

106TH CONGRESS
1ST SESSION

S.1621

To amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 1999

Ms. LANDRIEU (for herself and Mr. BREAU) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, 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 “Lake Pontchartrain
5 Basin Restoration Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the Lake Pontchartrain Basin forms one of
2 the largest natural estuaries in the continental
3 United States;

4 (2) the Basin drains an area of almost 5,000
5 square miles from 16 Louisiana parishes and 4 Mis-
6 sissippi counties;

7 (3) the ecology of the Basin provides the di-
8 verse essential habitat that supports countless spe-
9 cies of fish, birds, mammals, and plants;

10 (4) the extensive wetland of the Basin provides
11 the primary nursery for much of the seafood har-
12 vested in the Gulf Coast;

13 (5) conditions resulting from urbanization, in-
14 creasing population growth and development, sewage
15 and septic tank discharges, animal waste, herbicides,
16 pesticides, fertilizers, stormwater runoff, sediments
17 from construction, and sewage from fishing camps
18 and residences should be addressed to improve the
19 environment and ecology of the Basin;

20 (6) a major source of pollution in the Basin is
21 raw or partially treated human waste from—

22 (A) communities with poor sewer systems
23 or without sewer systems; and

24 (B) septic tank systems that are not oper-
25 ating properly;

1 (8) stormwater discharges that combine with ef-
2 fluent from sanitary discharges from broken lines
3 are channeled directly into Lake Pontchartrain or
4 adjacent bodies of water;

5 (7) a number of local government agencies are
6 working on restoration efforts that have a direct im-
7 pact on water quality in the Basin, including the De-
8 partment of Environmental Quality of Louisiana,
9 the New Orleans Sewerage and Water Board, Jeffer-
10 son Parish, and other governmental agencies;

11 (8) a number of non-regulating organizations,
12 such as the Lake Pontchartrain Basin Foundation
13 and the University of New Orleans, are playing sub-
14 stantial, essential roles in restoration efforts;

15 (9) the Lake Pontchartrain Basin Foundation,
16 the University of New Orleans, and the Regional
17 Planning Commission for Jefferson, Orleans,
18 Plaquemines, St. Bernard, and St. Tammany Par-
19 ishes, Louisiana, have entered into a memorandum
20 of understanding to better facilitate the restoration
21 and preservation of water quality and habitats
22 throughout the Basin; and

23 (10) the programs and activities of the various
24 Federal agencies involved with administration of
25 laws, programs, and assets that affect the water

1 quality of the Basin, including the Environmental
 2 Protection Agency, the Army Corps of Engineers,
 3 the Department of Agriculture, the Department of
 4 the Interior, and other agencies, lack coordination
 5 and sufficient resources to measure and remediate
 6 water quality problems in the Basin.

7 (b) PURPOSES.—The purposes of this Act are—

8 (1) to coordinate the restoration efforts of Fed-
 9 eral, State, and local agencies and organizations in
 10 the restoration of the Basin;

11 (2) to establish the Lake Pontchartrain Basin
 12 Restoration Program in the office of the Environ-
 13 mental Protection Agency; and

14 (3) to authorize and provide resources for res-
 15 toration projects in the Basin.

16 **SEC. 3. LAKE PONTCHARTRAIN BASIN.**

17 Title I of the Federal Water Pollution Control Act
 18 (33 U.S.C. 1251 et seq.) is amended by adding at the end
 19 the following:

20 **“SEC. 121. LAKE PONTCHARTRAIN BASIN.**

21 “(a) DEFINITIONS.—In this section:

22 “(1) BASIN.—The term ‘Basin’ means the Lake
 23 Pontchartrain Basin located in the State of Lou-
 24 isiana.

1 “(2) COUNCIL.—The term ‘Council’ means the
2 Lake Pontchartrain Executive Council established
3 under subsection (b)(3)(A).

4 “(3) MANAGEMENT PLAN.—The term ‘manage-
5 ment plan’ means the watershed management plan
6 developed under subsection (b)(3)(B).

7 “(4) PROGRAM.—The term ‘program’ means
8 the Lake Pontchartrain Basin Restoration Program
9 established under subsection (b)(1).

10 “(b) LAKE PONTCHARTRAIN BASIN RESTORATION
11 PROGRAM.—

12 “(1) ESTABLISHMENT.—Not later than 180
13 days after the date of enactment of this section, the
14 Administrator shall establish within the Environ-
15 mental Protection Agency the Lake Pontchartrain
16 Basin Restoration Program.

17 “(2) PURPOSES.—The purposes of the program
18 shall be—

19 “(A) to coordinate efforts among and pro-
20 vide resources to the various Federal, State,
21 and local governmental agencies and nonregula-
22 tory organizations to reduce pollution in the
23 Basin; and

24 “(B) to restore the Basin to ecological
25 health.

1 “(3) ADMINISTRATION.—

2 “(A) LAKE PONTCHARTRAIN EXECUTIVE
3 COUNCIL.—Not later than 180 days after the
4 date of enactment of this section, the Adminis-
5 trator shall establish the Lake Pontchartrain
6 Executive Council, to be composed of—

7 “(i) the Administrator;

8 “(ii) the Governor of the State of
9 Louisiana;

10 “(iii) the Chairman of the Regional
11 Planning Commission;

12 “(iv) the Chancellor of the University
13 of New Orleans; and

14 “(v) the Executive Director of the
15 Lake Pontchartrain Basin Foundation.

16 “(B) MANAGEMENT PLAN.—

17 “(i) IN GENERAL.—Not later than
18 180 days after the date of enactment of
19 this section, the Administrator, in coopera-
20 tion with appropriate Federal, State, and
21 local authorities, shall assist the Council in
22 developing a comprehensive, multiuse, wa-
23 tershed management plan for the restora-
24 tion and protection of the Basin.

1 “(ii) ASSISTANCE.—Assistance pro-
2 vided by the Administrator under subpara-
3 graph (A) shall include grants for and
4 technical assistance in—

5 “(I) developing an annual work
6 plan endorsed by the Council;

7 “(II) supporting Basin-wide envi-
8 ronmental monitoring and research to
9 provide technical and scientific infor-
10 mation necessary to support manage-
11 ment decisions;

12 “(III) developing a comprehen-
13 sive research plan to address the tech-
14 nical needs of the program; and

15 “(IV) recommending restoration
16 projects for implementation by the
17 State of Louisiana, parishes, and non-
18 governmental entities.

19 “(c) RESTORATION PROJECTS.—In accordance with
20 the management plan, the Administrator shall provide
21 funding and oversight to carry out voluntary restoration
22 projects for the Basin that—

23 “(1) address human waste problems in the
24 Basin by providing a cost-sharing construction and
25 education program that offers incentives to parishes

1 and local communities to improve sewage treatment
2 facilities and procedures (including the continuation
3 of funding for the inflow and infiltration projects of
4 Orleans and Jefferson Parishes, Louisiana);

5 “(2) provide critical assistance to agricultural
6 operators designed to address and curb agricultural
7 runoff into the Basin;

8 “(3) provide for the rerouting of discharges
9 from selected pumping stations through adjacent
10 wetland, using existing canals and small water con-
11 trol structures, in order to use natural wetland to
12 filter pollutants from urban stormwater;

13 “(4) improve Basin water quality—

14 “(A) by eliminating discharges of raw or
15 partially treated sewage from fishing camps and
16 residences;

17 “(B) where there are approved municipal
18 or community sewage systems, by providing tie-
19 ins from those systems for fishing camps and
20 residences; and

21 “(C) by establishing new sanitation and
22 sewage systems where needed;

23 “(5) reverse the trend of decreasing acreage of
24 coastal wetland in the Basin by creating new sus-
25 tainable wetland habitat; and

1 “(6) retain the integrity of natural structural
2 elements in the coastal landscape, such as ridges
3 and barrier islands, in order to reduce storm surge
4 impacts to essential habitats and human infrastruc-
5 ture.

6 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated such sums as are nec-
8 essary, to remain available until expended—

9 “(1) to continue to provide priority funding for
10 the New Orleans Inflow and Infiltration Project
11 sponsored by the New Orleans Sewerage and Water
12 Board and Jefferson Parish, Louisiana; and

13 “(2) to carry out subsections (b) and (c).”.

○