appropriations for other FS programs and activities with a restoration component, including funding for hazardous fuels (e.g., vegetation) management, postfire burned area recovery (BAR), roads restoration projects, and federal dam removal and assistance. Some of the FS appropriations were not specifically allocated and could be used for ecosystem restoration purposes. For information on agency implementation, see FS, "Bipartisan Infrastructure Law," at https://www.fs.usda.gov/managing-land/infrastructure.	—	$849 million total for FY2022-FY2026 ($170 million annually), including • $514 million total ($103 million annually) for fuels management, to remain available until expended • $225 million total ($45 million annually) for BAR, to remain available until expended • $100 million total ($20 million annually) for road restoration projects, to remain available for three years • $10 million total ($2 million annually) for federal dam removal and assistance, to remain available for three years

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Department of Commerce, National Oceanic and Atmospheric Administration			
Coastal Zone Management Habitat Protection and Restoration Grants	Provided funding for habitat restoration projects pursuant to Coastal Zone Management Act (CZMA; P.L. 92-583, 16 U.S.C. §§1451-1466) coordination and cooperation requirements (16 U.S.C. §1456[b]) and the CZMA Technical Assistance Program (16 U.S.C. §1456c). For information on agency implementation, see National Oceanic and Atmospheric Administration (NOAA), "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$207 million total for FY022-FY2026 ($41 million annually), to remain available for two years.
Fish Passage Restoration Grants	Provided funding to restore fish passage by removing in-stream barriers and providing technical assistance. Reserved 15% of funds for Indian tribes or partnerships of Indian tribes with nonfederal partners. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$400 million total for FY022-FY2026 ($80 million annually), to remain available for two years.
Habitat Restoration	Provided funding to restore marine, estuarine, coastal, or Great Lakes ecosystem habitat or to construct or protect ecological features that protect coastal communities from flooding or coastal storms. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$491 million total for FY2022-FY2026 ($98 million annually), to remain available for two years.
National Estuarine Research Reserve System (NERRS) Habitat Protection and Restoration Competition	Provided funding for habitat restoration projects pursuant to the CZMA Coastal and Estuarine Land Conservation Program (16 U.S.C. §1456-1) and the CZMA Technical Assistance Program (16 U.S.C. §1456c). NERRS may receive funds to complete habitat restoration; coastal habitat restoration planning, engineering, and design; and land conservation projects that support the goals of the authorizing laws. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$77 million total for FY2022-FY2026 ($15 million annually), to remain available for two years.
National Sea Grant College Program Marine Debris Prevention and Removal	Directed the National Sea Grant College Program (33 U.S.C. §§1121 et seq.) to support marine debris prevention and removal activities and provided funding for these activities. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$50 million total for FY2022-FY2026 ($10 million annually), to remain available for two years.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
National Oceans and Coastal Security Fund	Provided funding to the National Oceans and Coastal Security Fund (also known as the Title IX Fund; 16 U.S.C. §§7501 et seq.). The fund is administered by the National Fish and Wildlife Foundation as the National Coastal Resilience Fund (NCRF). NCRF supports the implementation of nature-based solutions to enhance coastal community and ecosystem resilience. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$492 million total for FY2022-FY2026 ($98 million annually), to remain available for two years.
NOAA Marine Debris Program Marine Debris Removal	Provided funding for NOAA's Marine Debris Program (33 U.S.C. §1952) for marine debris assessment, prevention, mitigation, and removal efforts throughout the coastal United States, Great Lakes, territories, and Freely Associated States. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$150 million total for FY2022-FY2026 ($30 million annually), to remain available for two years.
Pacific Coastal Salmon Recovery Fund	Provided funding for the Pacific Coastal Salmon Recovery Fund (16 U.S.C. §3645(d)), which supports existing programs in Washington, Oregon, Idaho, Nevada, California, and Alaska and among the federally recognized tribes of the Columbia River and Pacific Coast for salmon and steelhead restoration and conservation. For information on agency implementation, see NOAA, "Bipartisan Infrastructure Law," at https://www.noaa.gov/infrastructure-law.	—	$172 million total for FY2022-FY2026 ($34 million annually), to remain available for two years.
Department of Defense, U.S. Army Corps of Engineers			
Aquatic Ecosystem Restoration Feasibility Studies	Provided funding for USACE to complete, or to initiate and complete, feasibility studies that were authorized prior to November 15, 2021. The suite of authorized USACE feasibility studies includes studies with aquatic ecosystem restoration as a purpose. For information on agency implementation, see USACE, "Civil Works Budget and Performance," at https://www.usace.army.mil/Missions/Civil-Works/Budget/.	—	$75 million for FY2022, to remain available until expended.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Aquatic Ecosystem Restoration Project Construction	Provided funding for construction of aquatic ecosystem restoration projects and multipurpose projects or multipurpose programs that include aquatic ecosystem restoration as a purpose. Did not include limits on starting new construction or increases in project cost without obtaining congressional authorization. For information on agency implementation, see USACE, "Civil Works Budget and Performance," at https://www.usace.army.mil/Missions/Civil-Works/Budget/.	—	$1.900 billion for FY2022, to remain available until expended, of which $1.000 billion is for multipurpose projects or multipurpose programs that include aquatic ecosystem restoration as a purpose.
Continuing Authority Programs (CAPs)	Provided funding for CAP projects without limitations on the number of projects, the federal cost per project, or the cost per program. CAPs are programmatic authorities for USACE to undertake cost-shared projects of limited scope and cost without requiring project-specific congressional authorization. Some CAPs are directly related to aquatic ecosystem restoration: • Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. §2326) CAP is for regional sediment management and beneficial use of dredged material projects. • Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. §2330) CAP is for aquatic ecosystem restoration projects. • Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. §2309a) CAP is for modifications of USACE projects for improvement of the environment. For information on agency implementation, see USACE, "Civil Works Budget and Performance," at https://www.usace.army.mil/Missions/Civil-Works/Budget/.	—	$465 million for FY2022 for all CAP authority projects, to remain available until expended, of which $115 million is for the Section 206 CAP to restore fish and wildlife passage by removing in-stream barriers and to provide technical assistance to nonfederal interests carrying out such activities at 100% federal expense.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Department of Energy			
Maintaining and Enhancing Hydroelectricity Incentives	Authorized and provided funding for the Secretary of Energy to make incentive payments to the owners or operators of certain nonfederally owned Federal Energy Regulatory Commission-licensed hydroelectric facilities for capital improvements (§247 of Subtitle C of Title II of the Energy Policy Act of 2005; P.L. 109-58). These improvements must be directly related to eligible purposes, including fish passage and water quality improvements. Incentive payments must not exceed 30% of the costs of the capital improvement and are limited to $5 million and one payment per facility annually. For information on agency implementation, see DOE, "Maintaining & Enhancing Hydroelectricity Incentives," at https://www.energy.gov/bil/maintaining-enhancing-hydroelectricity-incentives.	Section 40333 (42 U.S.C. §15883)	$277 million for FY2022 and $277 million for FY2023, to remain available until expended.
Department of the Interior, Bureau of Reclamation			
Aquatic Ecosystem Restoration Program	Authorized and provided funding for Reclamation's Aquatic Ecosystem Restoration Program (§1109 of Division FF of the Consolidated Appropriations Act, 2021; P.L. 116-260; 33 U.S.C. §2330c). Under the program, the Secretary of the Interior may enter into agreements with eligible entities to fund the design, study, and construction of aquatic ecosystem restoration and protection projects in Reclamation states.[c] The projects must be likely to improve the health of fisheries, wildlife, or aquatic habitat and may include habitat restoration and improved fish passage (e.g., dam removal, fishway construction). For information on agency implementation, see Reclamation, "Bipartisan Infrastructure Law Investments," at https://www.usbr.gov/bil/.	Section 40901(10)	$250 million total for FY2022-FY2026, to remain available until expended.
Colorado River Endangered Species Activities	Authorized and provided funding for activities that may include endangered species recovery and conservation programs in the Colorado River Basin, including the Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs, Glen Canyon Adaptive Management Program, and Lower Colorado Multispecies Conservation Plan Program, among others. For information on agency implementation, see Reclamation, "Bipartisan Infrastructure Law Investments," at https://www.usbr.gov/bil/.	Section 40901(12)	$50 million total for FY2022-FY2026, to remain available until expended.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Cooperative Watershed Management Program	Authorized and provided funding for Reclamation's Cooperative Watershed Management Program (Subtitle A of Title VI of the Omnibus Public Land Management Act of 2009, P.L. 111-11, as amended; 16 U.S.C. §§1015 et seq.). The program provides funding to form watershed groups in the West that develop local solutions to address water management needs. These entities are self-sustaining, consensus-based stakeholder groups. Funding recipients must be grassroots, nonregulatory entities that address water availability and quality issues within the relevant watershed, must represent a diverse group of stakeholders, and must be capable of promoting water supply reliability. Watershed restoration planning is an eligible activity for a watershed group to pursue with this funding. For information on agency implementation, see Reclamation, "Bipartisan Infrastructure Law Investments," at https://www.usbr.gov/bil/.	Section 40901(9)	$100 million total for FY2022-FY2026, to remain available until expended.
Watershed Health Program	Authorized and provided funding for a new Reclamation Watershed Health Program. The program is to award competitive grants to eligible applicants for the design, implementation, and monitoring of multibenefit habitat restoration projects. These projects are to improve watershed health in a river basin that is adversely impacted by a Reclamation water project. Projects must provide one or more of the following objectives: ecosystem benefits; restoration of native species; mitigation against the impacts of climate change on fish and wildlife habitats; protection against invasive species; restoration of aspects of the natural ecosystem; enhancement of commercial, recreational, subsistence, or tribal ceremonial fishing; and enhancement of river-based recreation. For information on agency implementation, see Reclamation, "Bipartisan Infrastructure Law Investments," at https://www.usbr.gov/bil/.	Sections 40901(11) and 40907 (43 U.S.C. §3207)	$100 million total for FY2022-FY2026, to remain available until expended.
WATERSmart Grants	Authorized and provided funding for Reclamation's WATERSmart grants (§9504 of the Omnibus Public Land Management Act of 2009; 42 U.S.C. §10364). Under WATERSmart, a portion of funds may be used for projects that would improve the condition of a natural or nature-based feature, as described in Section 40901(7). For information on agency implementation, see Reclamation, "Bipartisan Infrastructure Law Investments," at https://www.usbr.gov/bil/.	Section 40901(7)	$100 million total for FY2022-FY2026, to remain available until expended.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Department of the Interior, Fish and Wildlife Service			
National Fish Passage Program	Provided funding to restore fish and wildlife passage by removing in-stream barriers and providing technical assistance under the National Fish Passage Program, which is authorized by multiple authorities. For information on agency implementation, see FWS, "Implementation of the Bipartisan Infrastructure Law Initial Spend Plan," at https://www.fws.gov/media/implementation-bipartisan-infrastructure-law-initial-spend-plan.	—	$200 million total for FY2022-FY2026, to remain available until expended.
Regional Ecosystem Restoration	Provided funding for regional ecosystem restoration programs, including the following: • Implementing the Delaware River Basin Conservation Act (P.L. 114-322, Title III, Subtitle E) • Conducting restoration activities in the Klamath Basin, such as habitat restoration, planning, design, engineering, environmental compliance, fee acquisition, infrastructure development, construction, operations and maintenance, improvements, and expansion, as necessary, on lands currently leased by FWS for conservation and recovery of endangered species • Implementing Section 5(d)(2) of the Lake Tahoe Restoration Act, as amended (P.L. 106-506), which addresses aquatic invasive species • Restoring sagebrush steppe ecosystems in the Great Plains For information on agency implementation, see FWS, "Implementation of the Bipartisan Infrastructure Law Initial Spend Plan," at https://www.fws.gov/media/implementation-bipartisan-infrastructure-law-initial-spend-plan.	—	$255 million total for FY2022-FY2026, to remain available until expended, including the following: • $26 million for Delaware River Basin conservation • $162 million for Klamath Basin restoration • $17 million for Lake Tahoe restoration • $50 million for sagebrush steppe ecosystem

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Wildlife Restoration Fund	Modified the formula for making available amounts from the Wildlife Restoration Fund, as authorized by the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. §669(c)(a)), for activities and amended provisions to address administration expenses (16 U.S.C. §669h(a)). The fund's revenue comes from excise taxes on firearms, ammunition, and archery equipment. The fund provides funding for states and territories to support wildlife restoration, conservation, and hunter education and safety programs. The Pittman-Robertson Wildlife Restoration Act also provides funding for states and territories to support wildlife restoration, conservation, and hunter education and safety programs. All 50 states and the 5 inhabited U.S. territories receive Pittman-Robertson funds. The fund is administered by FWS. For more information, see https://www.fws.gov/program/wildlife-restoration.	Section 28001(b)	—
Department of the Interior, Office of Surface Mining Reclamation and Enforcement			
Abandoned Hardrock Mine Reclamation	Authorized the Secretary of the Interior to provide grants to eligible states and tribes to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned hardrock mine lands, based on the need, public health and safety, potential environmental harm, and other land use priorities. Grants to states and tribes are to be awarded based on either a competitive or a formula basis, as determined by the Secretary, to address abandoned hardrock mining lands within a state or tribal jurisdiction. Grants authorized under this section are not to be used at sites for the continuing reclamation responsibility of another party under other federal or state law or to fulfill an obligation under a settlement agreement or court order in which a potentially responsible party would fund or perform work under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§9601 et seq.). For information on agency implementation, see DOI, "Legacy Pollution," at https://www.doi.gov/priorities/investing-americas-infrastructure/legacy-pollution.	Section 40704 (30 U.S.C. §1245)	—

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Abandoned Mine Reclamation—General Fund Transfer	Authorized a transfer from the General Fund of the U.S. Treasury to provide $11.293 billion in funding to the Abandoned Mine Reclamation Fund. The Abandoned Mine Reclamation Fund, established under Section 401 of the Surface Mining Control and Reclamation Act (SMCRA; 30 U.S.C. §§1231 et seq.), provides funding to eligible states and tribes for the reclamation of surface mining impacts associated with historical coal mining. The funding would provide grants to eligible states and tribes in equivalent amounts over a 15-year period, based on relative percentage of coal production prior to 1977. Eligible states and tribes are required to receive at least $20 million, to the extent that the state or tribes total estimated unfunded reclamation needs are not less than $20 million. The use of grants from the amounts to eligible states and tribes for the reclamation of abandoned coal mining sites is limited to Abandoned Mine Lands (AML) projects under Section 403(a), Section 403(b), and emergency projects under Section 410 of SMCRA. The objective of reclamation under SMCRA is to restore lands or waters adversely affected by past coal mining to a condition that would mitigate potential hazards to public health, safety, and the environment. SMCRA describes differing types and priorities of AML reclamation projects eligible for reclamation funding from the Abandoned Mine Reclamation Fund. A priority of AML projects may be to reclaim lands and waters previously degraded by adverse effects of coal mining practices for the conservation and development of soil, water (excluding channelization), woodland, fish and wildlife, recreation resources, and agricultural productivity. For information on agency implementation, see DOI, "Legacy Pollution," at https://www.doi.gov/priorities/investing-americas-infrastructure/legacy-pollution.	Section 40701 (30 U.S.C. §1231a)	$11.293 billion for FY2022 to carry out §40701. Section 40701 of the IIJA requires the Office of Surface Mining Reclamation and Enforcement (OSMRE) to evaluate the $11.293 billion in grant payments to eligible states and tribes not later than 20 years after enactment. Upon that evaluation, states and tribes would be required to return any "unused funds" to the Abandoned Mine Reclamation Fund. If any such funds were returned, the amount would be credited to the fund and added to the balance available for redistribution under SMCRA.
Study and Report on Feasibility of Revegetating Reclaimed Mine Sites	Directed OSMRE to conduct and submit a report to Congress regarding the feasibility of revegetating reclaimed mine sites, not later than one year after enactment. The report is required to include recommendations for implementation, identification of suitable reclaimed mine sites, barriers for implementation, and description of potential job creation. For information on agency implementation, see OSMRE, "Revegetation Feasibility Study: The Bipartisan Infrastructure Law Directs OSMRE to Conduct Feasibility Study," at https://www.osmre.gov/news/open-for-comment/OSMRE-Conducts-Revegetation-Feasibility-Study.	Section 40802	—

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Department of Transportation			
Invasive Plant Elimination Program	Authorized the Secretary of Transportation to carry out a grant program that provides grants to states to eliminate or control existing invasive plants or to prevent introduction of or encroachment by new native plants along and in areas adjacent to transportation corridor rights-of-way. Authorized the Secretary of Transportation to prioritize projects that use revegetation with native plants and wildflowers and provided for a larger federal cost share for such projects. Authorized appropriations of $50 million annually from FY2022 through FY2026. For information on agency implementation, see DOT, "Bipartisan Infrastructure Law," at https://www.transportation.gov/bipartisan-infrastructure-law.	Section 11522 (23 U.S.C. §329 note)	—
National Culvert Removal, Replacement, and Restoration Grant Program	Authorized and provided funding for the Secretary of Transportation, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere, to establish a program to annually award grants to eligible entities (e.g., states, local governments, Indian tribes) for projects that replace, remove, or repair culverts or weirs that would meaningfully improve or restore fish passage for anadromous fish. Authorized the Secretary of Transportation to provide technical assistance for these activities to Indian tribes and underserved communities. Authorized appropriations of $800 million annually from FY2022 through FY2026. For information on agency implementation, see DOT, "Key Notices of Funding Opportunity," at https://www.transportation.gov/bipartisan-infrastructure-law/key-notices-funding-opportunity.	Section 21203 (49 U.S.C. §6703)	$1.000 billion total for FY2022-FY2026 ($200 million annually), to remain available until expended.
Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way	Authorized the Secretary of Transportation to establish a program to provide grants to eligible entities (state departments of transportation, Indian tribes, federal land management agencies) to carry out activities to benefit pollinators on roadsides and highway rights-of-way, including planting and seeding native, locally appropriate grasses and wildflowers. Authorized appropriations of $2 million annually from FY2022 through FY2026. For information on agency implementation, see DOT, "Bipartisan Infrastructure Law," at https://www.transportation.gov/bipartisan-infrastructure-law.	Section 11528 (23 U.S.C. §332)	—

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Wildlife Crossings Pilot Program	Authorized the Secretary of Transportation to establish a program to provide grants for projects that seek to achieve (1) a reduction in the number of wildlife-vehicle collisions and (2) improved habitat connectivity for terrestrial and aquatic species to carry out objective (1). The following funds are authorized to be appropriated out of the Highway Trust Fund via contract authority for this program: • $60 million for FY2022 • $65 million for FY2023 • $70 million for FY2024 • $75 million for FY2025 • $80 million for FY2026 For information on agency implementation, see DOT, "Key Notices of Funding Opportunity," at https://www.transportation.gov/bipartisan-infrastructure-law/key-notices-funding-opportunity.	Section 11123(b) (23 U.S.C. §171)	—
Wildlife-Vehicle Collision Reduction and Habitat Connectivity Improvement	Directed the Secretary of Transportation to conduct a study of the practice of methods to reduce collisions between motorists and wildlife. A portion of this study is to analyze methods to improve habitat connectivity for terrestrial and aquatic species. Directed the Secretary of Transportation to develop a standardized methodology for collecting and reporting wildlife collision data and later report on whether implementation of this methodology has reduced wildlife-vehicle collisions and improved habitat connectivity. Directed the Secretary of Transportation to establish guidance for a threshold of when a highway should be evaluated for potential mitigation measures to reduce wildlife-vehicle collisions and increase habitat connectivity. For information on agency implementation, see DOT, "Bipartisan Infrastructure Law," at https://www.transportation.gov/bipartisan-infrastructure-law.	Section 11123(c) (23 U.S.C. §172)	—

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Environmental Protection Agency			
Clean Water Act (CWA; P.L. 92-500, 33 U.S.C. §§1251-1387) Geographic Programs	Provided funding for ecosystem restoration initiatives under the CWA Geographic Programs (various authorities, including 33 U.S.C. §§1267-1270, 1273, 1275). Geographic Programs are a component of broader collaborative efforts to improve some of the nation's aquatic resources that Congress, EPA, and states have identified as economically and ecologically valuable. Program activities include efforts to address water quality impairments, clean up beaches, decrease coastal erosion, protect and improve aquatic habitat, support fisheries, and protect public water supplies. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	—	$1.717 billion total for FY2022-FY2026 ($343 million annually), to remain available until expended. The IIJA also specified the total amounts to be appropriated to each CWA Geographic Program for FY2022-FY2026, including the following: • $1.000 billion for Great Lakes Restoration Initiative • $238 million for Chesapeake Bay • $24 million for San Francisco Bay • $89 million for Puget Sound • $106 million for Long Island Sound • $53 million for Gulf of Mexico • $16 million for South Florida • $40 million for Lake Champlain • $53 million for Lake Pontchartrain • $15 million for Southern New England Estuaries • $79 million for Columbia River Basin • $4 million for other geographic activities, including in the Pacific Northwest

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
CWA Sewer Overflow and Stormwater Reuse Municipal Grants Program	Reauthorized appropriations of $280 million annually for the CWA Sewer Overflow and Stormwater Reuse Municipal Grants Program (§211 of the Federal Water Pollution Control Act; 33 U.S.C. §1301) for FY2022 through FY2026. Under this program, EPA is to provide grants to states, which are to provide sub-awards to eligible entities to support stormwater infrastructure, among other eligible activities. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	Section 50204	—
Clean Water Infrastructure Resiliency and Sustainability Program	Authorized a Clean Water Infrastructure and Resiliency Program (§223 of Title II of the Federal Water Pollution Control Act; 33 U.S.C. §§1281 et seq.) to provide funds to municipalities or intermunicipal, interstate, or state agencies to increase the resilience of publicly owned treatment works to natural hazard or cybersecurity vulnerabilities. Eligible projects include those that enhance wastewater and stormwater management by increasing watershed preservation and protection, including through the use of natural and engineered green infrastructure and the reclamation and reuse of wastewater and stormwater, such as aquifer recharge zones. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	Section 50205 (33 U.S.C. §1302)	—
Clean Water State Revolving Fund (CWSRF) Program	Provided funding for the CWSRF program (§§601-608 of the Federal Water Pollution Control Act; 33 U.S.C. §§1381-1388) and reauthorized appropriations of $2.400 billion for FY2022; $2.750 billion for FY2023; $3.000 billion for FY2024; and $3.250 billion for each of FY2025 and FY2026. The CWSRF program provides funding for water quality protection projects for wastewater and stormwater infrastructure and management, nonpoint source pollution control, and watershed and estuary management, among other activities. Through the program, each state (and Puerto Rico) maintains a revolving loan fund to provide low-cost financing for a wide range of water quality infrastructure projects. Additional subsidization, including principal forgiveness, negative interest loans, and grants may be available in certain circumstances. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	Section 50210	$1.900 billion for FY2022; $2.200 billion for FY2023; $2.400 billion for FY2024; and $2.600 billion for each of FY2025 and FY2026. Each fiscal year appropriation is to remain available until expended; 49% of the state's allotment would be used to provide 100% principal forgiveness or grants, or a combination of these.

Activity	Description	IIJA Authorization Citation[a]	Division J, IIJA Appropriations
Gulf Hypoxia Action Plan	Provided funding for implementation of the Gulf Hypoxia Action Plan. The action plan was developed by the Gulf Hypoxia Task Force, chaired by EPA, in 2008. Key goals of the plan are to improve water quality in the Mississippi River Basin and to reduce the size of the Gulf of Mexico hypoxic zone by implementing nutrient pollution reduction strategies and approaches. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	—	$60 million total for FY2022-FY2026 ($12 million annually), to remain available until expended.
National Estuary Program (NEP)	Provided funding for estuary restoration efforts under NEP (§320 of the Federal Water Pollution Control Act; 33 U.S.C. §1330). NEP provides grants for the development and implementation of Comprehensive Conservation and Management Plans (CCMPs) to restore and protect the 28 "estuaries of national significance" included in the program. CCMPs identify actions to address various environmental issues, including water quality, habitat, land use, fish and wildlife, and invasive species in the estuary. For information on agency implementation, see EPA, "Bipartisan Infrastructure Law," at https://www.epa.gov/infrastructure.	—	$132 million total for FY2022-FY2026 ($26 million annually) for grants to develop and implement CCMPs, to remain available until expended.
Government Accountability Office			
Government Accountability Office Study	Directed the Comptroller General of the United States to conduct a study by six years after November 15, 2021, on whether Title VIII of the IIJA has effectively reduced wildfire risk and restored ecosystems on federal and nonfederal land.	Section 40805	—

Sources: Congressional Research Service using the IIJA and other statutes and agency websites, as noted in the table.

Notes: IIJA = Infrastructure Investment and Jobs Act, P.L. 117-58. Authorization of appropriations and appropriations are rounded to the nearest million. Some entries include Division J appropriations that are to remain available for a certain number of years, which includes the fiscal year in which appropriated and a certain number of subsequent fiscal years. For example, the entry "$50 million total for FY2022-FY2026 ($10 million annually), to remain available for two years" means that for each fiscal year from FY2022 to FY2026, $10 million is to be appropriated, which will remain available for that fiscal year and for the subsequent fiscal year.

a. This column lists IIJA sections that amend previously enacted authorities or provide new authorizations. New *U.S. Code* citations for IIJA authorizations are provided in parentheses.

b. IIJA Division J; Title II; Department of Commerce; National Oceanic and Atmospheric Administration; Operations, Research, and Facilities; part 9, refers to 16 U.S.C. §1456-1. However, NOAA has interpreted this provision to refer to 16 U.S.C. §1456, instead (NOAA, "Coastal Zone Management," at https://www.noaa.gov/infrastructure-law/infrastructure-law-climate-ready-coasts/coastal-zone-management).

c. Reclamation state means a state or territory described in the first section of the Reclamation Act of 1902 (32 Stat. 388, chapter 1093; 43 U.S.C. §391), as amended.

Issues for Congress

As discussed above, Congress enacted numerous provisions that address and fund ecosystem restoration broadly under the IIJA. Many of the provisions appropriated annual funding in amounts considerably greater than recent annual appropriations for federal restoration programs, initiatives, and activities. Congress may consider several questions and issues associated with new authorizations and increased funding for ecosystem restoration provided by the IIJA, including (1) the extent to which restoration programs addressed by the IIJA are coordinated with existing efforts and follow a strategy, (2) if federal and nonfederal entities can promptly and effectively obligate restoration funding, and (3) how best to monitor the implementation progress and performance of these activities.

Coordination and Goals of Ecosystem Restoration

Congress might consider how ecosystem restoration programs and activities authorized and funded by the IIJA are coordinated with existing, ongoing restoration efforts. Several existing restoration programs received appropriations through the IIJA. With this influx of supplemental funding, Congress might conduct oversight to determine how federal agencies are coordinating the implementation of ecosystem restoration programs, both at the federal level and with nonfederal stakeholders such as states, tribes, and other entities.

Following enactment of the IIJA, the White House published an IIJA guidebook for nonfederal partners, which stated that the law allocated funding to over 350 distinct programs across more than a dozen federal departments and agencies.[4] The guidebook categorized a number of these programs under the subheadings of Clean Energy and Power, Water, Resilience, and Environmental Remediation. The guidebook did not describe how departments and agencies coordinate to administer programs under these themes but rather summarized individual programs.

Federal agencies also have published spending plans that provide additional detail on funds received through the IIJA. For example, IIJA blueprints released by the Department of the Interior (DOI) group programs into investments in "Ecosystem Restoration and Resilience" and "Wildfire Resilience," among other categories.[5] These plans outline general program and funding objectives, but few discuss in detail how IIJA funding will complement base-level funding or projects. Some plans discuss coordination among agencies where the IIJA specifically calls for coordination—for example, between DOI and the U.S. Department of Agriculture. However, the spending plans do not specify coordination between federal agencies and other nonfederal stakeholders in all cases. For example, several of the IIJA's provisions relate to agency activities for fish passage, dam removal, and/or culvert removal. FWS's spend plan states that the agency would reach out to other federal partners on fish passage activities, and the National Oceanic and Atmospheric Administration (NOAA) stated in a congressional briefing that relevant agencies and partners plan to meet to discuss prioritization and coordination for fish and wildlife passage

[4] White House, *A Guidebook to the Bipartisan Infrastructure Law for State, Local, Tribal, and Territorial Governments, and Other Partners*, January 2022, at https://www.whitehouse.gov/wp-content/uploads/2022/01/BUILDING-A-BETTER-AMERICA_FINAL.pdf.

[5] Department of the Interior (DOI), "Interior Department Releases Blueprints for Implementing Bipartisan Infrastructure Law," February 16, 2022, at https://www.doi.gov/pressreleases/interior-department-releases-blueprints-implementing-bipartisan-infrastructure-law.

projects.[6] However, these agencies have yet to report on tangible examples of coordination and their outcomes.

Another aspect of coordination is reaching out to nonfederal stakeholders to inform them of grant availability and other funding opportunities, as well as creating guidelines for implementing projects that complement, rather than overlap, existing efforts. For example, at a Senate Environment and Public Works Committee hearing focused on state and local perspectives of IIJA implementation, the West Virginia Secretary of Transportation stated the following:

> The timeline for receiving guidance through the process of issuing the notices of funding availability, comment periods for proposed rules, and actual publications of the registry for rules on many of the IIJA programs appears to be in disarray. In many cases, we have received deadlines for program plans prior to information concerning eligibility requirements and funding levels ... A comprehensive IIJA delivery plan is called for and is much preferable to the piecemeal approach of the last year.[7]

In one instance, 50 self-described hunting, fishing, and conservation organizations and businesses petitioned federal agencies to champion outreach efforts and call for a centralized database for IIJA tracking that includes a national project dashboard, among other requests.[8] For example, the Department of Transportation created a dashboard to track IIJA programs and funding across the department.[9] Proponents of a national project dashboard argued that such an effort should be designed to capture all federal agency requests for proposals and opportunities for the public to submit feedback on new programs and criteria established by the IIJA.[10]

Another challenge is federal coordination with existing restoration efforts and governance structures. IIJA funds may be implemented by expanding existing activities, which may involve multiple programs. Many restoration efforts already underway involve numerous stakeholders and established restoration plans. For example, FWS stated in its spend plan that the agency would use existing conservation plans coupled with input from tribes and other conservation partners at annual stakeholder workshops to guide annual spending of IIJA funding for its ecosystem restoration initiates.[11] At a House Natural Resources subcommittee hearing on IIJA funding, the Chief Executive of Intergovernmental Relations for the U.S. Forest Service (FS) stated that "working together ... in a kind of collaborative form, really helps leverage collective resources as well ... looking at how we show up with the rest of our partners in this all-lands

[6] National Oceanic and Atmospheric Administration (NOAA), "NOAA's Climate Ready Coasts Initiative: Funded by the Bipartisan Infrastructure Law," congressional briefing, July 14, 2022; and U.S. Fish and Wildlife Service (FWS), "Implementation of the Bipartisan Infrastructure Law Initial Spend Plan," February 16, 2022, at https://www.fws.gov/media/implementation-bipartisan-infrastructure-law-initial-spend-plan (hereinafter, FWS Spend Plan).

[7] Testimony of Jimmy Wriston, West Virginia Department of Transportation, in U.S. Congress, Senate Environment and Public Works Committee, *Putting the Bipartisan Infrastructure Law to Work: The State and Local Perspectives*, hearing, September 21, 2022, at https://www.epw.senate.gov/public/index.cfm/2022/9/putting-the-bipartisan-infrastructure-law-to-work-the-state-and-local-perspectives.

[8] Multiorganizational letter to the Secretaries of DOI, the U.S. Department of Transportation (DOT), the U.S. Department of Agriculture (USDA), and the U.S. Department of Commerce; the Assistant Secretary of the Army; the Administers of the Environmental Protection Agency (EPA) and the Federal Emergency Management Agency, and the Chair of Council on Environmental Quality, "Conservation Considerations for Infrastructure Implementation," March 3, 2022, at https://fisheries.org/2022/03/conservation-considerations-for-infrastructure-implementation/ (hereinafter, "Conservation Considerations").

[9] DOT, "Bipartisan Infrastructure Law Dashboard," at https://www.transportation.gov/mission/budget/bipartisan-infrastructure-law-dashboard.

[10] "Conservation Considerations."

[11] FWS Spend Plan.

issue."[12] Some agencies sought assistance from outside entities, such as the National Fish and Wildlife Foundation, for coordination and outreach (see text box below).

America the Beautiful Challenge

The Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58) authorized a total of $400 million from FY2022 to FY2026 to provide grants to states, territories, and Indian tribes for implementing voluntary ecosystem restoration projects on private or public land. The IIJA did not specify funding amounts to implement these projects in FY2022, though the funding appears to be part of the law's $337 million appropriation for the Department of the Interior to carry out various activities in FY2022. The National Fish and Wildlife Foundation (NFWF) is administering this initiative as part of the President's America the Beautiful Challenge. The program aims to conserve and restore various ecosystems, improve ecological connectivity between landscapes, improve ecosystem resilience to various threats (e.g., flooding), and expand access to outdoor recreation. NFWF expects to award $85 million in grants for FY2022, of which the Department of the Interior is providing $70 million. NFWF has experience in implementing grant programs for restoring ecosystems. Other initiatives funded by the IIJA are using NFWF expertise; these initiatives include restoring the Delaware River Basin and administering the National Oceans and Coastal Security Fund.

Source: White House, "Biden-Harris Administration Launches $1 Billion America the Beautiful Challenge to Support and Accelerate Locally Led Conservation and Restoration Projects," press release, April 11, 2022, at https://www.whitehouse.gov/ceq/news-updates/2022/04/11/biden-harris-administration-launches-1-billion-america-the-beautiful-challenge-to-support-and-accelerate-locally-led-conservation-and-restoration-projects/.

Congress may consider identifying its goals for ecosystem restoration and whether the Administration implements the IIJA to achieve those goals. Although the IIJA contains many provisions directly or indirectly related to ecosystem restoration, there is no overarching national strategy or plan for implementing ecosystem restoration activities supported by the act (or in general). Congress may consider whether the Administration should implement the IIJA to address restoration holistically within an ecosystem or region or support specific restoration activities that address an ecosystem factor, such as a species population or remediation of a toxin.

Ecosystem Restoration Funding

The IIJA provided many restoration programs and projects with funding in excess of recent annual appropriations for these activities. For example, USACE allocated $1.1 billion of the $1.9 billion in IIJA appropriations for USACE aquatic ecosystem restoration construction to the Everglades, which received $351 million in USACE construction account annual appropriations in FY2022. Similarly, the IIJA provided $98 million annually for five years for NOAA's National Oceans and Coastal Security Fund, which received $34 million in annual appropriations in FY2022.[13] In addition to the IIJA and FY2022 annual appropriations, some funding provided in P.L. 117-169, commonly referred to as the Inflation Reduction Act of 2022, may go to activities directly or indirectly related to ecosystem restoration (see textbox below).

[12] Testimony of Brian Ferebee, chief executive of Intergovernmental Relations, USDA, U.S. Forest Service (FS), in U.S. Congress, House Natural Resources Committee, Subcommittee on National Parks, Forests, and Public Lands, *Oversight: Investing in Wildfire Management, Ecosystem Restoration, and Resilient Communities: Examining the Biden Administration's Priorities for Implementation of the Bipartisan Infrastructure Law*, hearing, April 5, 2022, at https://naturalresources.house.gov/hearings/investing-in-wildfire-management-ecosystem-restoration-and-resilient-communities-examining-the-biden-administrations-priorities-for-implementation-of-the-bipartisan-infrastructure-law.

[13] For the U.S. Army Corps of Engineers (USACE) IIJA spend plan and FY2022 work plans, see USACE, "Civil Works Budget and Performance," at https://www.usace.army.mil/Missions/Civil-Works/Budget/.

Inflation Reduction Act of 2022

On August 16, 2022, P.L. 117-169, commonly referred to as the Inflation Reduction Act of 2022 (IRA 2022), was enacted into law. Some of the funding provided by IRA 2022 may be used by agencies for activities directly or indirectly related to ecosystem restoration. IRA 2022 funding, which was provided over a similar timespan as Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58) funding, also may complement activities funded by the IIJA. Some such provisions in IRA 2022 include the following:

- Title II, Subtitle D (§§23001-23005), appropriated $5.0 billion to the U.S. Forest Service for forest restoration, management, and planning activities for federal and nonfederal forests.
- Section 40001 appropriated $2.6 billion to the National Oceanic and Atmospheric Administration to provide funding to certain nonfederal entities for the conservation, restoration, and protection of coastal and marine habitats, resources, and Pacific salmon and other marine fisheries, among other purposes.
- Section 50222 appropriated $250 million to the Secretary of the Interior to carry out conservation, ecosystem, and habitat restoration projects on lands administered by the National Park Service and the Bureau of Land Management.
- Section 50233 appropriated $4.0 billion to the Secretary of the Interior (acting through the Commissioner of Reclamation) for certain activities to mitigate the impacts of drought in the Reclamation states. These activities may include ecosystem and habitat restoration projects to address issues directly caused by drought and voluntary system conservation projects that provide environmental benefits in the Colorado River Basin, among others.
- Section 60301 appropriated $125 million to the U.S. Fish and Wildlife Service (FWS) to develop and implement Endangered Species Act (16 U.S.C. §1533(f)) recovery plans.
- Section 60302 appropriated $125 million to FWS to rebuild and restore units of the National Wildlife Refuge System and state wildlife management areas by specified means, including addressing the threat of invasive species.

Source: CRS, using enacted laws.

Notes: Reclamation state means a state or territory described in the first section of the Reclamation Act of 1902 (32 Stat. 388, chapter 1093; 43 U.S.C. §391), as amended.

Congress may consider how quickly and efficiently federal agencies implement or obligate these funds. Responding to stressors affecting ecosystems (e.g., climate change, invasive species, water quality deterioration) is time sensitive in many regions. For example, projects to prevent invasive species introduction can better preserve ecosystem function compared with responding to invasive species after establishment. While some IIJA appropriations are available for a limited number of fiscal years, other IIJA appropriations are to remain available until expended. Congress may consider whether to rescind funding and/or transfer it to other priority if agencies are unable to promptly or efficiently obligate funds to individual projects or if there is a lack of demand and/or interest in some programs among nonfederal stakeholders.

Congress also may consider base-level funding for restoration activities in conjunction with IIJA funds. At a House Natural Resources subcommittee hearing, FS and DOI called IIJA investments for their agencies a "down payment" on the funding that is needed for ecosystem restoration and other initiatives, implying that base-level funding will be needed to supplement IIJA funding.[14] In some cases, the Administration is approaching IIJA funds as a supplement to base-level funding. For example, the Administration's FY2023 budget requested USACE funding for Everglades construction at levels above previous years ($407 million requested for FY2023 compared with

[14] U.S. Congress, House Natural Resources Committee, Subcommittee on National Parks, Forests, and Public Lands, *Oversight: Investing in Wildfire Management, Ecosystem Restoration, and Resilient Communities: Examining the Biden Administration's Priorities for Implementation of the Bipartisan Infrastructure Law*, hearing, April 5, 2022, at https://naturalresources.house.gov/hearings/investing-in-wildfire-management-ecosystem-restoration-and-resilient-communities-examining-the-biden-administrations-priorities-for-implementation-of-the-bipartisan-infrastructure-law (hereinafter, House Natural Resources Committee, *Oversight*).

$350 million requested for FY2022).[15] In other cases, the Administration appears to replace base-level funding with IIJA funds. For example, the Administration's FY2023 budget request did not include funding for NOAA's National Oceans and Coastal Security Fund, citing other funding priorities and sufficient funds through the IIJA.[16] The Administration's differing approaches to requesting base-line funding may reflect divergent spatial and temporal scales of restoration needs across ecosystems, an agency's level of prioritization and capacity for delivering ecosystem restoration projects, or the Administration's funding priorities compared with other activities. Congress might consider how to measure whether and how IIJA funding would contribute to ecosystem restoration and whether additional funding is needed to meet Congress's restoration goals.

One of the challenges to how the IIJA gets implemented is whether nonfederal entities can be effective partners, especially for programs that involve grants and/or cooperative agreements. Nonfederal partnership may be limited due to lack of interest in restoration opportunities, limited capacity to track and apply for funds, inability to provide applicable cost shares, or limited capacity to implement activities with IIJA funds. To address this challenge, some agencies, such as NOAA, intend to use a portion of IIJA funds to help applicants build capacity to apply for grants and implement projects.[17] Others, such as FWS, identify the inability for nonfederal partners to provide matching funds as an implementation challenge to "the ability to increase and expand partnerships through the many authorities provided to the Agency" because "match requirements create a huge challenge for many partners, inhibiting their ability to participate in the opportunities that ...[the IIJA] provides."[18] This could mean that federal agencies would limit activities where there is insufficient funding from a nonfederal sponsor.

In certain provisions, Congress provided options in the IIJA to address challenges to providing nonfederal cost-share funding for some programs. For example, Congress omitted cost-share requirements and provided full federal funding for nonfederal dam removal under USACE's Section 206 Continuing Authorities Program and authorized some agencies to reduce or waive the nonfederal share for IIJA funding under NOAA's Operations, Research, and Facilities Account and Pacific Coastal Salmon Recovery Fund and the Environmental Protection Agency's geographic programs and National Estuary Program grants.[19] In certain instances, the IIJA has allowed for agency discretion regarding cost sharing; for some NOAA grant programs funded by the IIJA, the agency has determined that a match is not required but has noted that leveraged funding is strongly encouraged and will be reviewed in evaluations.[20]

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[15] See request in USACE press books located at USACE, "Civil Works Budget and Performance," at https://www.usace.army.mil/Missions/Civil-Works/Budget/.

[16] NOAA's blue book stated that not funding the National Oceans and Coastal Security Fund (NCRF) would "allow NOAA to sustain other key priorities across the agency" and that "NOAA will continue to maintain its NCRF partnership with ...[the National Fish and Wildlife Foundation] using the significant funding received under the FY2022 Infrastructure Investments and Jobs Act (IIJA) through FY2026." NOAA, *Budget Summary FY2023*, at https://www.noaa.gov/sites/default/files/2022-05/Final_FY23_NOAA_Blue_Book.pdf.

[17] For example, NOAA's FY2022 Coastal Habitat Restoration and Resilience Grants for Underserved Communities funding opportunity "intends to support capacity building and restoration project activities," including project planning, stakeholder engagement, and proposal development for future funding, among other aims (NOAA, "FY22 Coastal Habitat Restoration and Resilience Grants for Underserved Communities, Under the IIJA: Notice of Funding Opportunity," at https://www.grants.gov/web/grants/view-opportunity.html?oppId=341531).

[18] FWS Spend Plan.

[19] All NOAA entries in **Table 1** were funded under NOAA's Operations, Research, and Facilities Account except for the Pacific Coastal Salmon Recovery Fund, which is funded by its own account.

[20] NOAA, Office for Coastal Management, "Funding Opportunities," at https://coast.noaa.gov/funding/

Congress also might consider whether some new or reauthorized programs in the IIJA that address ecosystem restoration should receive funding through other appropriations legislation. For example, DOT's Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way Program or Invasive Plant Elimination Program did not receive appropriations in the IIJA. Congress may choose to appropriate funds for these programs in the current fiscal year or in future fiscal years.

Ecosystem Restoration Progress and Reporting

Congress has expressed interest in understanding how well activities authorized and funded by the IIJA are restoring ecosystems. For example, the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands conducted a hearing in which the chairman stated that some of the primary IIJA implementation questions for the committee include "evaluating the adequacy of these investments, in the context of annual appropriations, measuring success beyond board feet and acres treated, and assessing if additional investments; workforce, policy changes, may be necessary."[21] Congress may consider conducting oversight activities on the restoration progress, project implementation, and effectiveness of restoration programs authorized and funded under the IIJA.[22] A broad approach to oversight might be challenging due to the variety of activities and agencies involved in ecosystem restoration under the IIJA. Further, some programs that directly focus on ecosystem restoration may have a straightforward means of evaluating restoration activities, whereas other activities that affect ecosystem restoration indirectly may be harder to evaluate. For example, the IIJA provides billions of dollars for orphan well site remediation and abandoned mine reclamation; however, ecosystem restoration is a generally tertiary objective of these programs.[23] It is unclear if ecosystem restoration for these types of activities is measured or reported. Congress might consider requiring agencies to track ecosystem restoration activities in programs in which these activities are not the primary or even secondary purpose. For example, Congress could require agencies to discuss ecosystem restoration benefits of projects in annual reports or budget justifications to Congress.

The IIJA contains reporting and oversight directives that vary across agencies and activities but no general oversight provisions addressing the entire law.[24] For example, the law directed many

infrastructure.html.

[21] House Natural Resources Committee, *Oversight*.

[22] In general, Congress's authority to conduct oversight comes from the Constitution and is informed by Supreme Court decisions, laws, and House and Senate rules. Oversight ranges from formal committee hearings to informal Member contacts with executive officials; from staff studies to reviews by congressional support agencies; and from casework conducted by Member offices to studies prepared by non-congressional entities, such as academic institutions, private commissions, or think tanks. Congress also exercises oversight through the appropriations process, which provides the opportunity to assess agency and departmental expenditures. For a more complete overview of Congress's oversight activities and authorities, see CRS Report RL30240, *Congressional Oversight Manual*, coordinated by Christopher M. Davis, Todd Garvey, and Ben Wilhelm.

[23] For example, Section 403 of the Surface Mining Control and Reclamation Act (30 U.S.C. §1231) directs the prioritization of abandoned mine lands (AML) reclamation projects under a tier of three categories of which priority 3 projects involve the reclamation of lands and waters previously degraded by adverse effects of coal mining practices for the conservation and development of soil, water (excluding channelization), woodland, fish and wildlife, recreation resources, and agricultural productivity. Generally, priority 3 projects may address AML reclamation projects where "ecosystem restoration" may be the primary objective, although the law does not define ecosystem restoration. Under the Surface Mining Control and Reclamation Act, priority 3 AML projects are required to be prioritized as a lower priority than priority 1 and priority 2 AML projects, which address AML projects associated with public health and safety issues.

[24] In contrast to the IIJA, the American Recovery and Reinvestment Act of 2009 (ARRA; P.L. 111-5) included general oversight provisions, such as establishment of a Recovery Accountability and Transparency Board. For more

agencies that received IIJA appropriations to report spend plans for FY2022 appropriations and subsequent years to the House and Senate appropriations committees.[25] The IIJA also directed some of these agencies (e.g., USACE, Bureau of Reclamation) to provide monthly reports on the allocation and obligation of these funds to House and Senate appropriations committees.[26] In addition, the law required a percentage of DOI's and other agencies' appropriations (e.g., FS, EPA) to be transferred to the Office of Inspector General of that agency or department to conduct oversight of IIJA funding. Some federal agencies have stated their commitment to providing information on spending for IIJA projects. For example, at a House Natural Resources subcommittee hearing on IIJA funding, the FS indicated that it aims to track and be transparent about funding from the IIJA.[27] Congress might consider directing all agencies to track and report restoration projects funded by the IIJA. This would give Congress data on how funds are being spent on restoration and allow Members to evaluate whether restoration projects are providing the "biggest bang for the buck." Some stakeholders may push back on this approach, asserting that additional reporting could be burdensome for agencies.

Another oversight challenge for Congress is waiting for restoration programs to ramp up and be ready to fund projects and engage stakeholders. Congress might not know results from restoration programs until after the five-year funding cycle has finished. This may not allow Congress sufficient time to adjust or modify programs during the funding cycle. Some new restoration programs may need time to establish guidelines or regulations for their implementation. Further, some nonfederal stakeholders might need to add institutional capacity and resources to apply for grants.[28] In some cases, the time to ramp up could result in delays in implementation and use of funds for the programs, which was the case for some new programs established and funded by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).[29] For example, the IIJA authorized and funded Reclamation's new Multi-benefit Watershed Health Improvement Program, and the IIJA provided the first appropriations for Reclamation's Aquatic Ecosystem Restoration Program (authorized in P.L. 116-260). The agency's spend plan first provides program-specific allocations to these programs in FY2023 after developing plans to implement these programs in FY2022.[30] Congress might consider funneling IIJA funds exclusively through existing programs to reduce administrative overhead, avoid new procedural requirements, and expedite project implementation. Some federal agencies are taking the lead in applying this

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information, see CRS Report R40572, *General Oversight Provisions in the American Recovery and Reinvestment Act of 2009 (ARRA): Requirements and Related Issues*, by Clinton T. Brass.

[25] For example, for appropriations provided in Division J to NOAA's Operations, Research, and Facilities account that funds many of the agency's restoration-related activities, the IIJA directed NOAA to submit to the House and Senate Committees on Appropriations a detailed spend plan for FY2022 funding no later than 90 days after enactment and to submit detailed spend plans for FY2023 through FY2026 as part of the President's annual budget submission.

[26] For example, for appropriations provided in Division J of the IIJA to USACE's Investigation and Construction accounts that may fund ecosystem restoration studies and construction projects, the law directs USACE to provide a monthly report to the House and Senate Committees on Appropriations beginning no later than 120 days after enactment detailing the allocation and obligation of these funds, including for new studies and construction projects.

[27] House Natural Resources Committee, *Oversight*.

[28] Testimony of Jim Tymon, executive director, American Association of State Highway and Transportation Officials, in U.S. Congress, Senate Committee on Environment and Public Works, *Putting the Bipartisan Infrastructure Law to Work: The State and Local Perspective*, 117th Cong., 2nd sess., September 21, 2022.

[29] See section on "Characteristics of Infrastructure Funding Can Affect Expenditure Timing," in CRS Report R46343, *Transportation Infrastructure Investment as Economic Stimulus: Lessons from the American Recovery and Reinvestment Act of 2009*, by William J. Mallett.

[30] Bureau of Reclamation, *Bureau of Reclamation Implementation of the Bipartisan Infrastructure Law, FY2023 Spend Plan*, at https://www.usbr.gov/bil/docs/spendplan-2023/FY-2023-Reclamation-BIL-Spend-Plan.pdf.

approach. For example, NOAA used some IIJA funds to establish new grant opportunities within existing programs to disburse funds.[31]

The IIJA contains some reporting requirements that might facilitate congressional oversight. For example, the IIJA directed some agencies to provide a detailed report one year after enactment on certain programs, such as the Joint Chiefs Landscape Restoration Partnership Program and the Department of Transportation's new Wildlife Crossing Pilot Program.[32] In other examples, the IIJA required annual reporting on progress and future ecosystem needs for some programs.[33] Further, the law required a Government Accountability Office study no later than six years after enactment to evaluate the progress of initiatives authorized in Division D, Title VIII of the IIJA.[34] Congress may use these reports and studies to conduct oversight on new and existing programs and activities. For example, in August 2022, the EPA's Office of Inspector General summarized findings from 49 prior EPA and GAO reports on EPA's geographic programs and the National Estuary Program to inform future restoration efforts, such as those funded by the IIJA.[35] Congress might also consider whether these reports might have specific sections and analyses that measure and evaluate the progress of ecosystem restoration. Sections could discuss how effective funding provided by the IIJA has led to ecosystem restoration; how well agencies are meeting objectives Congress established in the IIJA and other authorities for ecosystem restoration; and the status of restoration project implementation.

In addition to the policy mechanisms within the law, Congress might consider amending the law to include additional policy tools to improve oversight capacity. For example, Congress might consider directing a federal agency to establish a centralized website to describe, locate, and track the progress of IIJA projects. The Great Lakes Restoration Initiative has a web-based map that geo-locates projects and provides project descriptions and funding information. Further, some stakeholders suggested the federal government, with leadership from the U.S. Geological Survey and in conjunction with nonfederal partners, develop a geospatial tool to support multiagency decisionmaking regarding where to allocate funding to maximize and enhance project outcomes and to monitor project implementation and long-term project efficacy.[36] Specific to ecosystem restoration, Congress might consider directing a federal agency to establish a science office to measure the progress of restoration activities authorized or funded by the IIJA. Under some ecosystem restoration initiatives, science offices or federal agencies assess how restoration is

[31] For example, NOAA established the Transformational Habitat Restoration and Coastal Resilience Grants and Coastal Habitat Restoration and Resilience Grants for Underserved Communities to be disbursed by the existing Office of Habitat Conservation's Restoration Center (NOAA, "Habitat Restoration," at https://www.noaa.gov/infrastructure-law/infrastructure-law-climate-ready-coasts/habitat-restoration).

[32] See Section 40808(g) of the IIJA for reporting requirements for the Joint Chiefs Landscape Restoration Partnership Program and Section 11123(b) for reporting requirements for DOT's new Wildlife Crossing Pilot Program.

[33] For example, Section 70303 established annual reporting requirements for the Repairing Existing Public Land by Adding Necessary Trees Act (Division G, Title III of the IIJA; see the NFS Reforestation Requirements and the Reforestation Trust Fund entry in **Table 1)**.

[34] Section 40805, Division D, Title VIII of the IIJA is titled "Natural Resources-Related Infrastructure, Wildfire Management, and Ecosystem Restoration" and includes evaluating numerous entries in **Table 1**: FS Legacy Road and Trail Remediation Program, Study and Report on Feasibility of Revegetating Reclaimed Mine Sites, FS and DOI Wildfire Risk Reduction, FS and DOI Ecosystem Restoration, and Joint Chiefs Landscape Restoration Partnership Program.

[35] EPA, *Report: Lessons Identified from Prior Oversight of the EPA's Geographic and National Estuary Programs*, August 8, 2022, at https://www.epa.gov/office-inspector-general/report-lessons-identified-prior-oversight-epas-geographic-and-national.

[36] "Conservation Considerations."

progressing by measuring ecosystem health. For example, EPA collaborates with Environment and Climate Change Canada to provide a report on the ecosystem health of the Salish Sea.[37]

Many IIJA ecosystem restoration activities will be implemented by nonfederal partners that are in charge of operations, maintenance, and monitoring after project completion.[38] Congress may consider how to require federal agencies to ensure monitoring and to evaluate performance of nonfederal partners.[39] Congress also may consider an independent scientific review of ecosystem restoration addressed by the IIJA. For example, the National Academy of Sciences independently reviews ecosystem restoration in the Florida Everglades on a biennial basis. The National Academy Committee on Independent Scientific Review of Everglades Restoration Progress evaluates the progress of restoration in the Everglades and reports on scientific and engineering issues that might hinder progress.[40]

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[37] For example, see EPA, *Health of the Salish Sea System Ecosystem Report*, at https://www.epa.gov/salish-sea.

[38] For example, FWS states that for some of its programs, monitoring plans will be required as part of project proposals and selected projects will be required to implement those monitoring plans. These plans will track progress during and after the proposed project period to ensure project success and adaptively address new challenges and opportunities as they arise. FWS Spend Plan.

[39] For example, after enactment of ARRA, the House passed H.R. 2182, which among other measures, would have allowed state and local governments receiving ARRA funds to set aside an amount up to 0.5% of those funds to conduct planning and oversight to prevent and detect waste, fraud, and abuse.

[40] For the eighth report, see National Academies of Science, Engineering, and Medicine, *Independent Scientific Review of Everglades Restoration Progress VIII*, at https://www.nationalacademies.org/our-work/independent-scientific-review-of-everglades-restoration-progress-viii.

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