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Army Corps of Engineers (USACE) Environmental Infrastructure (EI) Assistance: Authorities, Appropriations, and Issues for Congress

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SUMMARY

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Army Corps of Engineers (USACE) Environmental Infrastructure (EI) Assistance: Authorities, Appropriations, and Issues for Congress

Congress has authorized and appropriated funding for U.S. Army Corps of Engineers (USACE) *environmental infrastructure (EI) assistance.* EI assistance is authorized and appropriated for the design and construction of certain infrastructure in specified municipalities, counties, and states. This assistance supports publicly owned and operated facilities, such as water distribution works, stormwater collection, surface water protection projects, and environmental restoration projects, among others. EI assistance generally falls into one of three authorization categories:

- **Section 219 EI.** Projects and activities (e.g., design assistance) at specific geographic locations (e.g., city, county, multiple counties) authorized through Section 219 of the Water Resources Development Act of 1992 (WRDA 1992; P.L. 102-580), as amended.
- **Non-Section 219 EI Projects.** Projects authorized in provisions other than Section 219 of WRDA 1992.
- **EI Programs.** EI programs authorized for broader geographic areas (e.g., states or regions of states), with eligible types of assistance authorized in various provisions.

The Congressional Research Service (CRS) reviewed enacted legislation likely to include EI assistance authorities and deauthorization lists to identify over 280 EI assistance authorities with cumulative authorizations of appropriations totaling around $6.18 billion. The authorizations of appropriations for these activities vary widely, from $100,000 for a water monitoring station to $585 million for a seven-state EI program. CRS identified authorized EI assistance in at least 42 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the Northern Mariana Islands. CRS did not identify authorities for EI assistance in Delaware, Hawaii, Iowa, Maine, Massachusetts, Nebraska, Rhode Island, Washington, and other territories.

Unlike traditional USACE water resource projects, EI assistance is not subject to the USACE planning process (e.g., it requires no feasibility study); however, EI assistance is subject to federal laws, such as the National Environmental Policy Act. USACE evaluates an activity's eligibility for assistance by identifying whether an EI assistance authorization exists for the project's geographic area and whether the proposed work is an eligible type of assistance provided for in the authorization. The authorization's specifics determine the nature of USACE's involvement and nonfederal cost share. USACE is authorized to perform design and/or construction work with USACE funds and, for certain programmatic authorities, may use appropriated funds to reimburse nonfederal sponsors for work they perform. Most USACE EI assistance requires cost sharing at 75% federal and 25% nonfederal, and the nonfederal sponsor—the owner of constructed facilities—is responsible for operations and maintenance.

Congress typically funds EI assistance through USACE's Construction account in annual Energy and Water Development and Related Agencies appropriations acts. Congress provided $99.5 million for USACE to allocate among EI assistance authorities for FY2022. The explanatory statement accompanying Division D of the Consolidated Appropriations Act, 2022 (P.L. 117-103), included recommendations to (1) fund 22 EI assistance authorities specifically requested by Members as Community Project Funding or Congressionally Directed Spending proposals and (2) provide $13 million for USACE to allocate to EI assistance authorities in the agency's work plan. In FY2022, Congress also provided $200.0 million for EI assistance authorities in Division J, Title III, of the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58).

Congress may consider whether to amend or add EI assistance authorities and, if so, how to address those provisions. During the earmark moratorium in the 112th-116th Congresses, Congress did not enact new EI assistance authorization authorities; rather, it amended existing authorities, which were first proposed by nonfederal sponsors. In the 117th Congress, both proposed WRDA 2022 bills, S. 4136 (as reported) and H.R. 7776 (as passed by the House), would amend EI assistance authorities and would enact new EI assistance authorities. The provisions in the two bills differ widely in the authorization of appropriations, eligible geographic areas, and type or types of projects eligible for assistance. Although H.R. 7776 would authorize more EI assistance than S. 4136 ($5.52 billion and $1.46 billion, respectively), both bills would authorize appropriations amounts greater than amounts Congress authorized in the USACE authorization bills enacted in 2016, 2018, and 2020. Congress also may consider its support for USACE's EI assistance activities generally, in view of other federal programs that provide assistance for similar projects and activities. In addition, Congress may consider how to allocate funding among EI assistance authorities, whether based on Member requests, certain criteria, or other considerations.

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Environmental Infrastructure Assistance

Congress has authorized and funded U.S. Army Corps of Engineers (USACE) to assist with the design and construction of certain infrastructure in specified municipalities, counties, and states. This assistance supports publicly owned and operated facilities, such as water distribution works, stormwater collection efforts, surface water protection projects, and environmental restoration projects, among others. This USACE assistance is broadly referred to as *environmental infrastructure* (EI). These EI assistance authorities are in addition to USACE's water resources development activities for navigation, flood risk reduction, and aquatic ecosystem restoration.

Environmental Infrastructure Assistance Authorities

Congress typically authorizes USACE activities in omnibus authorization laws, often titled Water Resources Development Acts (WRDAs),[1] and first authorized EI assistance in WRDA 1992 (P.L. 102-580). (See **Appendix A** for the legislative text of example EI assistance authorities.) EI assistance authorities generally fall into one of three categories:

- **Section 219 EI.** Projects and activities (e.g., design assistance) at specific geographic locations (e.g., city, county, multiple counties) authorized through Section 219 of WRDA 1992, as amended.[2]
- **Non-Section 219 EI Projects.** Projects authorized in provisions other than Section 219 of WRDA 1992.[3]
- **EI Programs.** EI programs authorized for broader geographic areas (e.g., states or regions of states), with eligible types of assistance authorized in various provisions.[4] Some EI programs focus more on restoration than on other types of assistance.

The Congressional Research Service (CRS) reviewed enacted legislation likely to include EI assistance authorities and deauthorization lists to identify over 280 EI assistance authorities with cumulative authorizations of appropriations totaling approximately $6.18 billion (see **Appendix B**).[5] The authorizations of appropriations for these activities vary widely, from $100,000 for a

[1] For more information on Water Resources Development Acts (WRDAs), see CRS In Focus IF11322, *Water Resources Development Acts: Primer*, by Nicole T. Carter and Anna E. Normand.

[2] These authorities range from covering single municipalities to covering multiple counties in a state to covering a state or territory.

[3] One U.S. Army Corps of Engineers (USACE) non-Section 219 environmental infrastructure (EI) project authority has statutory roots that precede WRDA 1992 (P.L. 102-580). In Section 1113 of WRDA 1986 (P.L. 99-662), as amended, Congress authorized USACE to "undertake measures as are necessary to protect and restore the river diversion structures and associated canals attendant to the operations of the community ditch and Acequia systems in New Mexico." USACE has allocated funds that Congress appropriated for EI assistance to activities authorized by Section 1113. For example, USACE allocated $9.4 million of EI assistance funding between FY2014 and FY2020 for Section 1113 activities in its annual work plans. No other non-Section 219 EI project authority has received funding in recent fiscal years.

[4] EI assistance authorities for programs state that the authority is for a program, with criteria defining what type of projects are eligible for assistance under the authority. These programmatic authorities also include direction on how to operate the authority as a program (e.g., provisions on credit toward the nonfederal cost share). By contrast, EI assistance authorities for projects are for specific projects and provide less direction on executing the authority than programmatic EI assistance authorities.

[5] Neither Congress nor USACE has defined *environmental infrastructure*, but authorities with EI assistance characteristics generally are identified. This report and its tables may reference authorities that some may not consider

water monitoring station (Section 584, WRDA 1996 [P.L. 104-303], as amended) to $585 million for a seven-state EI program (Section 595 of WRDA 1999 [P.L. 106-53], as amended; Western Rural Water), and are at a fixed level (e.g., authorization of appropriations is not indexed for inflation). CRS identified authorized EI assistance in at least 42 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the Northern Mariana Islands. CRS did not identify authorities for EI assistance in Delaware, Hawaii, Iowa, Maine, Massachusetts, Nebraska, Rhode Island, Washington, and other territories.

Unlike traditional USACE water resource projects, EI assistance is not subject to the USACE planning process (e.g., it requires no feasibility study). However, EI assistance is subject to federal laws, such as the National Environmental Policy Act (42 U.S.C. §§4321 et seq.). USACE evaluates an activity's eligibility for assistance by identifying whether an EI assistance authorization exists for the project's geographic area and determining whether the proposed work is an eligible type of assistance provided for in the authorization.

The authorization's specifics determine the nature of USACE's involvement and applicable nonfederal cost share. USACE is authorized to perform design and/or construction work with USACE funds and, for certain programmatic authorities, may use appropriated funds to reimburse nonfederal sponsors for work they perform. Although most USACE EI assistance requires cost sharing at 75% federal and 25% nonfederal, some assistance authorities are set at 65% federal and 35% nonfederal.[6] USACE and nonfederal sponsors sign an agreement before USACE provides assistance.[7] The nonfederal sponsor is the owner of constructed facilities and is responsible for 100% of operations and maintenance.

Evolution of Environmental Infrastructure Assistance Authorities

Originally, Section 219 of WRDA 1992 authorized design assistance for 18 projects, and other sections authorized design and construction assistance for EI assistance projects and programs in selected geographic areas (e.g., Section 340, Southern West Virginia). WRDA 1996 added construction assistance for certain Section 219 authorities. In subsequent WRDAs through WRDA 2007 (P.L. 110-114) and in selected appropriations laws, Congress authorized new and amended existing USACE EI assistance authorities (e.g., WRDA 2007 added approximately $2.79 billion in EI assistance authority). In Section 1001(b)(2) of WRDA 1986 (P.L. 99-662), as

to be EI assistance and may not reference authorities that some consider to be EI assistance. The Congressional Research Service (CRS) included authorities that direct the Secretary of the Army for Civil Works to provide assistance to nonfederal interests and that include *environmental infrastructure* in the authority or name of the authority. CRS also included assistance authorities that do not explicitly include the phrase *environmental infrastructure* but describe similar activities (e.g., water supply, wastewater, stormwater, sewer) and have similar characteristics (e.g., 25% nonfederal cost share for assistance and 100% nonfederal operation and maintenance responsibilities) to assistance authorities with the phrase *environmental infrastructure* (e.g., some non-Section 219 project authorities). The "Corps of Engineers Environmental Infrastructure Projects" spreadsheet that USACE provided to CRS in 2012 also identified some authorities related to environmental restoration activities, which are included in this report. Although Section 542 of WRDA 2000 (P.L. 106-541), as amended, for Lake Champlain, VT and NY, was not included in that USACE spreadsheet, USACE has allocated EI funding in work plans to the program; for this reason, CRS included the authority as EI assistance.

[6] The nonfederal sponsor must provide all lands, easements, rights-of-way, relocations and disposal areas (LERRD) necessary for construction, operation and maintenance of a project; these may credit toward the value of the nonfederal sponsor's cost share.

[7] Model agreements are located at USACE, "Models for Environmental Infrastructure," at https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_env-inf/.

amended (33 U.S.C. §579a(b)(2)), Congress enacted a deauthorization process that USACE used in 2009 to deauthorize certain EI assistance authorities.[8]

Authority Modifications from 2014 to 2020

Congress has not authorized new EI assistance authorizations since WRDA 2007 but it has modified certain authorities in WRDAs from 2014 through 2020. Among other reasons, Congress did not enact new authorities during this time due to policies restricting congressionally directed authorization and appropriations (i.e., *earmarks*) in the 112th-116th Congresses. Congress provided a process for nonfederal sponsors to propose modifications to EI assistance authorities when WRDA 2016 (P.L. 114-322, Title I) expanded Section 7001 of Water Resources Reform and Development Act of 2014 (WRRDA 2014; P.L. 113-121; 33 U.S.C. §2282d) to include consideration of modifications to EI assistance authorities. Through the *Section 7001 proposal process*, nonfederal sponsors may propose modifications to existing EI assistance authorizations (e.g., expand the location, amend eligible project types, adjust the authorization of appropriations).[9] This process requires USACE to annually submit a report to Congress identifying proposals by nonfederal interests that meet certain criteria. Congress may consider these proposals as part of WRDA deliberations. For example, in WRDA 2020 (P.L. 116-260, Division AA), Congress amended 14 EI assistance authorities to increase their authorizations of appropriations for a total increase of $828.5 million. For four of the EI authorities, Congress expanded the authorized geographic scope or eligible activities.

In WRRDA 2014, Congress enacted a one-time deauthorization process (i.e., the authority is for developing one list) that the Secretary of the Army for Civil Works (ASACW) used in 2016 to deauthorize certain EI assistance authorities, subsequent to a period of congressional review of the list.[10] In subsequent WRDAs, Congress enacted other one-time deauthorization processes. These one-time deauthorization authorities were in addition to an existing deauthorization authority that allowed the ASACW to produce a deauthorization list; listed projects would be deauthorized two years after the publication of the list.[11] With WRDA 2020, Congress repealed the existing deauthorization process authorities. WRDA 2020 included a one-time deauthorization authority with congressional review of the list; in the deauthorization process enacted in WRDA 2020, Congress specified that EI assistance authorities were not subject to this process. The one-time deauthorization process authorized by WRDA 2020 consists of USACE developing a proposed deauthorization list and then a final deauthorization list, which is to be submitted to Congress. The listed projects in the final list are to be deauthorized, with certain exceptions, two years after publication of the final list.[12]

[8] USACE implemented a process enacted in WRDA 1986, as amended, to deauthorize certain authorities (see the list published in 74 *Federal Register* 31713-31715, July 2, 2009).

[9] For more information on the Section 7001 proposal process, see CRS Insight IN11118, *Army Corps of Engineers: Section 7001 Report on Future Studies and Projects*, by Anna E. Normand.

[10] See the deauthorization list published in 81 *Federal Register* 16147-16153, March 25, 2016.

[11] Some EI assistance was deauthorized pursuant to this authority; see 74 *Federal Register* 31713-31715, July 2, 2009. In the 2009 and 2016 lists (see footnote), CRS identified 65 deauthorized EI assistance authorities, totaling $0.45 billion in deauthorized authorizations of appropriations.

[12] The proposed deauthorization list to be developed under this authority has not been released for public comment.

Proposed New Authorities and Authority Modifications in WRDA 2022 Bills

In May 2022, the Senate Environment and Public Works Committee and the House Transportation and Infrastructure Committee considered their respective WRDA 2022 bills, S. 4136 and H.R. 7776.[13] Both committees considered Member proposals and proposals transmitted by the Administration (e.g., nonfederal proposals included in a Section 7001 report) in development of their bills, which include new and amended authorizations for EI assistance. (See **Table 1** for amended EI assistance authorities and **Table 2** for new EI assistance authorities.) The provisions of the bills vary on the type of infrastructure eligible for assistance (e.g., wastewater, groundwater recharge, water recycling, coastal flooding, environmental restoration), the geographic area covered (e.g., city, multiple cities, county, multiple counties, state/territory, multiple states, basin), and the authorization of appropriations (e.g., less than $1 million, over $100 million). While H.R. 7776 (as passed by the House) would authorize more EI assistance than S. 4136 (as reported to the Senate; $5.52 billion and $1.46 billion, respectively), both bills would authorize appropriations amounts greater than appropriations Congress authorized in the USACE authorization bills enacted in 2016 (Title I of P.L. 114-332), 2018 (Title I of P.L. 115-270), and 2020 (Division AA of P.L. 116-260), when Congress limited congressionally directed authorization and appropriations. Around $0.59 billion of this increased authorization of appropriations appears in provisions of both bills.

S. 4136, as reported, includes the following sections related to EI assistance:[14]

- Section 301 would amend 10 Section 219 EI assistance authorities (§301(a)-(j)); add 22 new Section 219 assistance authorities (§301(k)-(bb)), including ones covering entire states; and amend 6 programmatic EI assistance authorities (§301(cc)-(hh)).
- Sections 302, 303, and 304 would amend two programmatic EI assistance authorities and one Section 219 EI assistance authority for West Virginia.
- Section 323 would amend the forms of assistance for Mississippi's programmatic EI assistance authority.
- Section 334 would repeal the Tahoe Basin Restoration, NV and CA, EI assistance program as authorized by Section 108, Energy and Water Development Appropriations Act, 2005 (Division C of P.L. 108-447) and would authorize a new Lake Tahoe Basin Restoration, NV and CA, programmatic EI assistance authority as a continuation of the repealed authority.
- Section 341 would amend the Acequias Irrigation Systems EI authority (Section 113 of WRDA 1986 [P.L. 99-662], as amended).

[13] The Senate Environment and Public Works Committee reported S. 4136, WRDA 2022, on May 4, 2022, without a report. The House Transportation and Infrastructure Committee ordered reported H.R. 7776, WRDA 2022, on May 18, 2022.

[14] In addition, Section 314 would amend the Chesapeake Bay Environmental Restoration and Protection Program (Section 510 of WRDA 1996 [P.L. 104-303], as amended), recently funded in FY2022 with aquatic ecosystem restoration funding, to include eligible activities that are similar to other EI assistance authority activities. Section 405 of the bill would authorize at $90 million a Chattahoochee River Program, which has some similarities to the Chesapeake Bay Environmental Restoration and Protection Program and EI assistance authorities, but CRS could not determine if Congress or USACE would consider the program as an EI assistance authority.

H.R. 7776, as passed by the House, includes the following sections related to EI assistance:

- Sections 309, 328, and 332 would authorize new programmatic EI assistance authorities for Los Angeles County, CA; Northern Missouri; and Southwestern Oregon, respectively.
- Section 337 would amend one programmatic EI assistance authority for West Virginia.
- Section 345(a) would add 119 new Section 219 EI assistance authorities with various eligible assistance activities and geographic areas ranging from cities to multi-county areas to territories.
- Section 345(b) would amend 18 Section 219 EI assistance authorities, including 2 that would be reauthorized.
- Section 346 would amend 12 programmatic EI assistance authorities.[15]

Table 1. EI Assistance Authorities Amended by Proposed WRDA 2022 Provisions

Name	Authority	S. 4136	H.R. 7776
Section 219 Project Authorities			
Calaveras County, CA	Section 219 (f)(86), WRDA 1992, as amended	Increase authorization of appropriations from $3,000,000 to $13,280,000	—
Los Angeles County, CA	Section 219 (f)(93), WRDA 1992, as amended	Increase authorization of appropriations from $3,000,000 to $38,000,000; amend eligible activities and entity	Increase authorization of appropriations from $3,000,000 to $103,000,000; amend eligible activities and geographic area
Sacramento Area, CA	Section 219 (f)(23), WRDA 1992, as amended	—	Strike the word suburban
Boulder County, CO	Section 219 (f)(109), WRDA 1992, as amended	—	Increase authorization of appropriations from $10,000,000 to $20,000,000; amend eligible activities
Charlotte County, FL	Section 219 (f)(121), WRDA 1992, as amended	—	Increase authorization of appropriations from $3,000,000 to $33,000,000; amend eligible activities
Miami-Dade County, FL	Section 219 (f)(128), WRDA 1992, as amended	—	Increase authorization of appropriations from $6,250,000 to $190,250,000; amend eligible activities

[15] Section 333 also would amend the Chesapeake Bay Environmental Restoration and Protection Program (Section 510 of WRDA 1996 [P.L. 104-303], as amended), recently funded in FY2022 with aquatic ecosystem restoration funding, to include eligible activities that are similar to other EI assistance authority activities.

Name	Authority	S. 4136	H.R. 7776
Albany, GA	Section 219 (f)(130), WRDA 1992, as amended	—	Increase authorization of appropriations from $4,000,000 to $109,000,000; amend eligible activities
Atlanta, GA	Section 219 (c)(2) as modified by (f)(1), WRDA 1992, as amended	Increase authorization of appropriations from $25,000,000 to $75,000,000	Increase authorization of appropriations from $25,000,000 to $75,000,000
East Point, GA	Section 219 (f)(136), WRDA 1992, as amended	—	Increase authorization of appropriations from $5,000,000 to $15,000,000; amend eligible activities
Cook County, IL	Section 219 (f)(54), WRDA 1992, as amended	Increase authorization of appropriations from $35,000,000 to $100,000,000; add Lake County, IL	Increase authorization of appropriations from $35,000,000 to $100,000,000; amend eligible activities
Madison and St. Clair Counties, IL	Section 219 (f)(55), WRDA 1992, as amended	Increase authorization of appropriations from $45,000,000 to $100,000,000	—
Calumet Region, IN	Section 219 (f)(12), WRDA 1992, as amended	—	Increase authorization of appropriations from $100,000,000 to $125,000,000
Baton Rouge, LA	Section 219 (f)(21), WRDA 1992, as amended	—	Increase authorization of appropriations from $35,000,000 to $90,000,000
South Central Planning and Development Commission, LA	Section 219 (f)(153), WRDA 1992, as amended	—	Increase authorization of appropriations from $2,500,000 to $12,500,000
St. Charles, St. Bernard, and Plaquemines Parishes, LA	Section 219 (c)(33) as modified by (e)(18), WRDA 1992, as amended	—	Reauthorize and provide $70,000,000 in authorization of appropriations for construction; amend eligible activities
St. John the Baptist and St. James, LA	Section 219 (c)(34) as modified by (e)(19), WRDA 1992, as amended	—	Reauthorize and provide $36,000,000 in authorization of appropriations for construction; add Assumption Parish, LA
Michigan Combined Sewer Overflows, MI	Section 219 (f)(157), WRDA 1992, as amended	Increase authorization of appropriations from $35,000,000 to $85,000,000; amend name and eligible activities	Amend eligible activities

Name	Authority	S. 4136	H.R. 7776
Allegheny County, PA	Section 219 (f)(66), WRDA 1992, as amended	—	Increase authorization of appropriations from $20,000,000 to $30,000,000; amend eligible activities
Lakes Marion and Moultrie, SC	Section 219 (f)(25), WRDA 1992, as amended	Increase authorization of appropriations from $110,000,000 to $151,500,000	Increase authorization of appropriations from $110,000,000 to $165,000,000
Myrtle Beach, SC	Section 219 (f)(250), WRDA 1992, as amended	Increase authorization of appropriations from $18,000,000 to $31,000,000; amend name, eligible activities, and eligible geographic area	—
North Myrtle Beach, SC	Section 219 (f)(251), WRDA 1992, as amended	Increase authorization of appropriations from $11,000,000 to $74,000,000; amend name, eligible activities, and eligible geographic area	—
Eastern Shore and Southwest Virginia, VA	Section 219 (f)(10), WRDA 1992, as amended	Increase authorization of appropriations from $20,000,000 to $52,000,000; correct geographic name	Increase authorization of appropriations from $20,000,000 to $52,000,000
Northern West Virginia, WV	Section 219 (f)(272), WRDA 1992, as amended	Allow for different project partnership agreements	—
Non-Section 219 Project Authorities			
Acequia Systems, NM	Section 1113, WRDA 1986, as amended	Increase total cost from $53,300,000 to $80,000,000 (of which 25% is nonfederal unless reduced to 10% using a special rule); provide certain clarifications on eligible activities, eligible entities, qualifying infrastructure, and cost share	—
Programmatic Authorities			
Western Rural Water for Arizona, Idaho, Montana, Rural Nevada, New Mexico, Rural Utah, and Wyoming, AZ, ID, MT, NM, NV, UT, WY	Section 595(i), WRDA 1999, as amended	Increase authorization of appropriations from $435,000,000 to $490,000,000 for ID, MT, NM, NV, UT, WY and from $150,000,000 to $200,000,000 for AZ	Increase authorization of appropriations from $435,000,000 to $800,000,000 for ID, MT, NM, NV, UT, WY and from $150,000,000 to $200,000,000 for AZ

Name	Authority	S. 4136	H.R. 7776
Tahoe Basin Restoration, NV and CA	Section 108 of Energy and Water Development Appropriations Act, 2005	Repeal authority, including $25,000,000 authorization of appropriations; authorize new program at $50,000,000 authorization of appropriations	Increase authorization of appropriations from $25,000,000 to $50,000,000
Ohio and North Dakota	Section 594 of WRDA 1999, as amended	Add an additional $100,000,000 authorization of appropriations to be divided between OH and ND	Increase authorization of appropriations from $240,000,000 to $250,000,000
Lake Champlain, VT and NY	Section 542 of WRDA 2000, as amended	Increase authorization of appropriations from $32,000,000 to $100,000,000; amend eligible activities	Increase authorization of appropriations from $32,000,000 to $50,000,000; amend eligible activities
Florida Keys Water Quality Improvements, FL	Section 109 of Division B of Appendix D of the Consolidated Appropriations Act, 2001, as amended	—	Increase authorization of appropriations from $100,000,000 to $200,000,000
Northeastern Minnesota, MN	Section 569 of WRDA 1999, as amended	—	Increase authorization of appropriations from $54,000,000 to $80,000,000
Mississippi	Section 592 of WRDA 1999, as amended	Increase authorization of appropriations from $200,000,000 to $300,000,000; amend eligible activities	Increase authorization of appropriations from $200,000,000 to $300,000,000; amend eligible activities
Central New Mexico, NM	Section 593 of WRDA 1999, as amended	Increase authorization of appropriations from $50,000,000 to $100,000,000	Increase authorization of appropriations from $50,000,000 to $100,000,000; amend eligible activities
New York City Watershed, NY	Section 552 of WRDA 1996, as amended	—	Amend eligible activities
South Central Pennsylvania, PA	Section 313 of WRDA 1992, as amended	—	Increase authorization of appropriations from $400,000,000 to $410,000,000
Southeastern Pennsylvania, PA	Section 566 of WRDA 1996, as amended	—	Increase authorization of appropriations from $25,000,000 to $70,000,000; change name; specify amounts for certain areas; amend eligible activities; amend and define eligible geographic area

Name	Authority	S. 4136	H.R. 7776
Texas	Section 5138 of WRDA 2007	Amend eligible activities and eligible entities; add provision about administrative expenses	Increase authorization of appropriations from $40,000,000 to $80,000,000
Central West Virginia, WV	Section 571 of WRDA 1999, as amended	Rename; redefine eligible geographic area	Redefine eligible geographic area
Southern West Virginia, WV	Section 340 of WRDA 1992, as amended	Rename; amend and redefine eligible geographic area	—

Sources: CRS using public laws, S. 4136 (as reported) and H.R. 7776 (as passed by the House).

Notes: Consolidated Appropriations Act, 2001 = P.L. 106-554; Energy and Water Development Appropriations Act, 2005 = Division C of P.L. 108-447; WRDA = Water Resources Development Act; WRDA 1992 = P.L. 102-580; WRDA 1996 = P.L. 104-303; WRDA 1999 = P.L. 106-53; WRDA 2000 = P.L. 106-541.

Table 2. New EI Assistance Authorities in Proposed WRDA 2022 Provisions

Name	S. 4136 Authorization of Appropriations	H.R. 7776 Authorization of Appropriations
Section 219 Project Authorities		
Alabama	$50,000,000	—
Chandler, AZ	—	$18,750,000
Pinal County, AZ	—	$40,000,000
Tempe, AZ	—	$37,500,000
Alameda County, CA	$20,000,000	—
Bell Gardens, CA	—	$12,500,000
Calimesa, CA	—	$3,500,000
Compton Creek, CA	—	$6,165,000
Downey, CA	—	$100,000,000
East San Diego County, CA	—	$70,000,000
Eastern Los Angeles County, CA	—	$25,000,000
Escondido Creek, CA	—	$34,000,000
Fontana, CA	—	$16,000,000
Healdsburg, CA	—	$23,500,000
Inland Empire, CA	—	$60,000,000
Lomita, CA	—	$4,716,600
Marin County, CA	—	$28,000,000
Maywood, CA	—	$10,000,000
Monterey Peninsula, CA	—	$20,000,000
North Richmond, CA	—	$45,000,000
Ontario, CA	—	$40,700,000

Name	S. 4136 Authorization of Appropriations	H.R. 7776 Authorization of Appropriations
Paramount, CA	—	$20,000,000
Petaluma, CA	—	$13,700,000
Placer County, CA	$21,000,000	—
Riato, CA	—	$27,500,000
Rincon Reservation, CA	—	$38,000,000
Sacramento-San Joanqin Delta, CA	—	$50,000,000
South San Francisco, CA	—	$270,000,000
San Joaquin and Stanislaus, CA	—	$200,000,000
Santa Rosa, CA	—	$19,400,000
Sierra Madre, CA	—	$20,000,000
Smith River, CA	—	$25,000,000
Temecula City, CA	$18,000,000	—
Torrance, CA	—	$100,000,000
Western Contra Costa County, CA	—	$15,000,000
Yolo County, CA	$6,000,000	—
Herbon, CT	—	$3,700,000
New London, CT	—	$16,000,000
Windham, CT	—	$18,000,000
Delaware	$50,000,000	—
New Castle, DE	—	$35,000,000
Washington, DC	—	$1,000,000
Longboat Key, FL	—	$12,750,000
Martin, St. Lucie, and Palm Beach Counties, FL	—	$100,000,000
Polk County, FL	—	$10,000,000
Okeechobee County, FL	—	$20,000,000
Orange County, FL	—	$50,000,000
Georgia	$75,000,000	—
Guam	—	$10,000,000
Hawaii	$75,000,000	—
County of Hawaii, HI	—	$20,000,000
Honolulu, HI	—	$20,000,000
Kaua'I, HI	—	$20,000,000
Maui, HI	—	$20,000,000
Dixmoor, IL	—	$15,000,000
Forest Park, IL	—	$10,000,000

Name	S. 4136 Authorization of Appropriations	H.R. 7776 Authorization of Appropriations
Lake County, IL	—	$10,000,000
Lemont, IL	—	$3,135,000
Lockport, IL	—	$6,550,000
Montomery and Christian Counties, IL	—	$30,000,000
Will County, IL	—	$30,000,000
Orleans Parish, LA	—	$100,000,000
Fitchburg, MA	—	$20,000,000
Haverhill, MA	—	$20,000,000
Lawrence, MA	—	$20,000,000
Lowell, MA	—	$20,000,000
Methuen, MA	—	$20,000,000
Maryland	$100,000,000	—
Boonsboro, MD	—	$5,000,000
Brunswick, MD	—	$15,000,000
Cascade Charter Township, MI	—	$7,200,000
Macomb County, MI	—	$40,000,000
Northfield, MN	—	$33,450,000
Centertown, MI	—	$15,900,000
St. Louis, MI	—	$45,000,000
St. Louis County, MI	—	$45,000,000
Clinton, MS	$13,600,000	—
Madison County, MS	$10,000,000	—
Meridian, MS	$10,000,000	$10,000,000
Oxford, MS	$10,000,000	$10,000,000
Rankin County, MS	$10,000,000	—
Mancheser, NH	—	$20,000,000
Bayonne, NJ	—	$825,000
Camden, NJ	—	$119,000,000
Essex and Sussex Counties, NJ	—	$60,000,000
Flemington, NJ	—	$4,500,000
Jfferson, NJ	—	$90,000,000
Kearny, NJ	—	$69,900,000
Long Hill, NJ	—	$7,500,000
Morris County, NJ	—	$30,000,000
Passaic, NJ	—	$1,000,000
Phillipsburg, NJ	—	$2,600,000

Name	S. 4136 Authorization of Appropriations	H.R. 7776 Authorization of Appropriations
Rahway, NJ	—	$3,250,000
Roselle, NJ	—	$5,000,000
South Orange Village, NJ	—	$7,500,000
Summit, NJ	—	$1,000,000
Warren, NJ	—	$4,550,000
Espanola, NM	—	$21,995,000
Farmington, NM	—	$15,500,000
Mora County, NM	—	$2,874,000
Santa Fe, NM	—	$20,700,000
Clarkstown, NY	—	$14,600,000
Genesee, NY	—	$85,000,000
Queens, NY	$20,000,000	$119,200,000
Yorktown, NY	—	$40,000,000
Brunswick, OH	—	$4,510,000
Brookings, OR	—	$2,000,000
Lane County, OR	$20,000,000	$25,000,000
Monroe, OR	—	$6,000,000
Newport, OR	—	$60,000,000
Palmyra, PA	—	$36,300,000
Pike County, PA	—	$10,000,000
Pittsburgh, PA	—	$20,000,000
Pocono, PA	—	$22,000,000
Westfall, PA	—	$16,880,000
Whitehall, PA	—	$6,000,000
Beaufort, SC	—	$7,462,000
Charleston, SC	—	$25,583,000
Horry County, SC	$19,000,000	—
Mount Pleasant, SC	—	$7,822,000
Portland, TN	—	$1,850,000
Smith County, TN	—	$19,500,000
Trousdale, Macon, and Sumner Counties, TN	—	$178,000,000
Virgin Islands	—	$1,584,000
Bonney Lake, WA	—	$3,000,000
Burien, WA	—	$5,000,000
Ellensburg, WA	—	$3,000,000

Name	S. 4136 Authorization of Appropriations	H.R. 7776 Authorization of Appropriations
North Bend, WA	—	$30,000,000
Port Angeles, WA	—	$7,500,000
Snohomish, WA	—	$56,000,000
Western Washington State	—	$200,000,000
Milwaukee, WI	—	$4,500,000
Milwaukee Metropolitan Area, WI	$45,000,000	—
Programmatic Authorities		
Los Angeles County, CA	—	$50,000,000
Northern Missouri	—	$50,000,000
Southwestern Oregon	—	$50,000,000

Source: CRS, using WRDA 2022 bills (S. 4136, as reported, and H.R. 7776, as passed by the House).

Funding for Environmental Infrastructure Assistance

Congress typically funds EI assistance through USACE's Construction account in annual Energy and Water Development and Related Agencies appropriations acts. Prior to the 112th Congress, Congress generally funded specific EI assistance authorities through direction in report language accompanying appropriations acts. During the 112th-116th Congresses, moratorium policies limited earmarks. Instead of directing funding to specific authorities, Congress specified a funding amount for EI assistance as part of the "additional funding" provided by Congress above the President's budget request, which did not request EI funding, and provided guidance on how the Administration was to use the EI assistance funds in reports accompanying appropriations acts. For example, Congress provided $100 million for USACE to allocate among EI assistance authorities for FY2021 (see **Table 3**). For FY2022, the explanatory statement accompanying Division D of the Consolidated Appropriations Act, 2022 (P.L. 117-103), included recommendations to (1) fund 22 EI assistance authorities specifically requested by Members as Community Project Funding or Congressionally Directed Spending (CPF/CDS) proposals and (2) provide $13 million in Construction account funds for USACE to allocate to EI assistance authorities in the agency's work plan.[16]

In addition to Energy and Water Development appropriations acts, Congress has funded EI activities in other legislation. For example, in FY2022, Congress provided $200 million for EI assistance authorities in Division J, Title III, of the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58).[17]

[16] The explanatory statement accompanying Division D of the Consolidated Appropriations Act, 2022 (P.L. 117-103), is available at https://docs.house.gov/billsthisweek/20220307/BILLS-117RCP35-JES-DIVISION-D.pdf. The FY2022 Construction work plan is available at https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll6/id/2270.

[17] See CRS Insight IN11723, *Infrastructure Investment and Jobs Act (IIJA) Funding for U.S. Army Corps of Engineers (USACE) Civil Works: Policy Primer*, by Nicole T. Carter and Anna E. Normand, for more information on USACE IIJA funding and required reporting.

Table 3. Funding for USACE EI Assistance Authorities, FY2018-FY2022

($ in millions, not adjusted for inflation)

	Annual Appropriations					IIJA
	FY2018	FY2019	FY2020	FY2021	FY2022	FY2022
Total EI Funding	$70	$77	$100	$100	$100	$200
Number of Funded EI Authorities	29	29	27	21	25	32
Mean Funding per EI Authority	$2.4	$2.7	$3.7	$4.8	$4.0	$6.3
Median Funding per EI Authority	$1.8	$1.9	$3.0	$2.9	$1.9	$4.4
EI as Percentage of Construction Account Funding	3.4%	3.5%	3.7%	3.7%	4.0%	1.7%

Source: CRS, compiled from USACE Work Plans (FY2018-FY2022), P.L. 117-58, and IIJA FY2022 spend plan.

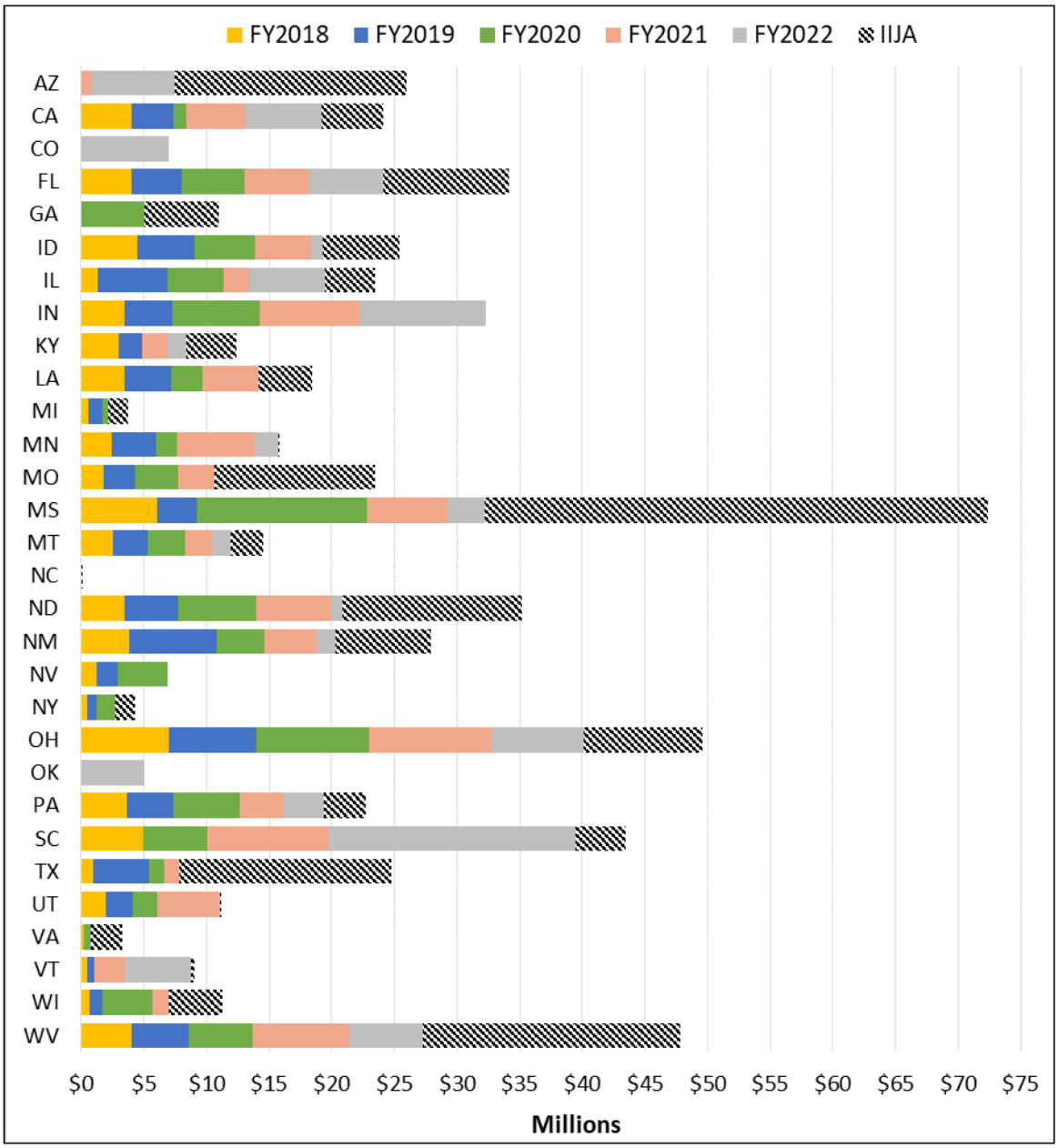
Notes: EI = Environmental infrastructure; IIJA = Infrastructure Investment and Jobs Act (P.L. 117-58); USACE = U.S. Army Corps of Engineers. Work plans may list multiple line items for EI authorities. IIJA funding for EI assistance was for FY2022.

Analysis of Funding Data from FY2018 to FY2022

From FY2018 through FY2022, 30 states with EI assistance authorizations received funding from annual appropriations and supplemental appropriations (**Figure 1**). From FY2018 through FY2021, USACE limited EI funds to only those authorities that had received funds in previous years. For enacted FY2021 appropriations (Division D of P.L. 116-260), Congress stated in the accompanying explanatory statement that USACE may allocate funds to one or two EI authorities that were not previously funded. USACE chose not to fund new authorities in the FY2021 work plan. However, USACE allocated IIJA funding to 10 authorities not funded from FY2018 to FY2021, and CPF/CDS requests in FY2022 resulted in Congress providing appropriations to 7 authorities that were not funded from FY2018 to FY2021.

Figure 1. Annual Appropriations and IIJA EI Funding by State

(FY2018-FY2022)



Source: CRS, using USACE work plans (FY2018-FY2022) and the IIJA FY2022 spend plan released January 19, 2022.

Notes: EI = Environmental infrastructure; IIJA = Infrastructure Investment and Jobs Act (P.L. 117-58); USACE = U.S. Army Corps of Engineers. Although they had EI assistance authorization, 15 states, 3 territories, and the District of Columbia did not receive funding during the period covered by this figure.

Considerations for Authorizing and Funding Environmental Infrastructure Assistance

Adding, Amending, or Deauthorizing EI Assistance Authorities

Congress may consider whether to add, amend, or deauthorize EI assistance authorities and, if so, how to address those provisions. During the earmark moratorium in the 112th-116th Congresses, Congress enacted only amendments to EI assistance authorities; these amendments were first proposed by nonfederal sponsors and were evaluated by USACE through the Section 7001 process. Both S. 4136 and H.R. 7776 include amendments to EI assistance authorities proposed through the Section 7001 process, but most of the provisions in these bills were not included in a Section 7001 report (i.e., they likely were proposed through Member submissions to the committees).[18] EI assistance provisions in S. 4136 and H.R. 7776 vary widely in the authorization of appropriations, eligible geographic areas, and types of infrastructure eligible for assistance.

Most of the EI assistance provisions in the House and Senate WRDA 2022 bills are unique to those bills (i.e., both S. 4136 and H.R. 7776 would amend only 13 of the same authorities and add only 4 authorities with the same name out of the numerous provisions, see **Table 1** and **Table 2**). In addition, for some of the authorities that both bills would amend or add, those provisions differ in the amounts of authorized appropriations for the authorities or differ in other ways. EI assistance provisions in S. 4136 and H.R. 7776 would expand the geographic scope of EI assistance authority to include all or some parts of Delaware, Guam, Hawaii, Massachusetts, and Washington; but would still not include EI authorities for Iowa, Maine, Nebraska, Rhode Island, or America Samoa. In addition, EI assistance authorities would still be limited in many other states (e.g., covering a certain city, county, or region of the state). If Congress authorized all EI assistance provisions included in both bills in a final enacted WRDA 2022, the increase in EI assistance for USACE could total $6.38 billion.[19] This increase essentially would double the amount of authorized appropriations for USACE EI assistance. Authorizations of appropriations would exceed actual annual appropriations for EI assistance, which have remained at or below $100 million.

Congress also may consider whether to deauthorize EI assistance authorities. Some EI assistance authorities have not received funding in recent years even though they previously received funding, and many EI assistance authorities have never received funding. Some of these unfunded authorities may no longer reflect a current EI assistance need or may no longer have a nonfederal entity interested in sponsoring the nonfederal responsibilities (e.g., cost share, operation and maintenance). Although the ASACW deauthorized EI assistance authorities by utilizing processes authorized in WRDA 1986 and WRRDA 2014, Congress excluded EI assistance authorities from

[18] For example, the House Transportation and Infrastructure Committee's instructions for Member proposals for WRDA 2022 stated, "Members may submit up to a total of five (5) requests for the authorization of new, project-specific environmental infrastructure authorities, or the modification of existing environmental infrastructure authorities." Subcommittee on Water Resources and Environment, *Instructions: Member Electronic Submissions to the Committee on Transportaion and Infrastructure for Consideration in the Water Resource Development Act of 2022*, January 2022, at https://transportation.house.gov/imo/media/doc/Instructions%20for%20database_FINAL.pdf.

[19] Both bills would provide $590 million of the increased authorization for the same EI assistance authorities, while the rest of the increased authorization of appropriations are unique to each bill.

the one-time deauthorization process enacted in WRDA 2020. The proposed WRDA 2022 bills contain different deauthorization provisions:

- H.R. 7776 would replace the WRDA 2020 one-time deauthorization process for developing a deauthorization list; the new process would not include a specific exclusion of EI assistance authorities from the deauthorization list. The bill also would make other changes to the deauthorization authority.[20]
- S. 4136 would not alter the one-time WRDA 2020 deauthorization process or establish a new deauthorization process.

CRS did not identify enacted provisions where Congress has deauthorized individual EI assistance authorities and did not identify provisions in the proposed WRDA 2022 bills to deauthorize individual EI assistance authorities.

Funding EI Assistance Authorities

Although Congress regularly funds USACE EI assistance, Administrations generally do not request funding for the EI authorities, possibly indicating they consider EI assistance as a relatively low priority for USACE. Some in Congress also have considered that EI assistance activities do not belong in USACE. For example, a proposed amendment to the FY2017 Energy and Water Development appropriations bill would have eliminated funding for EI assistance. Those in favor of the amendment argued that these activities were primarily nonfederal responsibilities, supported by other federal programs, and were outside of USACE's traditional missions.[21] The amendment did not pass by a vote of 12-84.[22]

Other federal programs may provide assistance to similar water projects on a competitive basis using established criteria (e.g., the Environmental Protection Agency's state revolving funds, the U.S. Department of Agriculture's small watershed loans).[23] Assistance from these programs may be available to projects in more geographic areas. These programs also may differ from EI authorities by leveraging state funding to provide financial assistance through loans, while USACE EI assistance is cost-shared (mostly at 75% federal). EI assistance may also include design and construction assistance from USACE staff (in addition to funding).

In 2019, the Government Accountability Office studied how USACE allocated funding for Section 219 EI assistance and found USACE was not following any national criteria or policy in funding these projects, despite congressional guidance provided in explanatory statements and conference reports accompanying enacted appropriations laws.[24] In Section 137 of WRDA 2020, Congress directed the ASACW to develop specific criteria for evaluating and ranking individual EI assistance projects, while specifying certain considerations that should be included in the criteria. In addition, the section directed the ASACW to submit with USACE's FY2022 budget request, and with every other subsequent budget request, a report that identifies the ASACW's

[20] H.R. 7776 would remove the following: "After the expiration of the 2-year period beginning on the date of publication of the final deauthorization list and appendix under subsection (c)(1)(B), a project or separable element of a project identified in the final deauthorization list is hereby deauthorized, unless Congress passes a joint resolution disapproving the final deauthorization list prior to the end of such period."

[21] Energy and Water Development and Related Agencies Appropriations Act, 2016, *Congressional Record*, vol. 162. No. 64 (April 26, 2016), p. S2429.

[22] Chamber Action, *Congressional Record*, vol. 162. No. 64 (April 26, 2016), p. D428.

[23] See CRS Report R46471, *Federally Supported Projects and Programs for Wastewater, Drinking Water, and Water Supply Infrastructure*, coordinated by Jonathan L. Ramseur.

[24] Government Accountability Office (GAO), *Army Corps of Engineers: Process for Selecting Section 219 Projects for Funding Could Be Strengthened*, GAO-19-487, June 13, 2019, at https://www.gao.gov/products/gao-19-487.

ranking of individual EI assistance projects for the ASACW to carry out. As of mid-June 2022, USACE had not released any criteria or reports pursuant to the provision.

In the 117th Congress, the House and Senate Appropriations Committees have accepted Member requests for funding authorized EI assistance. In FY2022 annual appropriations, Congress provided $86.5 million of EI assistance funding for these Member requests, which included the first time Congress funded some authorities. Congress also provided $13 million for EI assistance, which USACE allocated in its work plan only for authorities that have previously received appropriations. In future appropriations bills, Congress may consider how much EI assistance to fund based on Member requests (i.e., CPF/CDS requests) versus how much EI assistance to fund for allocation by USACE. Congress could continue to prioritize funding for EI assistance via CPF/CDS requests. If so, Congress may consider whether to establish criteria for evaluating those requests. Congress may provide more or less funding for USACE to allocate to EI assistance authorities in a work plan. If providing funding for USACE to allocate, Congress may consider whether to require that these authorities meet certain criteria (e.g., criteria to be established pursuant to Section 137 of WRDA 2020) and whether to direct USACE to select new authorities to fund.

Appendix A. Examples of Environmental Infrastructure Assistance Authorities

Congress has authorized and amended USACE environmental infrastructure (EI) assistance in omnibus authorization laws, often titled Water Resources Development Acts (WRDAs), and in appropriations laws. Below are examples of EI assistance authorities from statute. Section 219 of the Water Resources Development Act of 1992 (WRDA 1992; P.L. 102-580), as amended, includes the majority of EI assistance authorities; the excerpt of the authority below is abridged for brevity. Other examples include the following:

- a non-Section 219 EI project authority—Acequias Irrigation System (Section 1113 of WRDA 1986 [P.L. 99-662] as amended), and
- EI programmatic authorities—
  - for a restoration example, Lake Tahoe Basin Restoration (Section 108, Energy and Water Development Appropriations Act, 2005 [Division C of P.L. 108-447]),
  - for an example of regions within a state, Southern and Eastern Kentucky (Section 531, WRDA 1996 [P.L. 104-303], as amended), and
  - for a multi-state example, Western Rural Water (Section 595 of WRDA 1999 [P.L. 106-53], as amended).

Section 219, WRDA 1992, as Amended[25]

(a) IN GENERAL- The Secretary is authorized to provide assistance to non-Federal interests for carrying out water-related environmental infrastructure and resource protection and development projects described in subsection (c), including waste water treatment and related facilities and water supply, storage, treatment, and distribution facilities. Such assistance may be in the form of technical and planning and design assistance. If the Secretary is to provide any design or engineering assistance to carry out a project under this section, the Secretary shall obtain by procurement from private sources all services necessary for the Secretary to provide such assistance, unless the Secretary finds that (1) the service would require the use of a new technology unavailable in the private sector, or (2) a solicitation or request for proposal has failed to attract 2 or more bids or proposals.

(b) NON-FEDERAL SHARE- The non-Federal share of the cost of projects for which assistance is provided under this section shall not be less than 25 percent, except that such share shall be subject to the ability of the non-Federal interest to pay, including the procedures and regulations relating to ability to pay established under section 103(m) of the Water Resources Development Act of 1986.

(c) PROJECT DESCRIPTIONS- The projects for which the Secretary is authorized to provide assistance under subsection (a) are as follows:

> (2) ATLANTA, GEORGIA- A combined sewer overflow treatment facility for the city of Atlanta, Georgia.

[25] The Congressional Research Service (CRS) included the main provisions of this authority but omitted most geographic specific provisions for brevity. See **Appendix B** for a list of all Section 219 geographic provisions.

(3) HAZARD, KENTUCKY- A water system (including a 13,000,000 gallon per day water treatment plant), intake structures, raw water pipelines and pumps, distribution lines, and pumps and storage tanks for Hazard, Kentucky.

(4) ROUGE RIVER, MICHIGAN- Completion of a comprehensive streamflow enhancement project for the Western Townships Utility Authority, Rouge River, Wayne County, Michigan.

(5) JACKSON COUNTY, MISSISSIPPI- Provision of an alternative water supply and a project for the elimination or control of combined sewer overflows projects for the design, installation, enhancement, or repair of sewer systems for Jackson County, Mississippi.

....

(d) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated for providing assistance under this section $30,000,000. Such sums shall remain available until expended.

(e) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION ASSISTANCE- There are authorized to be appropriated for providing construction assistance under this section:

(1) $32,500,000 for the project described in subsection (c)(5);

(5) $25,000,000 for the project described in subsection (c)(2);

...

(f) ADDITIONAL ASSISTANCE- The Secretary may provide assistance under subsection (a) and assistance for construction for the following:

(1) ATLANTA, GEORGIA- The project described in subsection (c)(2), modified to include watershed restoration and development in the regional Atlanta watershed, including Big Creek and Rock Creek.

(10) EASTERN SHORE AND SOUTHWEST VIRGINIA- $20,000,000 for water supply and wastewater infrastructure projects in the counties of Accomac, Northampton, Lee, Norton, Wise, Scott, Russell, Dickenson, Buchanan, and Tazewell, Virginia.

(11) NORTHEAST PENNSYLVANIA- $20,000,000 for water related infrastructure in the counties of Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, Wayne, Sullivan, Bradford, and Monroe, Pennsylvania, including assistance for the Mountoursville Regional Sewer Authority, Lycoming County, Pennsylvania.

(12) CALUMET REGION, INDIANA- $30,000,000 for water related infrastructure projects in the counties of Benton, Jasper, Lake, Newton, and Porter, Indiana.

(13) CLINTON COUNTY, PENNSYLVANIA- $1,000,000 for water related infrastructure in Clinton County, Pennsylvania.

(21) BATON ROUGE, LOUISIANA- $35,000,000 for water related infrastructure for the parishes of East Baton Rouge, Ascension, and Livingston, Louisiana.

(22) EAST SAN JOAQUIN COUNTY, CALIFORNIA- $25,000,000 for ground water recharge and conjunctive use projects in Stockton East Water District, California.

(23) SACRAMENTO AREA, CALIFORNIA- $45,000,000 for regional water conservation and recycling projects in Placer and El Dorado Counties and the San Juan Suburban Water District, California.

(24) CUMBERLAND COUNTY, TENNESSEE- $5,000,000 for water supply projects in Cumberland County, Tennessee.

(25) LAKES MARION AND MOULTRIE, SOUTH CAROLINA- $110,000,000 for wastewater treatment and water supply treatment and distribution projects in the counties of Calhoun, Clarendon, Colleton, Dorchester, Orangeberg, and Sumter, South Carolina.

...

(273) UNITED STATES VIRGIN ISLANDS.—$25,000,000 for wastewater infrastructure for the St. Croix Anguilla wastewater treatment plant and the St. Thomas Charlotte Amalie wastewater treatment plant, United States Virgin Islands.

Section 1113, WRDA 1986, as Amended[26]

ACEQUIAS IRRIGATION SYSTEM.

(a)(1) The Congress finds that the irrigation ditch systems in New Mexico, known as the Acequia systems, date from the eighteenth century, and that these early engineering works have significance in the settlement and development of the western portion of the United States.

(2) The Congress, therefore, declares that the restoration and preservation of the Acequia systems has cultural and historic values to the region.

(b) Subject to section 903(a) of this Act, the Secretary is authorized and directed to undertake, without regard to economic analysis, such measures as are necessary to protect and restore the river diversion structures and associated canals attendant to the operations of the community ditch and Acequia systems in New Mexico that are declared to be a political subdivision of the State of New Mexico, at a total cost of $53,300,000, with an estimated first Federal cost of $40,000,000 and an estimated first non-Federal cost of $13,300,000. The non-Federal share of any work undertaken under this section shall be 25 percent; except that the Federal share of reconnaissance studies carried out by the Secretary under this section shall be 100 percent.

(c) The Secretary is further authorized and directed to consider the historic Acequia systems (community ditches) of the southwestern United States as public entities, if these systems are chartered by the respective State laws as political subdivisions of that State. This public entity status will allow the officials of these Acequia systems to enter into agreements and serve as local sponsors of water-related projects of the Secretary.

Section 108, Energy and Water Development Appropriations Act, 2005[27]

LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.

(a) DEFINITION. –In this section, the term ``Lake Tahoe Basin'' means the entire watershed drainage of Lake Tahoe including that portion of the Truckee River 1,000 feet downstream from the United States Bureau of Reclamation dam in Tahoe City, California.

[26] Although Section 1113 of the Water Resources Development Act of 1986 (WRDA 1986; P.L. 99-662), as amended, was enacted before other environmental infrastructure (EI) assistance provisions, the U.S. Army Corps of Engineers (USACE) has provided funding for the authority using appropriations Congress has specified for EI assistance.

[27] Lake Tahoe Basin Restoration is an example of an EI assistance authority with an environmental restoration focus, but USACE has provided funding for the authority using appropriations Congress has specified for EI assistance.

(b) Establishment of Program.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in Lake Tahoe Basin.

(c) Form of Assistance.—Assistance under this section may be in the form of planning, design, and construction assistance for water-related environmental infrastructure and resource protection and development projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) Public Ownership Requirement.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) Local Cooperation Agreement.—

(1) In general.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) Requirements.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) Plan.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) Legal and institutional structures.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) Cost sharing.—

(A) In general.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) Credit for design work.—The non-Federal interest shall receive credit for the reasonable costs of planning and design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) Land, easements, rights-of-way, and relocations.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) Operation and maintenance.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) Applicability of Other Federal and State Laws.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $25,000,000, to remain available until expended.

Section 531, WRDA 1996, as Amended

SOUTHERN AND EASTERN KENTUCKY.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in southern and eastern Kentucky.

(b) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for waterrelated environmental infrastructure, environmental restoration, and resource protection and development projects in southern and eastern Kentucky, including projects for wastewater treatment and related facilities, water supply and related facilities, surface water resource protection and development, and small stream flooding, local storm water drainage, and related problems.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) PROJECT COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a project cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with such assistance. Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, with the consent of the affected local government, a non-Federal interest may include a nonprofit entity.

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities development plan or resource protection plan, including appropriate plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—Total project costs under each agreement entered into under this subsection shall be shared at 75 percent Federal and 25 percent non-Federal. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by such interest before entering into the agreement with the Secretary.

(C) CREDIT FOR CERTAIN FINANCING COSTS.—In the event of a delay in the reimbursement of the non-Federal share of a project, the non-Federal interest shall receive credit for reasonable interest and other associated financing costs necessary for such non-Federal interest to provide the non-Federal share of the project's cost.

(D) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall receive credit for lands, easements, rights-of-way, and relocations provided by the non-Federal interest toward its share of project costs (including costs associated with obtaining permits necessary for the placement of such project on publicly owned or controlled lands), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed under an agreement entered into under this subsection shall be 100 percent.

(e) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section shall be construed as waiving, limiting, or otherwise affecting the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) REPORT.—Not later than December 31, 1999, the Secretary shall transmit to Congress a report on the results of the program carried out under this section, together with recommendations concerning whether or not such program should be implemented on a national basis.

(g) SOUTHERN AND EASTERN KENTUCKY DEFINED.—In this section, the term ‘‘southern and eastern Kentucky’’ means Morgan, Floyd, Pulaski, Wayne, Laurel, Knox, Pike, Menifee, Perry, Harlan, Breathitt, Martin, Jackson, Wolfe, Clay, Magoffin, Owsley, Johnson, Leslie, Lawrence, Knott, Bell, McCreary, Rockcastle, Whitley, Lee, Boyd, Carter, Elliott, Lincoln, Bath, Rowan, and Letcher Counties, Kentucky.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000.

(i) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.

Section 595, WRDA 1999, as Amended

WESTERN RURAL WATER

(a) DEFINITION.-ln this section:

(1) RURAL NEVADA-The term ‘rural Nevada’ means-

(A) the counties of Lincoln, White Pine, Nye, Eureka, Elko, Humboldt, Pershing, Churchill, Storey, Lyon, Carson, Douglas, Mineral, Esmeralda, and Lander, Nevada;

(B) the portions of Washoe County,· Nevada, that are located outside the cities of Reno and Sparks; and

(C) the portions of Clark County, Nevada, that are located outside the cities of Las Vegas, North Las Vegas, and Henderson and the unincorporated portion of the county in the Las Vegas Valley.

(2) RURAL UTAH.-The term ‘rural Utah’ means-

(A) the counties of Box Elder, Cache, Rich, Tooele, Morgan, Summit, Dagett, Wasatch, Duchesne, Uintah, Juab, Sanpete, Carbon, Millard, Sevier, Emery, Grand, Beaver, Piute, Wayne, Iron, Garfield, San Juan, and Kane, Utah; and

(B) the portions of Washington County, Utah, that are located outside the city of St. George, Utah.

(b) ESTABLISHMENT OF PROGRAM.-The Secretary may establish a program for providing environmental assistance to non-Federal interests in Arizona, Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming. (c) FORM OF ASSISTANCE.-Assistance under this section may be in the form of-

(1) design and construction assistance for water-related environmental infrastructure and resource protection and development in Arizona, Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming, including projects for-

(A) wastewater treatment and related facilities; (B) water supply and related facilities; (C) environmental restoration; and (D) surface water resource protection and development; and

(2) technical assistance to small and rural communities for water planning and issues relating to access to water resources.

(d) PUBLIC OWNERSHIP REQUIREMENT-The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.-

(1) IN GENERAL-Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.-Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.-Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.-Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.-

(A) IN GENERAL-The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.-The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) CREDIT FOR INTEREST.-ln case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.-The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE-The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.-Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.-Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) ELIGIBILITY.-

(1) IN GENERAL-Assistance under this section shall be made available to all eligible States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities.

(2) SELECTION OF PROJECTS.-ln selecting projects for assistance under this section, the Secretary shall give priority to a project located in an eligible State or local entity for which the project sponsor is prepared to—

(A) execute a new or amended project cooperation agreement; and

(B) commence promptly after the date of enactment of the Water Resources Development Act of 2016.

(3) RURAL PROJECTS.-The Secretary shall consider a project authorized under this section and an environmental infrastructure project authorized under section 219 of the Water Resources Development Act of 1992 (P.L. 102-580; 106 Stat. 4835) for new starts on the same basis as any other similarly funded project.

(i) AUTHORIZATION OF APPROPRIATIONS.-There is authorized to be appropriated to carry out this section, to remain available until expended—

(1) for the period beginning with fiscal year 2001, $435,000,000 for Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming; and

(2) $150,000,000 for Arizona.

Appendix B. Summary of Environmental Infrastructure Assistance Authorities

Table B-1. Summary of Environmental Infrastructure Assistance Authorities

Name	Authority	Authorization of Appropriations
Section 219 Project Authorities		
Colonias Along the United States-Mexico Border	Section 219 (c)(18) as modified by (e)(9), WRDA 1992, as amended	$35,000,000
St. Clair, Blount, and Cullam Counties, AL	Section 219 (f)(78), WRDA 1992, as amended	$5,000,000
Crawford County, AR	Section 219 (f)(79), WRDA 1992, as amended	$35,000,000
Eastern Arkansas Enterprise Community, AR	Section 219 (c)(20) as modified by (e)(11), WRDA 1992, as amended	$20,000,000
Marana, AZ	Section 219 (c)(19) as modified by (e)(10), WRDA 1992, as amended	$27,000,000
Alpine, CA	Section 219 (f)(77), WRDA 1992, as amended	$10,000,000
Alameda and Contra Costa Counties, CA	Section 219 (f)(80), WRDA 1992, as amended	$25,000,000
Aliso Creek, Orange County, CA	Section 219 (f)(81), WRDA 1992, as amended	$5,000,000
Amador County, CA	Section 219 (f)(82), WRDA 1992, as amended	$3,000,000
Arcadia, Sierra Madre, and Upland, CA	Section 219 (f)(83), WRDA 1992, as amended	$33,000,000
Big Bear Area Region Wastewater Agency, CA	Section 219 (f)(84), WRDA 1992, as amended	$15,000,000
Brawley Colonia, Imperial County, CA	Section 219 (f)(85), WRDA 1992, as amended	$1,400,000
Calaveras County, CA	Section 219 (f)(86), WRDA 1992, as amended	$3,000,000
Cambria, CA	Section 219 (f)(48), WRDA 1992, as amended	$10,300,000
Contra Costa Water District, CA	Section 219 (f)(87), WRDA 1992, as amended	$23,000,000
Coronado, CA	Section 219 (f)(71), WRDA 1992, as amended	$10,000,000
Desert Hot Springs, CA	Section 219 (c)(23) as modified by (e)(12), WRDA 1992, as amended	$35,000,000
East Bay, San Francisco, and Santa Clara Areas, CA	Section 219 (f)(88), WRDA 1992, as amended	$4,000,000
East Palo Alto, CA	Section 219 (f)(89), WRDA 1992, as amended	$4,000,000
East San Joaquin County, CA	Section 219 (f)(22), WRDA 1992, as amended	$25,000,000
Harbor/South Bay, CA	Section 219 (f)(43), WRDA 1992, as amended	$70,000,000
Huntington Beach, CA	Section 219 (c)(25) as modified by (e)(13), WRDA 1992, as amended	$20,000,000
Iberia Parish, LA	Section 219 (f)(56), WRDA 1992, as amended	$5,000,000
Imperial County, CA	Section 219 (f)(90), WRDA 1992, as amended	$10,000,000

Name	Authority	Authorization of Appropriations
Inglewood, CA	Section 219 (c)(26) as modified by (e)(14), WRDA 1992, as amended	$20,000,000
La Habra, CA	Section 219 (f)(91), WRDA 1992, as amended	$5,000,000
La Mirada, CA	Section 219 (f)(92), WRDA 1992, as amended	$4,000,000
Lancaster, CA	Section 219 (f)(41), WRDA 1992, as amended	$1,500,000
Lassen, Plumas, Butte, Sierra, and Nevada Counties, CA	Section 219 (f)(74), WRDA 1992, as amended	$25,000,000
Los Angeles County, CA	Section 219 (f)(93), WRDA 1992, as amended	$3,000,000
Los Angeles County, CA	Section 219 (f)(94), WRDA 1992, as amended	$20,000,000
Los Osos, CA	Section 219 (c)(27) as modified by (e)(15), WRDA 1992, as amended	$35,000,000
Malibu, CA	Section 219 (f)(95), WRDA 1992, as amended	$3,000,000
Montebello, CA	Section 219 (f)(96), WRDA 1992, as amended	$4,000,000
New River, CA	Section 219 (f)(97), WRDA 1992, as amended	$10,000,000
North Valley Region, Lancaster, CA	Section 219 (f)(50), WRDA 1992, as amended	$24,500,000
Norwalk, CA	Section 219 (c)(28) as modified by (e)(16), WRDA 1992, as amended	$20,000,000
Orange County, CA	Section 219 (f)(98), WRDA 1992, as amended	$10,000,000
Placer and El Dorado Counties, CA	Section 219 (f)(73), WRDA 1992, as amended	$35,000,000
Port of Stockton, Stockton, CA	Section 219 (f)(99), WRDA 1992, as amended	$3,000,000
Perris, CA	Section 219 (f)(100), WRDA 1992, as amended	$3,000,000
Sacramento Area, CA	Section 219 (f)(23), WRDA 1992, as amended	$45,000,000
San Bernardino County, CA	Section 219 (f)(101), WRDA 1992, as amended	$9,000,000
San Ramon Valley, CA	Section 219 (f)(42), WRDA 1992, as amended	$15,000,000
Santa Clara County, CA	Section 219 (f)(102), WRDA 1992, as amended	$5,500,000
Santa Monica, CA	Section 219 (f)(103), WRDA 1992, as amended	$3,000,000
Southern Lost Angeles County, CA	Section 219 (f)(104), WRDA 1992, as amended	$15,000,000
South Perris, CA	Section 219 (f)(52), WRDA 1992, as amended	$50,000,000
Stockton, CA	Section 219 (f)(105), WRDA 1992, as amended	$33,000,000
Sweetwater Reservoir, San Diego County, CA	Section 219 (f)(106), WRDA 1992, as amended	$375,000
Whittier, CA	Section 219 (f)(107), WRDA 1992, as amended	$8,000,000
Arkansas Valley Conduit, CO	Section 219 (f)(108), WRDA 1992, as amended	$10,000,000
Boulder County, CO	Section 219 (f)(109), WRDA 1992, as amended	$10,000,000
Montezuma and La Plata Counties, CO	Section 219 (f)(110), WRDA 1992, as amended	$1,000,000
Otero, Bent, Crowley, Kiowa, and Prowers Counties, CO	Section 219 (f)(111), WRDA 1992, as amended	$35,000,000
Pueblo and Otero Counties, CO	Section 219 (f)(112), WRDA 1992, as amended	$34,000,000
Enfield, CT	Section 219 (f)(113), WRDA 1992, as amended	$1,000,000

Name	Authority	Authorization of Appropriations
Ledyard and Montville, CT	Section 219 (f)(114), WRDA 1992, as amended	$7,113,000
New Haven, CT	Section 219 (f)(115), WRDA 1992, as amended	$300,000
Norwalk, CT	Section 219 (f)(116), WRDA 1992, as amended	$3,000,000
Plainville, CT	Section 219 (f)(117), WRDA 1992, as amended	$6,280,000
Southington, CT	Section 219 (f)(118), WRDA 1992, as amended	$9,420,000
Anacostia River, DC and MD	Section 219 (f)(119), WRDA 1992, as amended	$20,000,000
District of Columbia	Section 219 (f)(120), WRDA 1992, as amended	$35,000,000
Charlotte County, FL	Section 219 (f)(121), WRDA 1992, as amended	$3,000,000
Charlotte, Lee, and Collier Counties, FL	Section 219 (f)(122), WRDA 1992, as amended	$20,000,000
Collier County, FL	Section 219 (f)(123), WRDA 1992, as amended	$5,000,000
Hillsborough County, FL	Section 219 (f)(124), WRDA 1992, as amended	$6,250,000
Jacksonville, FL	Section 219 (f)(125), WRDA 1992, as amended	$25,000,000
Sarasota County, FL	Section 219 (f)(126), WRDA 1992, as amended	$10,000,000
South Seminole and North Orange County, FL	Section 219 (f)(127), WRDA 1992, as amended	$30,000,000
Miami-Dade County, FL	Section 219 (f)(128), WRDA 1992, as amended	$6,250,000
Palm Beach County, FL	Section 219 (f)(129), WRDA 1992, as amended	$7,500,000
Albany, GA	Section 219 (f)(130), WRDA 1992, as amended	$4,000,000
Atlanta, GA	Section 219 (c)(2) as modified by (f)(1), WRDA 1992, as amended	$25,000,000
Banks County, GA	Section 219 (f)(131), WRDA 1992, as amended	$5,000,000
Berrien County, GA	Section 219 (f)(132), WRDA 1992, as amended	$5,000,000
Chattooga County, GA	Section 219 (f)(133), WRDA 1992, as amended	$8,000,000
Chattooga, Floyd, Gordon, Walker, and Whitifield Counties, GA	Section 219 (f)(134), WRDA 1992, as amended	$10,000,000
Dahlonega, GA	Section 219 (f)(135), WRDA 1992, as amended	$5,000,000
East Point, GA	Section 219 (f)(136), WRDA 1992, as amended	$5,000,000
Fayetteville, Grantville, Lagrange, Pine Mountain (Harris County), Douglasville, and Carrollton, GA	Section 219 (f)(137), WRDA 1992, as amended	$24,500,000
Meriwether and Spalding Counties, GA	Section 219 (f)(138), WRDA 1992, as amended	$7,000,000
Moultrie, GA	Section 219 (f)(139), WRDA 1992, as amended	$5,000,000
Stephens County/City of Toccoa, GA	Section 219 (f)(140), WRDA 1992, as amended	$8,000,000
Cook County, IL	Section 219 (f)(54), WRDA 1992, as amended	$35,000,000
Madison and St. Clair Counties, IL	Section 219 (f)(55), WRDA 1992, as amended	$45,000,000
Calumet Region, IN	Section 219 (f)(12), WRDA 1992, as amended	$100,000,000
Indianapolis, IN	Section 219 (f)(75), WRDA 1992, as amended	$6,430,000
North Vernon and Butlerville, IN	Section 219 (f)(141), WRDA 1992, as amended	$1,700,000

Name	Authority	Authorization of Appropriations
Salem, Washington County, IN	Section 219 (f)(142), WRDA 1992, as amended	$3,200,000
Atchison, KS	Section 219 (f)(143), WRDA 1992, as amended	$20,000,000
Central Kentucky	Section 219 (f)(144), WRDA 1992, as amended	$10,000,000
Hazard, KY	Section 219 (c)(3), WRDA 1992, as amended	—
Winchester, KY	Section 219 (c)(41), WRDA 1992, as amended	—
Baton Rouge, LA	Section 219 (f)(21), WRDA 1992, as amended	$35,000,000
Lafayette, LA	Section 219 (f)(145), WRDA 1992, as amended	$1,200,000
Lafourche Parish, LA	Section 219 (f)(146), WRDA 1992, as amended	$2,300,000
Lake Charles, LA	Section 219 (f)(147), WRDA 1992, as amended	$1,000,000
Northwest Louisiana Council of Governments, LA	Section 219 (f)(148), WRDA 1992, as amended	$2,000,000
Ouachita Parish, LA	Section 219 (f)(149), WRDA 1992, as amended	$1,000,000
Plaquemine, LA	Section 219 (f)(150), WRDA 1992, as amended	$7,000,000
Rapides Area Planning Commission, LA	Section 219 (f)(151), WRDA 1992, as amended	$1,000,000
Shreveport, LA	Section 219 (f)(152), WRDA 1992, as amended	$20,000,000
South Central Planning and Development Commission, LA	Section 219 (f)(153), WRDA 1992, as amended	$2,500,000
Union-Lincoln Regional Water Supply Project, LA	Section 219 (f)(154), WRDA 1992, as amended	$2,000,000
Chesapeake Bay Improvements, MD, VA, and DC	Section 219 (f)(155), WRDA 1992, as amended	$30,000,000
Chesapeake Bay Region, MD and VA	Section 219 (f)(156), WRDA 1992, as amended	$40,000,000
Genesee County, MI	Section 219 (f)(59), WRDA 1992, as amended	$6,700,000
Michigan Combined Sewer Overflows, MI	Section 219 (f)(157), WRDA 1992, as amended	$35,000,000
Negaunee, MI	Section 219 (f)(60), WRDA 1992, as amended	$10,000,000
Oakland County, MI	Section 219 (f)(29), WRDA 1992, as amended	$20,000,000
Rouge River, MI	Section 219 (c)(4), WRDA 1992, as amended	—
Central Iron Range Sanitary Sewer District, MN	Section 219 (f)(158), WRDA 1992, as amended	$12,000,000
Central Lake Region Sanitary District, MN	Section 219 (f)(159), WRDA 1992, as amended	$2,000,000
Garrison, Crow Wing County, Mille Lacs County, Mille Lacs Indian Reservation, and Kathio Township, MN	Section 219 (f)(61), WRDA 1992, as amended	$17,000,000
Goodview, MN	Section 219 (f)(160), WRDA 1992, as amended	$3,000,000
Grand Rapids, MN	Section 219 (f)(161), WRDA 1992, as amended	$50,000,000
Willmar, MN	Section 219 (f)(162), WRDA 1992, as amended	$150,000,000
St. Louis, MO	Section 219 (f)(32), WRDA 1992, as amended	$70,000,000
Biloxi, MS	Section 219 (f)(163), WRDA 1992, as amended	$5,000,000

Name	Authority	Authorization of Appropriations
Corinth, MS	Section 219 (f)(164), WRDA 1992, as amended	$7,500,000
Desoto County, MS	Section 219 (f)(30), WRDA 1992, as amended	$130,000,000
Gulfport, MS	Section 219 (f)(165), WRDA 1992, as amended	$5,000,000
Harrison County, MS	Section 219 (f)(166), WRDA 1992, as amended	$5,000,000
Jackson, MS	Section 219 (f)(167), WRDA 1992, as amended	$25,000,000
Jackson County, MS	Section 219 (c)(5) as modified by (e)(1), WRDA 1992, as amended	$57,500,000
Stanly County, NC	Section 219 (f)(64), WRDA 1992, as amended	$8,900,000
Lebanon, NH	Section 219 (f)(37), WRDA 1992, as amended	$8,000,000
Clark County, NV	Section 219 (f)(168), WRDA 1992, as amended	$30,000,000
Clean Water Coalition, NV	Section 219 (f)(169), WRDA 1992, as amended	$50,000,000
Glendale Dam Diversion Structure, NV	Section 219 (f)(170), WRDA 1992, as amended	$10,000,000
Henderson, NV	Section 219 (f)(171), WRDA 1992, as amended	$13,000,000
Indian Springs, NV	Section 219 (f)(172), WRDA 1992, as amended	$12,000,000
Reno, NV	Section 219 (f)(173), WRDA 1992, as amended	$13,000,000
Washoe County, NV	Section 219 (f)(174), WRDA 1992, as amended	$14,000,000
Cranford Township, NJ	Section 219 (f)(175), WRDA 1992, as amended	$6,000,000
Middletown Township, NJ	Section 219 (f)(176), WRDA 1992, as amended	$1,100,000
Paterson, NJ	Section 219 (f)(177), WRDA 1992, as amended	$35,000,000
Rahway Valley, NJ	Section 219 (f)(178), WRDA 1992, as amended	$25,000,000
Babylon, NY	Section 219 (f)(179), WRDA 1992, as amended	$5,000,000
Chenango County, NY	Section 219 (c)(14), WRDA 1992, as amended	—
Ellicottville, NY	Section 219 (f)(180), WRDA 1992, as amended	$2,000,000
Elmira, NY	Section 219 (f)(181), WRDA 1992, as amended	$5,000,000
Essex Hamlet, NY	Section 219 (f)(182), WRDA 1992, as amended	$5,000,000
Fleming, NY	Section 219 (f)(183), WRDA 1992, as amended	$5,000,000
Kiryas Joel, NY	Section 219 (f)(184), WRDA 1992, as amended	$5,000,000
Niagara Falls, NY	Section 219 (f)(185), WRDA 1992, as amended	$5,000,000
Otsego County, NY	Section 219 (c)(13), WRDA 1992, as amended	—
Patchogue, NY	Section 219 (f)(186), WRDA 1992, as amended	$5,000,000
Sennett, NY	Section 219 (f)(187), WRDA 1992, as amended	$1,500,000
Springport and Fleming, NY	Section 219 (f)(188), WRDA 1992, as amended	$10,000,000
Wellsville, NY	Section 219 (f)(189), WRDA 1992, as amended	$2,000,000
Yates County, NY	Section 219 (f)(190), WRDA 1992, as amended	$5,000,000
Cabarrus County, NC	Section 219 (f)(191), WRDA 1992, as amended	$4,500,000
Cary, Wake County, NC	Section 219 (f)(192), WRDA 1992, as amended	$4,000,000
Charlotte, NC	Section 219 (f)(193), WRDA 1992, as amended	$14,000,000

Name	Authority	Authorization of Appropriations
Fayetteville, Cumberland County, NC	Section 219 (f)(194), WRDA 1992, as amended	$6,000,000
Mooresville, NC	Section 219 (f)(195), WRDA 1992, as amended	$4,000,000
Neuse Regional Water and Sewer Authority, NC	Section 219 (f)(196), WRDA 1992, as amended	$4,000,000
Richmond County, NC	Section 219 (f)(197), WRDA 1992, as amended	$13,500,000
Union County, NC	Section 219 (f)(198), WRDA 1992, as amended	$6,000,000
Washington County, NC	Section 219 (f)(199), WRDA 1992, as amended	$1,000,000
Winston-Salem, NC	Section 219 (f)(200), WRDA 1992, as amended	$3,000,000
North Dakota	Section 219 (f)(201), WRDA 1992, as amended	$15,000,000
Devils Lake, ND	Section 219 (f)(202), WRDA 1992, as amended	$15,000,000
Saipan, MP	Section 219 (f)(203), WRDA 1992, as amended	$20,000,000
Akron, OH	Section 219 (f)(204), WRDA 1992, as amended	$5,000,000
Burr Oak Regional Water District, OH	Section 219 (f)(205), WRDA 1992, as amended	$4,000,000
Cincinnati, OH	Section 219 (f)(206), WRDA 1992, as amended	$1,000,000
Cleveland, OH	Section 219 (f)(207), WRDA 1992, as amended	$2,500,000
Columbus, OH	Section 219 (f)(208), WRDA 1992, as amended	$4,500,000
Dayton, OH	Section 219 (f)(209), WRDA 1992, as amended	$1,000,000
Defiance County, OH	Section 219 (f)(210), WRDA 1992, as amended	$1,000,000
Fostoria, OH	Section 219 (f)(211), WRDA 1992, as amended	$2,000,000
Fremont, OH	Section 219 (f)(212), WRDA 1992, as amended	$2,000,000
Lake County, OH	Section 219 (f)(213), WRDA 1992, as amended	$1,500,000
Lawrence County, OH	Section 219 (f)(214), WRDA 1992, as amended	$5,000,000
Meigs County, OH	Section 219 (f)(215), WRDA 1992, as amended	$1,000,000
Mentor-on-Lake, OH	Section 219 (f)(216), WRDA 1992, as amended	$625,000
Vinton County, OH	Section 219 (f)(217), WRDA 1992, as amended	$1,000,000
Willowick, OH	Section 219 (f)(218), WRDA 1992, as amended	$665,000
Ada, OK	Section 219 (f)(219), WRDA 1992, as amended	$1,700,000
Alva, OK	Section 219 (f)(220), WRDA 1992, as amended	$250,000
Ardmore, OK	Section 219 (f)(221), WRDA 1992, as amended	$1,900,000
Bartlesville, OK	Section 219 (f)(222), WRDA 1992, as amended	$2,500,000
Bethany, OK	Section 219 (f)(223), WRDA 1992, as amended	$1,500,000
Chickasha, OK	Section 219 (f)(224), WRDA 1992, as amended	$650,000
Disney and Langley, OK	Section 219 (f)(225), WRDA 1992, as amended	$2,500,000
Durant, OK	Section 219 (f)(226), WRDA 1992, as amended	$3,300,000
Eastern Oklahoma State University, Wilberton, OK	Section 219 (f)(227), WRDA 1992, as amended	$1,000,000
Guymon, OK	Section 219 (f)(228), WRDA 1992, as amended	$16,000,000

Name	Authority	Authorization of Appropriations
Konawa, OK	Section 219 (f)(229), WRDA 1992, as amended	$500,000
Lawton, OK	Section 219 (f)(40), WRDA 1992, as amended	$5,000,000
Lugert-Altus Irrigation District, Altus, OK	Section 219 (f)(230), WRDA 1992, as amended	$5,000,000
Midwest City, OK	Section 219 (f)(231), WRDA 1992, as amended	$2,000,000
Mustang, OK	Section 219 (f)(232), WRDA 1992, as amended	$3,325,000
Norman, OK	Section 219 (f)(233), WRDA 1992, as amended	$10,000,000
Oklahoma Panhandle State University, Guymon, OK	Section 219 (f)(234), WRDA 1992, as amended	$275,000
Weatherford, OK	Section 219 (f)(235), WRDA 1992, as amended	$500,000
Woodward, OK	Section 219 (f)(236), WRDA 1992, as amended	$1,500,000
Yukon, OK	Section 219 (f)(65), WRDA 1992, as amended	$5,500,000
Albany, OR	Section 219 (f)(237), WRDA 1992, as amended	$35,000,000
Allegheny County, PA	Section 219 (f)(66), WRDA 1992, as amended	$20,000,000
Beaver Creek Reservoir, PA	Section 219 (f)(238), WRDA 1992, as amended	$3,000,000
Clinton County, PA	Section 219 (f)(13), WRDA 1992, as amended	$2,000,000
Hatfield Borough, PA	Section 219 (f)(239), WRDA 1992, as amended	$310,000
Lehigh County, PA	Section 219 (f)(240), WRDA 1992, as amended	$5,000,000
Northeast Pennsylvania	Section 219 (f)(11), WRDA 1992, as amended	$20,000,000
North Wales Borough, PA	Section 219 (f)(241), WRDA 1992, as amended	$1,516,584
Pen Argyl, PA	Section 219 (f)(242), WRDA 1992, as amended	$5,250,000
Philadelphia, PA	Section 219 (f)(243), WRDA 1992, as amended	$1,600,000
Stockerton Borough, Tatamy Borough, and Palmer Township, PA	Section 219 (f)(244), WRDA 1992, as amended	$10,000,000
Vera Cruz, PA	Section 219 (f)(245), WRDA 1992, as amended	$5,500,000
Commonwealth of Puerto Rico	Section 219 (f)(246), WRDA 1992, as amended	$35,000,000
Charleston, SC	Section 219 (f)(247), WRDA 1992, as amended	$4,000,000
Charleston and West Ashley, SC	Section 219 (f)(248), WRDA 1992, as amended	$6,000,000
Crooked Creek, Marlboro County, SC	Section 219 (f)(249), WRDA 1992, as amended	$25,000,000
Lakes Marion and Moultrie, SC	Section 219 (f)(25), WRDA 1992, as amended	$110,000,000
Myrtle Beach, SC	Section 219 (f)(250), WRDA 1992, as amended	$18,000,000
North Myrtle Beach, SC	Section 219 (f)(251), WRDA 1992, as amended	$11,000,000
Surfside, SC	Section 219 (f)(252), WRDA 1992, as amended	$11,000,000
Cheyenne River Sioux Reservation (Dewey and Ziebach Counties) and Perkins and Meade Counties, SD	Section 219 (f)(253), WRDA 1992, as amended	$65,000,000
Athens, TN	Section 219 (f)(254), WRDA 1992, as amended	$16,000,000
Blaine, TN	Section 219 (f)(255), WRDA 1992, as amended	$500,000

Name	Authority	Authorization of Appropriations
Claiborne County, TN	Section 219 (f)(256), WRDA 1992, as amended	$1,250,000
Cumberland County, TN	Section 219 (f)(24), WRDA 1992, as amended	$5,000,000
Giles County, TN	Section 219 (f)(257), WRDA 1992, as amended	$2,000,000
Grainger County, TN	Section 219 (f)(258), WRDA 1992, as amended	$1,250,000
Hamilton County, TN	Section 219 (f)(259), WRDA 1992, as amended	$500,000
Harrogate, TN	Section 219 (f)(260), WRDA 1992, as amended	$2,000,000
Johnson County, TN	Section 219 (f)(261), WRDA 1992, as amended	$600,000
Knoxville, TN	Section 219 (f)(262), WRDA 1992, as amended	$5,000,000
Nashville, TN	Section 219 (f)(263), WRDA 1992, as amended	$5,000,000
Lewis, Lawrence, and Wayne Counties, TN	Section 219 (f)(264), WRDA 1992, as amended	$2,000,000
Oak Ridge, TN	Section 219 (f)(265), WRDA 1992, as amended	$4,000,000
Plateau Utility District, Morgan County, TN	Section 219 (f)(266), WRDA 1992, as amended	$1,000,000
Shelby County, TN	Section 219 (f)(267), WRDA 1992, as amended	$4,000,000
Central Texas	Section 219 (f)(268), WRDA 1992, as amended	$20,000,000
El Paso County, TX	Section 219 (f)(269), WRDA 1992, as amended	$75,000,000
Ft. Bend County, TX	Section 219 (f)(270), WRDA 1992, as amended	$20,000,000
Duschesne, Iron, and Uintah Counties, UT	Section 219 (f)(271), WRDA 1992, as amended	$10,800,000
Park City, UT	Section 219 (c)(40) as modified by (e)(17), WRDA 1992, as amended	$30,000,000
Eastern Shore and Southwest Virginia	Section 219 (f)(10), WRDA 1992, as amended	$20,000,000
Lynchburg, VA	Section 219 (c)(16) as modified by (e)(7), WRDA 1992, as amended	$30,000,000
Richmond, VA	Section 219 (c)(17) as modified by (e)(8), WRDA 1992, as amended	$30,000,000
United States Virgin Islands	Section 219 (f)(273), WRDA 1992, as amended	$25,000,000
St. Croix Falls, WI	Section 219 (f)(76), WRDA 1992, as amended	$5,000,000
Northern West Virginia, WV	Section 219 (f)(272), WRDA 1992, as amended	$20,000,000
Non-Section 219 Project Authorities		
Jackson County, AL	Section 522, WRDA 1996	$3,000,000
Environmental Infrastructure Assistance for Benton and Washington Counties, AR	Section 220, WRDA 1992, as amended	$5,000,000
Demonstration of Waste Water Technology, Santa Clara Valley Water District and San Jose, CA	Section 218, WRDA 1992	$10,000,000
Hackensack Meadowlands Area, NJ	Section 324, WRDA 1992, as amended	$20,000,000
Acequia Systems, NM	Section 1113, WRDA 1986, as amended	$40,000,000

Name	Authority	Authorization of Appropriations
Water Monitoring Station, MT	Section 584, WRDA 1996, as amended	$100,000
Programmatic Authorities		
Western Rural Water for Arizona, Idaho, Montana, Rural Nevada, New Mexico, Rural Utah, and Wyoming, AZ, ID, MT, NM, NV, UT, WY	Section 595, WRDA 1999, as amended	$585,000,000
Tahoe Basin Restoration, NV and CA	Section 108, Energy and Water Development Appropriations Act, 2005	$25,000,000
Ohio and North Dakota	Section 594, WRDA 1999, as amended	$340,000,000
Lake Champlain, VT and NY	Section 542, WRDA 2000, as amended	$32,000,000
Alaska	Section 570, WRDA 1999, as amended	$45,000,000
California	Section 5039, WRDA 2007	$40,000,000
Upper Klamath Basin, CA	Section 132, the Energy and Water Development Appropriations Act, 2004	$25,000,000
East Central and Northeast Florida, FL	Section 5061, WRDA 2007	$40,000,000
Florida Keys Water Quality Improvements, FL	Section 109, Division B of Appendix D of the Consolidated Appropriations Act, 2001, as amended	$100,000,000
Metropolitan North Georgia Water Planning District, GA	Section 5065, WRDA 2007	$20,000,000
Southwest Illinois, IL	Section 5074, WRDA 2007	$40,000,000
Southern and Eastern Kentucky, KY	Section 531, WRDA 1996, as amended	$100,000,000
East Atchafalaya Basin and Amite River Basin Region, LA	Section 5082, WRDA 2007	$40,000,000
Southeast Louisiana Region, LA	Section 5085, WRDA 2007	$17,000,000
Northeastern Minnesota, MN	Section 569, WRDA 1999, as amended	$54,000,000
Coastal Mississippi Environmental Restoration, MS	Section 528, WRDA 2000	$10,000,000
Mississippi	Section 592, WRDA 1999, as amended	$200,000,000
North Carolina	Section 5113, WRDA 2007	$13,000,000
Central New Mexico, NM	Section 593, WRDA 1999, as amended	$50,000,000
Onondaga Lake, NY	Section 573, WRDA 1999, as amended	$30,000,000
New York City Watershed, NY	Section 552, WRDA 1996, as amended	$42,500,000
South Central Pennsylvania, PA	Section 313, WRDA 1992, as amended	$400,000,000
Southeastern Pennsylvania, PA	Section 566, WRDA 1996, as amended	$25,000,000
East Tennessee, TN	Section 5130, WRDA 2007	$40,000,000
Dallas County Region, TX	Section 5140, WRDA 2007	$40,000,000
Texas	Section 5138, WRDA 2007	$40,000,000
Northern Wisconsin, WI	Section 154, Division B of Appendix D of the Consolidated Appropriations Act, 2001, as amended	$60,000,000

Central West Virginia, WV	Section 571, WRDA 1999, as amended	$100,000,000
Southern West Virginia, WV	Section 340, WRDA 1992, as amended	$120,000,000

Source: CRS, using public laws and deauthorization lists (see lists published in 74 *Federal Register* 31713-31715, July 2, 2009, and in 81 *Federal Register* 16147-16153, March 25, 2016).

Notes: Consolidated Appropriations Act, 2001 = P.L. 106-554; Energy and Water Development Appropriations Act, 2004 = P.L. 108-137; Energy and Water Development Appropriations Act, 2005 = Division C of P.L. 108-447; WRDA = Water Resources Development Act; WRDA 1992 = P.L. 102-580; WRDA 1996 = P.L. 104-303; WRDA 1999 = P.L. 106-53; WRDA 2000 = P.L. 106-541; WRDA 2007 = P.L. 110-114. Congress provided no specific authorization of appropriations for assistance for Section 219(c) of WRDA 1992 authorities but provided $30 million total authorization of appropriations for design assistance for projects under Section 219(c), unless designated as also providing specific authorization of appropriations for construction assistance. The table does not include the amount of appropriations that have funded these authorities.

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