

109TH CONGRESS
1ST SESSION

H. R. 2509

To amend the Federal Water Pollution Control Act and the Water Resources Development Act of 1992 to provide for the restoration, protection, and enhancement of the environmental integrity and social and economic benefits of the Anacostia Watershed in the State of Maryland and the District of Columbia.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2005

Ms. NORTON (for herself, Mr. MORAN of Virginia, Mr. TOM DAVIS of Virginia, Mr. GRIJALVA, Mr. WYNN, Mr. VAN HOLLEN, Mr. BRADY of Pennsylvania, and Mr. MARKEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act and the Water Resources Development Act of 1992 to provide for the restoration, protection, and enhancement of the environmental integrity and social and economic benefits of the Anacostia Watershed in the State of Maryland and the District of Columbia.

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 “Anacostia Watershed
5 Initiative Act of 2005”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Anacostia Watershed encompasses 176
4 square miles in the State of Maryland and the Dis-
5 trict of Columbia;

6 (2) the Anacostia Watershed—

7 (A) features the Anacostia River and its
8 tributaries; and

9 (B) has the potential to provide great eco-
10 logical, biodiversity, recreational, social, and
11 economic benefits to—

12 (i) the District of Columbia;

13 (ii) the State of Maryland;

14 (iii) the State of Virginia; and

15 (iv) the United States as a whole;

16 (3) the Anacostia Watershed provides habitat
17 for the bald eagle, a species that—

18 (A) is a symbol of the United States; and

19 (B) is listed as a threatened species under
20 the Endangered Species Act of 1973 (16 U.S.C.
21 1531 et seq.);

22 (4) the Anacostia Watershed is 1 of the most
23 densely populated watersheds within the Chesapeake
24 Bay drainage basin;

25 (5) because of its location in the Nation's Cap-
26 ital, the Anacostia River—

1 (A) has special significance; and

2 (B) should be a national model of urban
3 river restoration and stewardship;

4 (6) the Federal Government owns and manages
5 approximately 70 percent of the Anacostia River wa-
6 terfront land in the District of Columbia;

7 (7) the Anacostia Watershed is—

8 (A) a degraded urban ecosystem; and

9 (B) 1 of 3 toxic regions of concern in the
10 Chesapeake Bay region;

11 (8) the natural ecology and nationally signifi-
12 cant biodiversity of the Anacostia Watershed are
13 under stress because—

14 (A) more than 300 years of farming, min-
15 ing, industrial development, and urban sprawl
16 have damaged the ecological health and
17 hydrological function of the Anacostia Water-
18 shed; and

19 (B) the Anacostia River and its tributaries
20 have been, and continue to be, adversely im-
21 pacted by—

22 (i) discharges of combined sewer over-
23 flows;

24 (ii) channelization;

25 (iii) toxic pollution;

- 1 (iv) forest and wetland habitat loss;
- 2 (v) erosion;
- 3 (vi) sedimentation;
- 4 (vii) flooding; and
- 5 (viii) uncontrolled stormwater run-off
- 6 that comprises 75 to 90 percent of total
- 7 pollutant loads;

8 (C) water quality has been severely and
9 chronically degraded as a result of activities de-
10 scribed in subparagraph (B);

11 (D) populations of anadromous fish species
12 have been dramatically reduced by man-made
13 barriers that interfere with spawning activities;

14 (E) invasive species are adversely altering
15 the ecological balance in the Anacostia Water-
16 shed; and

17 (F) bacteria and other pathogens from
18 combined sewer systems and urban runoff (in-
19 cluding the combined sewer system of the Dis-
20 trict, which was constructed by the Federal
21 Government more than 100 years ago) and
22 toxics-laden stormwater discharges from the
23 State of Maryland and the District, have pre-
24 cluded safe swimming, fish consumption, and

1 numerous other types of recreation in the Ana-
2 costia River for decades;

3 (9) the deteriorated Anacostia River diminishes
4 the quality of life for all residents in the Anacostia
5 Watershed, especially those individuals who reside
6 east of the river in the economically distressed
7 neighborhoods of the District;

8 (10) Federal, State, District, and regional agen-
9 cies, local governments, nonprofit organizations, and
10 dedicated private citizens have been working for
11 many years to restore and protect the Anacostia Wa-
12 tershed;

13 (11) in 2001, the Mayor of the District, the
14 Governor of the State of Maryland, and the county
15 executives of Prince George's County and Mont-
16 gomery County, Maryland, entered into the Ana-
17 costia Watershed Restoration Agreement, which es-
18 tablished goals and timeframes for restoring the eco-
19 logical integrity of the Anacostia Watershed;

20 (12) despite progress in restoration efforts and
21 growing interest in the environmental condition of
22 the Anacostia Watershed, research, restoration, and
23 protection activities relating to the Anacostia Water-
24 shed remain under funded and in some cases unco-
25 ordinated;

1 (13) restoration and protection of the Anacostia
2 Watershed are central to the ecological, recreational,
3 social, and economic sustainability of the Anacostia
4 Region;

5 (14) the environmental and recreational at-
6 tributes of the Anacostia Watershed could attract
7 visitors to the Anacostia Region;

8 (15) in recognition of local efforts and to secure
9 the Anacostia Watershed as an ecological, economic,
10 and recreational resource for the Washington metro-
11 politan area and the United States, a comprehensive
12 environmental protection, restoration, and resource
13 management plan for the Anacostia Watershed
14 should be developed and implemented;

15 (16) a comprehensive action plan should be de-
16 veloped and implemented with the input, participa-
17 tion, and cooperation of interested stakeholders, with
18 special consideration given to the input and under-
19 takings of the Anacostia Watershed Restoration
20 Committee;

21 (17) the comprehensive action plan referred to
22 in paragraph (16) should not be inconsistent with
23 and promote implementation of a federally-approved
24 combined sewer long-term control plan; and

1 (18) the Water and Sewer Authority of the Dis-
 2 trict has developed a long term control plan for com-
 3 bined sewer overflows designed to significantly re-
 4 duce discharges from the combined sewer system
 5 into the Anacostia River through the construction of
 6 an Anacostia storage tunnel and other sewer system
 7 improvements.

8 **SEC. 3. ANACOSTIA WATERSHED RESTORATION INITIATIVE.**

9 Title I of the Federal Water Pollution Control Act
 10 (33 U.S.C. 1251 et seq.) is amended—

11 (1) by redesignating section 121 the second
 12 place it appears, as section 122; and

13 (2) by adding after section 122 (as redesignated
 14 by paragraph (1)) the following:

15 **“SEC. 123. ANACOSTIA WATERSHED RESTORATION INITIA-**
 16 **TIVE.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) ANACOSTIA WATERSHED.—

19 “(A) IN GENERAL.—The term ‘Anacostia
 20 Watershed’ means the 176 square miles (456
 21 square kilometers) of land and water in the
 22 State of Maryland and the District of Columbia
 23 that—

“(i) approximately mirrors the boundary between Montgomery County and Prince George’s County, Maryland; and

“(ii) converges with the Potomac River near the southern tip of the District.

“(B) INCLUSIONS.—The term ‘Anacostia Watershed’ includes—

“(i) the tidal Anacostia River;

“(ii) the northwest branch, northeast branch, contributing tributaries, and tidal drainage areas of the Anacostia River; and

“(iii) the Anacostia Park managed by the National Park Service.

“(2) ANACOSTIA WATERSHED AGREEMENT.—

The term ‘Anacostia Watershed Agreement’ means the agreement entered into by the Mayor of the District, the Governor of the State of Maryland, and the county executives in 2001.

“(3) ANACOSTIA WATERSHED RESTORATION COMMITTEE.—The term ‘Anacostia Watershed Restoration Committee’ means the organization that—

“(A) was established in 1987 to oversee and coordinate the regional restoration effort for, to enhance awareness of, and to expand

1 communication regarding the Anacostia Water-
2 shed; and

3 “(B) is comprised of representatives of—

4 “(i) the District;

5 “(ii) the State of Maryland;

6 “(iii) Montgomery County, Maryland;

7 “(iv) Prince George’s County, Mary-
8 land;

9 “(v) the United States Army Corps of
10 Engineers;

11 “(vi) the Environmental Protection
12 Agency; and

13 “(vii) the National Park Service.

14 “(4) COMBINED SEWER OVERFLOW.—The term
15 ‘combined sewer overflow’ means the mixture of
16 stormwater and sanitary waste that is discharged di-
17 rectly into the Anacostia River during periods of sig-
18 nificant rainfall once the capacity of the Combined
19 Sewer System is exceeded.

20 “(5) COMBINED SEWER SYSTEM.—The term
21 ‘combined sewer system’ means the wastewater col-
22 lection system serving approximately 12,955 acres of
23 the Anacostia River, Rock Creek, and Potomac
24 River drainage areas within the District that conveys

1 sanitary sewage and stormwater into a single piping
2 system.

3 “(6) COMPREHENSIVE ACTION PLAN.—The
4 term ‘Comprehensive Action Plan’ means the Com-
5 prehensive Action Plan required to be developed and
6 implemented under subsection (d).

7 “(7) COUNCIL.—The term ‘Council’ means the
8 Anacostia Watershed Council established by sub-
9 section (c)(1).

10 “(8) COUNTY EXECUTIVE.—The term ‘County
11 Executive’ means the county executive of Prince
12 George’s County or Montgomery County, Maryland,
13 whichever is applicable.

14 “(9) DISTRICT.—The term ‘District’ means the
15 District of Columbia.

16 “(10) INITIATIVE.—The term ‘Initiative’ means
17 the Anacostia Watershed Initiative established by
18 subsection (b)(1).

19 “(11) STATE.—Unless otherwise specified, the
20 term ‘State’ means the State of Maryland.

21 “(12) WASHINGTON METROPOLITAN AREA.—

22 “(A) IN GENERAL.—The term ‘Washington
23 metropolitan area’ means the area in the region
24 of the capital of the United States surrounding
25 the Anacostia Watershed.

1 “(B) INCLUSIONS.—The term ‘Washington
2 metropolitan area’ includes—

3 “(i) the District of Columbia; and

4 “(ii) portions of the States of Mary-
5 land and Virginia surrounding the Ana-
6 costia Watershed.

7 “(b) ANACOSTIA WATERSHED RESTORATION INITIA-
8 TIVE.—

9 “(1) ESTABLISHMENT.—There is established a
10 program within the Environmental Protection Agen-
11 cy to be known as the ‘Anacostia Watershed Res-
12 toration Initiative’.

13 “(2) PURPOSES.—The purposes of the Initiative
14 are—

15 “(A) to restore the environmental integrity
16 of the Anacostia Watershed;

17 “(B) to plan and fund related restoration
18 improvements in the Anacostia Watershed; and

19 “(C) to assist the Council in achieving its
20 goals through the development and implementa-
21 tion of the Comprehensive Action Plan.

22 “(c) ANACOSTIA WATERSHED COUNCIL.—

23 “(1) ESTABLISHMENT.—There is established a
24 council, to be known as the ‘Anacostia Watershed
25 Council’, to develop, carry out, and provide assist-

1 ance and recommendations with respect to the Ini-
2 tiative.

3 “(2) MEMBERSHIP.—The Council shall be com-
4 posed of—

5 “(A) the Administrator;

6 “(B) the Mayor of the District;

7 “(C) the Governor of the State of Mary-
8 land;

9 “(D) the Governor of the the State of Vir-
10 ginia

11 “(E) the Secretary of the Interior;

12 “(F) the Secretary of the Army; and

13 “(G) the county executives.

14 “(3) DUTIES.—The duties of the Council shall
15 be—

16 “(A) to develop, in accordance with sub-
17 section (d), a comprehensive action plan for the
18 Anacostia Watershed;

19 “(B) to provide financial and technical as-
20 sistance in accordance with subsection (f); and

21 “(C) to carry out this subsection.

22 “(4) INITIAL MEETING.—Not later than 90
23 days after the date of enactment of this section, the
24 Administrator shall convene the initial meeting of
25 the Council.

1 “(5) MEETINGS.—The Council shall convene—

2 “(A) as frequently as the Council deter-
3 mines to be necessary during the 1-year period
4 after the date of the initial meeting of the
5 Council to develop the comprehensive action
6 plan; and

7 “(B) biannually thereafter—

8 “(i) to assess the status of the com-
9 prehensive action plan; and

10 “(ii) to determine the courses of ac-
11 tion for implementing the comprehensive
12 action plan.

13 “(d) COMPREHENSIVE ACTION PLAN.—

14 “(1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this section, the Council,
16 with the input, participation, and cooperation of
17 other stakeholders (including the Anacostia Water-
18 shed Restoration Committee), shall develop and
19 make available to the public a 10-year comprehen-
20 sive action plan to provide for the restoration, pro-
21 tection, and enhancement of the environmental in-
22 tegrity and social and economic benefits of the Ana-
23 costia Watershed by promoting—

24 “(A) watershed planning;

25 “(B) stormwater management;

1 “(C) air, water, sediment, biological, bac-
2 teriological, and habitat monitoring;

3 “(D) sustainable development and environ-
4 mentally-friendly land-use planning;

5 “(E) ecological restoration;

6 “(F) economic development and employ-
7 ment opportunities; and

8 “(G) implementation of a federally-ap-
9 proved plan to control combined sewer overflows
10 into the Anacostia River.

11 “(2) OTHER PROJECTS.—The comprehensive
12 action plan—

13 “(A) shall not affect any existing or
14 planned projects or any approved master or sec-
15 tor plans;

16 “(B) shall not be inconsistent with and
17 shall promote implementation of the require-
18 ments of a federally-approved combined sewer
19 long-term control plan;

20 “(C) shall take into account new tech-
21 nologies and management practices; and

22 “(D) may be modified, as appropriate, by
23 the Council.

24 “(3) OBJECTIVES.—The comprehensive action
25 plan shall—

1 “(A) incorporate, at a minimum, the goals
2 expressed in the Anacostia Watershed Agree-
3 ment, of—

4 “(i) significantly reducing pollutant
5 loads (including sediments, toxic pollut-
6 ants, combined sewer overflows, storm-
7 water discharges, and any other nonpoint
8 inputs and trash), delivered to the Ana-
9 costia River and its tributaries to meet
10 water quality standards and goals;

11 “(ii) restoring and protecting the eco-
12 logical integrity of the Anacostia River and
13 its tributaries to—

14 “(I) enhance aquatic diversity;

15 “(II) increase recreational use;

16 and

17 “(III) provide for a quality urban
18 fishery;

19 “(iii) restoring in the Anacostia River
20 and its tributaries the natural range of
21 resident and anadromous fish to historical
22 limits;

23 “(iv) increasing the natural filtering
24 capacity and habitat diversity of the Ana-
25 costia Watershed by significantly increas-

1 ing the acreage and quality of tidal and
2 nontidal wetland;

3 “(v)(I) protecting and expanding for-
4 est cover throughout the Anacostia Water-
5 shed; and

6 “(II) creating a continuous riparian
7 forest buffer adjacent to the streams, wet-
8 land, and primary branches of the Ana-
9 costia River; and

10 “(vi) increasing—

11 “(I) the awareness of citizens
12 and private businesses of their vital
13 role in the cleanup and economic revi-
14 talization of the Anacostia Watershed;
15 and

16 “(II) volunteer and public-private
17 partnership participation in restora-
18 tion activities for the Anacostia Wa-
19 tershed;

20 “(B) identify specific targets to be
21 achieved annually for each of fiscal years 2004
22 through 2013 using the indicators delineated in
23 the Anacostia Watershed Agreement;

24 “(C) identify specific actions and schedules
25 for meeting the targets identified under sub-

1 paragraph (B), and for the remediation and
2 prevention of further degradation of the Ana-
3 costia Watershed, in terms of—

4 “(i) the chemical, physical, and bio-
5 logical integrity of water and sediment;

6 “(ii) native habitats and the indige-
7 nous populations of shellfish, fish,
8 macroinvertebrates, and wildlife;

9 “(iii) appropriate water levels; and

10 “(iv) recreational and economic activi-
11 ties;

12 “(D) incorporate environmental manage-
13 ment and economic development concepts and
14 programs established under Federal, State, Dis-
15 trict, regional, bicounty, and local plans and
16 programs that are—

17 “(i) in effect at the time of develop-
18 ment of the comprehensive action plan;
19 and

20 “(ii) consistent with the goals and tar-
21 gets of the Anacostia Watershed Agree-
22 ment;

23 “(E) describe the duties of Federal, State,
24 and local agencies in carrying out activities de-
25 scribed in the comprehensive action plan;

1 “(F) recommend a schedule for adoption
2 by such agencies for carrying out such duties
3 within a reasonable period of time; and

4 “(G) describe methods, schedules, and
5 amounts for funding of programs, activities,
6 and projects identified in the comprehensive ac-
7 tion plan (including the use of Federal, State,
8 District, local, and private sources of funds).

9 “(H) conform to existing obligations under
10 Federal, State, and District regulations and
11 statutes, and judicial orders and consent de-
12 crees, in its description of the duties of Federal,
13 State, District and other agencies, and in its
14 recommended schedule for adopting methods,
15 schedules and funding for programs, activities
16 and projects identified in the comprehensive ac-
17 tion plan.

18 “(4) PUBLIC REVIEW AND COMMENT.—

19 “(A) IN GENERAL.—In cooperation with
20 the Council, the Administrator shall provide for
21 public review and comment on the draft of the
22 comprehensive action plan.

23 “(B) PUBLIC MEETINGS.—At a minimum,
24 the Council shall conduct 1 public meeting in
25 each of the 3 local jurisdictions in the Ana-

1 costia Watershed to receive comments on the
2 draft comprehensive action plan.

3 “(5) APPROVAL BY THE ADMINISTRATOR.—

4 “(A) IN GENERAL.—Not later than 120
5 days after the date of release of the comprehen-
6 sive action plan to the public under subpara-
7 graph (A), the Administrator, in conjunction
8 with the Council, shall—

9 “(i) determine whether the com-
10 prehensive action plan meets the require-
11 ments of this subsection;

12 “(ii) if the Administrator makes an
13 affirmative determination, approve the
14 comprehensive action plan; and

15 “(iii) if the Secretary fails to make a
16 determination after 180 days after release
17 of the comprehensive plan, the plan shall
18 be deemed to be approved.

19 “(B) EFFECT OF APPROVAL.—Upon ap-
20 proval of the comprehensive action plan under
21 subparagraph (A), the comprehensive plan shall
22 be considered to be an approved management
23 program for the purpose of section 319(h).

24 “(e) REPORTING REQUIREMENTS.—

1 “(1) IN GENERAL.—Not later than December
2 15th of each year, the Council shall submit to the
3 appropriate Committees of Congress a report that—

4 “(A) describes the status of implementa-
5 tion of all components of the Initiative; and

6 “(B) certifies that the Initiative is pro-
7 gressing in a balanced manner with respect to
8 all program components, including improved
9 water quality and ecosystem restoration.

10 “(2) SPECIFIC REQUIREMENTS.—Each report
11 under paragraph (1) shall describe—

12 “(A) the progress of the Initiative in meet-
13 ing the implementation schedule provided by
14 the Council;

15 “(B) the status of implementation of all
16 components of the Initiative;

17 “(C) expenditures for the portions of fiscal
18 years covered by the report for implementing
19 the Initiative; and

20 “(D) accomplishments during the portions
21 of fiscal years covered by the report in achiev-
22 ing the objectives of improved—

23 “(i) water quality;

24 “(ii) ecosystem restoration and protec-
25 tion;

1 “(iii) watershed management; and

2 “(iv) stormwater management.

3 “(f) FINANCIAL AND TECHNICAL ASSISTANCE.—

4 “(1) IN GENERAL.—In consultation with the
5 Council, the Administrator may provide financial
6 and technical assistance to eligible entities described
7 in paragraph (2) to carry out projects—

8 “(A) to conduct research, surveys, studies,
9 modeling work, and technical and supporting
10 work (including demonstration projects) nec-
11 essary for development of the comprehensive ac-
12 tion plan;

13 “(B) to implement the approved com-
14 prehensive action plan;

15 “(C) to provide interdisciplinary training
16 for environmental researchers, educators, and
17 policymakers;

18 “(D) to enhance understanding of environ-
19 mental issues by regional policymakers and the
20 general public; and

21 “(E) to develop and disseminate edu-
22 cational resources and opportunities for edu-
23 cation at all levels.

24 “(2) ELIGIBLE ENTITIES.—An eligible entity
25 referred to in paragraph (1) is—

1 “(A) a State, regional, or local water pollu-
2 tion control agency or water resources planning
3 agency, the District of Columbia wastewater
4 treatment facility and the District of Columbia
5 stormwater permit administrator;

6 “(B) an accredited 4-year public or private
7 college or university; or

8 “(C) a registered nonprofit agency, institu-
9 tion, or organization (including the Washington
10 Metropolitan Council of Governments).

11 “(3) COST SHARING.—(A) Not more than 75
12 percent of the cost of carrying out a project de-
13 scribed in paragraph (1)—

14 “(i) shall be provided from funds made
15 available under—

16 “(I) this section; or

17 “(II) the Water Resources Develop-
18 ment Act 1992 (Public Law 102–580); and

19 “(B) matching funds to carry out a project de-
20 scribed in paragraph (1) may be provided in the
21 form of cash or in-kind contributions (including con-
22 tributions of real or personal property or service).

23 “(4) ADMINISTRATION.—The Administrator
24 may establish such requirements for the administra-

tion of assistance under this subsection as the Administrator determines to be appropriate.

“(g) FEDERAL PROGRAM COORDINATION.—

“(1) IN GENERAL.—Appropriate financial, scientific, and technical assistance shall be provided for the Initiative and implementation of the plan and the development and implementation of the comprehensive action plan by the Under Secretary or Assistant Secretary or higher level position from each of—

“(A) the Department of the Interior;

“(B) the Department of Agriculture;

“(C) the Department of Commerce;

“(D) the Department of the Army; and

“(E) the Department of Transportation.

“(2) TYPES OF ASSISTANCE.—Assistance provided under paragraph (1) may include assistance relating to—

“(A) the restoration and protection of streams, wetland, grassland, and aquatic and riparian habitats (including assistance through land acquisition and establishment of conservation easements for forest and riparian buffers and wetland);

“(B)(i) water quality and flow monitoring;

1 “(ii) watershed modeling;

2 “(iii) implementation of combined sewer
3 overflow controls; and

4 “(iv) stormwater management;

5 “(C) the use of best management prac-
6 tices, including agricultural best management
7 practices;

8 “(D) the development of an integrated geo-
9 graphic information system;

10 “(E) the management of fisheries and
11 other aquatic, wildlife, cultural heritage, and
12 recreational resources;

13 “(F) the conduct of wildlife species and
14 habitat assessment surveys;

15 “(G) the development and implementation
16 of resource restoration, development, and con-
17 servation programs;

18 “(H) the management of exotic and
19 invasive species;

20 “(I) the promotion of environmentally sen-
21 sitive design practices, including low impact de-
22 velopment; and

23 “(J) the promotion of healthy and diverse
24 economic activity and sustainable development.

1 “(h) NO EFFECT ON OTHER AUTHORITY.—Nothing
2 in this section shall affect the authority or obligation of
3 a Federal, District, District independent, or State agency
4 provided under other law, judicial order, or regulation.

5 “(i) FUNDING.—

6 “(1) AUTHORIZATION OF APPROPRIATIONS.—

7 There are authorized to be appropriated for each of
8 fiscal years 2004 through 2013—

9 “(A) to carry out subsections (b) through
10 (f), \$3,000,000; and

11 “(B) to carry out subsection (g),
12 \$5,000,000, of which \$1,000,000 shall be used
13 by each of the 5 Federal agencies specified in
14 subparagraphs (A) through (E) of subsection
15 (g)(1).

16 “(2) ADMINISTRATION COSTS.—Except with re-
17 spect to funds made available to carry out sub-
18 section (b), not more than 10 percent of the funds
19 made available under paragraph (1) for a fiscal year
20 may be used to pay administrative costs incurred in
21 carrying out this section.

22 “(3) AVAILABILITY.—Funds made available
23 under this subsection shall remain available until ex-
24 pended.

1 “(4) AVAILABLE FUNDING.—Nothing in this
 2 Act shall require the use of existing appropriations
 3 to further the goals of the Comprehensive Action
 4 Plan, and nothing in this Act shall result in an ex-
 5 penditure to comply with the Comprehensive Action
 6 Plan in the absence of available funds.”.

7 **SEC. 4. WATER INFRASTRUCTURE.**

8 Section 219(f) of the Water Resources Development
 9 Act of 1992 (106 Stat. 4835; 113 Stat. 335–337; 114
 10 Stat. 2763A–220–221) is amended:

11 (1) by redesignating paragraphs (45) through
 12 (70) as paragraphs (46) through (71), respectively;
 13 and

14 (2) by inserting after paragraph (44) the fol-
 15 lowing:

16 “(45) WASHINGTON, DISTRICT OF COLUMBIA.—
 17 \$150,000,000 for implementation of a combined
 18 sewer overflow long term control plan, Washington,
 19 District of Columbia.”

20 **SEC. 5. ANACOSTIA RIVER ENVIRONMENTAL RESTORATION**
 21 **AND PROTECTION PROGRAM.**

22 (a) ESTABLISHMENT.—The Secretary of the Army,
 23 acting through the Chief of Engineers, shall establish a
 24 program to provide environmental assistance to non-Fed-
 25 eral interests in the Anacostia River Basin. The assistance

1 shall be in the form of design and construction assistance
2 for water-related environmental infrastructure and re-
3 source protection and development projects affecting the
4 Anacostia River, including low-impact development and
5 other projects to alleviate adverse water quality impacts
6 resulting from storm water discharges, sediment and ero-
7 sion control, protection of eroding shorelines, protection
8 of essential public works, wastewater treatment and re-
9 lated facilities, water supply and related facilities, and
10 beneficial uses of dredged material, and other related
11 projects that may enhance the water quality and living re-
12 sources of the watershed.

13 (b) COST SHARING.—

14 (1) FEDERAL SHARE.—Except as provided in
15 paragraph (2)(B), the Federal share of the total
16 project costs of each local cooperation agreement en-
17 tered into under this section shall be 75 percent.

18 (2) NON-FEDERAL SHARE.—

19 (A) IN GENERAL.—The non-Federal share
20 of the cost of projects under this section shall
21 include lands, easements, rights of way, reloca-
22 tions and disposal areas and may include serv-
23 ices up to 100 percent of the non-Federal
24 share.

1 (B) OPERATION AND MAINTENANCE
2 COSTS.—The non-Federal share of the costs of
3 operation and maintenance of activities carried
4 out under an agreement under this section shall
5 be 100 percent.

6 (C) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There is authorized to be appropriated
8 to carry out this section \$20,000,000.

○