

116TH CONGRESS
2D SESSION

H. R. 7426

To require development and implementation of an interagency plan to assist communities affected by climate change in the Ohio River Basin, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2020

Mr. LAMB (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. RYAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Financial Services, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require development and implementation of an interagency plan to assist communities affected by climate change in the Ohio River Basin, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ohio River Basin Pre-
5 paredness Act”.

1 **SEC. 2. INTERAGENCY PLAN.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Secretary of the Army,
4 acting through the Chief of Engineers, in coordination
5 with the head of each agency described in subsection (d),
6 shall develop and issue an interagency plan for the agen-
7 cies described in subsection (d) to assist States, Indian
8 Tribes, and communities in the Ohio River Basin in pre-
9 paring for, and responding to, the effects of climate
10 change, including by—

11 (1) informing such States, Indian Tribes, and
12 communities of existing Federal resources available
13 to such States, Indian Tribes, and communities,
14 based on the analysis described in subsection (b)(2);
15 and

16 (2) providing assistance through the Environ-
17 mental Protection Agency’s Smart Growth Program,
18 the Federal Emergency Management Agency’s Pre-
19 Disaster Mitigation Grant Program, the Department
20 of Housing and Urban Development’s Community
21 Development Block Grant program, the Economic
22 Development Administration of the Department of
23 Commerce, and the Department of Agriculture, to
24 such States, Indian Tribes, and communities to help
25 them prepare for extreme weather, major floods, ris-

1 ing temperatures, and potential economic losses
2 from such threats.

3 (b) DEVELOPMENT.—In developing the interagency
4 plan under subsection (a), the Secretary of the Army, act-
5 ing through the Chief of Engineers, in coordination with
6 the head of each agency described in subsection (d),
7 shall—

8 (1) consult with States, Indian Tribes, and
9 communities in the Ohio River Basin that may be
10 affected by climate change; and

11 (2) include in such interagency plan—

12 (A) identification of the particular needs of
13 such States, Indian Tribes, and communities in
14 order for such States, Indian Tribes, and com-
15 munities to adequately prepare for, and respond
16 to, the effects of climate change; and

17 (B) an analysis of—

18 (i) the availability of existing and po-
19 tential Federal resources, including pro-
20 grams, grants, loans, and other assistance,
21 that the agencies described in subsection
22 (d) may provide to assist States, Indian
23 Tribes, and communities in the Ohio River
24 Basin in preparing for, and responding to,
25 the effects of climate change (including as-

1 assistance in building or modernizing infra-
2 structure), including—

3 (I) Corps of Engineers resources
4 related to—

5 (aa) modernizing and hard-
6 ening levees, floodwalls, and flood
7 control projects for more extreme
8 weather flooding events;

9 (bb) restoring wetlands so
10 that such wetlands may absorb
11 rain;

12 (cc) reconnecting floodplains
13 to rivers in order to allow for
14 natural flood storage;

15 (dd) developing a basin-wide
16 water management plan, in col-
17 laboration with the Department
18 of Agriculture, Tennessee Valley
19 Authority, and water manage-
20 ment agencies of the States in
21 the Ohio River Basin; and

22 (ee) updating and modern-
23 izing operations manuals for
24 dams and reservoirs operated by
25 the Corps of Engineers to ac-

1 count for future water risks, pre-
2 cipitation, flow patterns, and
3 usage;

4 (II) Environmental Protection
5 Agency resources and Department of
6 Agriculture resources related to mod-
7 ernizing drinking water and waste-
8 water treatment and stormwater man-
9 agement;

10 (III) Department of Transpor-
11 tation resources related to raising or
12 hardening critical transportation in-
13 frastructure that may be vulnerable to
14 flooding;

15 (IV) United States Geological
16 Survey resources and Environmental
17 Protection Agency resources related to
18 water quality and flow discharge mon-
19 itoring and modeling; and

20 (V) Federal Emergency Manage-
21 ment Agency resources related to up-
22 dating and modernizing flood hazard
23 maps to incorporate the latest science
24 and future risk projections; and

1 (ii) the limitations of existing Federal
2 resources that the agencies described in
3 subsection (d) may so provide, including—

4 (I) the limitations of such re-
5 sources in meeting the particular
6 needs of such States, Indian Tribes,
7 and communities identified under sub-
8 paragraph (A); and

9 (II) recommendations—

10 (aa) for Congress regarding
11 any statutory changes regarding
12 existing Federal programs, or ad-
13 ditional Federal funding, that the
14 agencies determine are necessary
15 to assist such States, Indian
16 Tribes, and communities in pre-
17 paring for, and responding to,
18 the effects of climate change; and

19 (bb) for additional Federal,
20 State, and local resources that
21 the agencies determine are nec-
22 essary to so assist such States,
23 Indian Tribes, and communities.

24 (c) PUBLICATION AND IMPLEMENTATION.—

1 (1) PUBLICATION.—Upon issuance of the inter-
2 agency plan developed under subsection (a), the plan
3 shall be published on the public internet website
4 of—

5 (A) the Environmental Protection Agency;

6 (B) the Assistant Secretary of the Army
7 for Civil Works; and

8 (C) the Great Lakes and Ohio River Divi-
9 sion of the Corps of Engineers.

10 (2) DEADLINE.—Not later than 30 days after
11 the interagency plan developed under subsection (a)
12 is issued, each head of an agency described in sub-
13 section (d) shall implement such interagency plan.

14 (3) TECHNICAL ASSISTANCE.—In implementing
15 the interagency plan developed under subsection (a),
16 the heads of the agencies described in subsection (d)
17 shall provide technical assistance and expertise to
18 States, Indian Tribes, and communities in the Ohio
19 River Basin.

20 (d) AGENCIES DESCRIBED.—The agencies described
21 in this subsection are as follows:

22 (1) The Corps of Engineers.

23 (2) The Environmental Protection Agency.

24 (3) The National Oceanic and Atmospheric Ad-
25 ministration.

- 1 (4) The Department of the Interior.
- 2 (5) The Department of Agriculture.
- 3 (6) The Department of Transportation.
- 4 (7) The Federal Emergency Management Agen-
5 cy.
- 6 (8) The United States Geological Survey.
- 7 (9) The Department of Housing and Urban De-
8 velopment.
- 9 (10) The Department of Commerce.

10 **SEC. 3. REPORT ON IMPACTS OF CLIMATE CHANGE ON**
11 **ELECTRIC UTILITIES.**

12 Not later than 90 days after the date of enactment
13 of this Act, the Secretary of Energy shall publish, on the
14 public internet website of the Department of Energy, a
15 report that includes—

- 16 (1) an analysis of—
 - 17 (A) the potential vulnerabilities of electric
18 utilities that are located in, or serve electric
19 consumers in, the Ohio River Basin, to climate
20 change and extreme weather; and
 - 21 (B) the impacts of climate change and ex-
22 treme weather on such electric utilities; and
- 23 (2) recommendations and technical assistance,
24 as appropriate, to assist such electric utilities in pre-
25 paring for climate change and extreme weather.

1 **SEC. 4. DEFINITION.**

2 In this Act, the term “Ohio River Basin” means the
3 Ohio River Basin as identified in the Corps of Engineers’
4 study titled “Ohio River Basin-Formulating Climate
5 Change Mitigation/Adaptation Strategies through Re-
6 gional Collaboration with the ORB Alliance” (May 2017).

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