

114TH CONGRESS
2D SESSION

H. R. 6524

To direct the Secretary of the Interior to establish a nonregulatory program to support restoration and protection efforts in the Hudson-Mohawk River Basin region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2016

Mr. TONKO introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, 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 direct the Secretary of the Interior to establish a nonregulatory program to support restoration and protection efforts in the Hudson-Mohawk River Basin region, 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 “Hudson-Mohawk River
5 Basin Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Hudson-Mohawk River Basin together
2 with the Erie Canal connects the Great Lakes to the
3 Atlantic Ocean and includes the approximately
4 13,400 square mile area encompassing the following
5 five large sub-basins:

6 (A) The Upper Hudson River sub-basin.

7 (B) The Mohawk River sub-basin.

8 (C) The Lower Hudson River sub-basin.

9 (D) The Passaic River sub-basin.

10 (E) The Raritan River sub-basin.

11 (2) The Hudson-Mohawk River Basin includes
12 the New York-New Jersey metropolitan area, which
13 is the largest metropolitan area of the country. This
14 metropolitan area, together with the many commu-
15 nities in the Upper Hudson, Mohawk, and Lower
16 Hudson sub-basins, makes the area one of the most
17 densely and heavily populated river basins in the
18 country, with over 15,000,000 people.

19 (3) The water resources of the Hudson-Mohawk
20 River Basin are functionally interrelated and their
21 uses are interdependent. A dedicated program is es-
22 sential to provide effective communication, coordina-
23 tion, and cooperation among Federal, State, and
24 local governments, nongovernmental organizations,
25 and the private sector.

1 (4) The New York-New Jersey Harbor Estuary
2 is a complex natural harbor at the junction of three
3 major water bodies, the New York Bight, the Hud-
4 son River, and the Long Island Sound. In addition,
5 it receives freshwater inputs from the Raritan and
6 Passaic Rivers. The health and productivity of the
7 New York Bight are affected directly by the quality
8 of the freshwater inputs to the estuary from the
9 Hudson, Passaic, and Raritan Rivers.

10 (5) The Mohawk River and its watershed drain
11 directly into the Hudson River, providing the largest
12 freshwater input to the brackish water mix that
13 characterizes the Hudson River Estuary and sup-
14 ports a biologically rich and productive ecosystem.

15 (6) The Mohawk River is integrated with the
16 Erie Canal along much of its channel, tying the op-
17 eration of the canal system to the health of the Mo-
18 hawk and Hudson Rivers.

19 (7) Individuals in many communities through-
20 out the Hudson-Mohawk River Basin have experi-
21 enced devastating flooding that has led to tremen-
22 dous costs for homeowners, businesses, and State
23 and local governments. A holistic approach to river
24 and stream monitoring, updated floodplain maps,
25 and development of floodplain management strate-

gies based upon improved understanding of the Hudson-Mohawk River Basin's hydrology would make communities safer and more resilient to flood events.

(8) Climate change is occurring and, as a result, sea level rise along the United States eastern coastline will increase the vulnerability of coastal communities to storm surge and flooding in the New York-New Jersey harbors and along the major rivers in the Hudson-Mohawk River Basin.

(9) Each of the subwatersheds of the Hudson-Mohawk River Basin receives the support of programs administered by Federal, State, regional, and local organizations.

(10) New York, New Jersey, Vermont, Massachusetts, and Connecticut have a long history of achievements working together on resource management issues through their memberships in the Delaware River Basin Commission, the Susquehanna River Basin Commission, the Appalachian Regional Commission, the New England Interstate Water Pollution Control Commission, and the Lake Champlain Basin Program.

(11) The impacts experienced as a result of recent hurricanes and storms illustrate the need for

1 integrated, basin-wide planning to address water
2 management challenges and vulnerability to flooding.

3 (12) Protecting wetlands, expanding use of
4 green infrastructure, strengthening dams and levees,
5 and upgrading wastewater and water treatment in-
6 frastructure will be necessary to reduce the impacts
7 of extreme weather events and maintain water qual-
8 ity and public health.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) BASIN STATE.—The term “Basin State”
12 means each of the States of New York, New Jersey,
13 Connecticut, Massachusetts, and Vermont.

14 (2) GRANT PROGRAM.—The term “grant pro-
15 gram” means the Hudson-Mohawk River Basin
16 grant program established under section 5.

17 (3) HUDSON-MOHAWK RIVER BASIN.—The term
18 “Hudson-Mohawk River Basin” means the area of
19 drainage of the Hudson, Mohawk, Passaic, and
20 Raritan Rivers and their tributaries into the New
21 York-New Jersey Harbor Estuary.

22 (4) RESTORATION AND PROTECTION.—The
23 term “restoration and protection” means the con-
24 servation, stewardship, and enhancement of habitat
25 for fish and wildlife to preserve and improve eco-

1 systems and ecological processes on which they de-
2 pend, and for use and enjoyment by the public.

3 (5) RESTORATION PROGRAM.—The term “res-
4 toration program” means the Hudson-Mohawk River
5 Basin restoration program established under section
6 4.

7 (6) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (7) WATER RESOURCES.—The term “water re-
10 sources” means all surface waters and ground
11 waters contained or otherwise originating within the
12 Hudson-Mohawk River Basin.

13 **SEC. 4. RESTORATION PROGRAM ESTABLISHMENT.**

14 (a) ESTABLISHMENT.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary shall
16 establish a nonregulatory program to be known as the
17 “Hudson-Mohawk River Basin Restoration Program”.

18 (b) DUTIES.—In carrying out the restoration pro-
19 gram, the Secretary shall—

20 (1) draw on existing and new management
21 plans for the Hudson-Mohawk River Basin, or por-
22 tions of the Basin, and work in consultation with ap-
23 plicable management entities, including representa-
24 tives of the Federal Government, State and local
25 governments, and regional and nonprofit organiza-

tions, as appropriate, to identify, prioritize, and implement water resources activities within the Basin;

(2) adopt a Basin-wide strategy that—

(A) coordinates activities being undertaken by the Basin States, advisory committees, local governments, institutions of higher education, and nongovernmental organizations to address environmental, economic, and cultural issues associated with the management and use of water resources in the Hudson-Mohawk River Basin; and

(B) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1); and

(3) establish the Hudson-Mohawk River Basin grant program in accordance with section 5.

(c) COORDINATION.—In establishing the restoration program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator of the Environmental Protection Agency;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

1 (C) the Chief of the Natural Resources
2 Conservation Service;

3 (D) the Chief of Engineers of the Corps of
4 Engineers; and

5 (E) the head of any other applicable agen-
6 cy;

7 (2) the Governors of the Basin States;

8 (3) other public agencies and organizations with
9 authority for the planning and implementation of
10 conservation strategies in the Hudson-Mohawk River
11 Basin;

12 (4) institutions of higher education and non-
13 governmental organizations; and

14 (5) other parties as determined by the Sec-
15 retary.

16 (d) PURPOSES.—The purposes of the restoration pro-
17 gram include—

18 (1) addressing the management, development,
19 conservation, and use of water resources throughout
20 the Hudson-Mohawk River Basin;

21 (2) coordinating restoration and protection ac-
22 tivities among Federal, State, local, and regional en-
23 tities and conservation partners throughout the
24 Hudson-Mohawk River Basin;

1 (3) carrying out coordinated restoration and
2 protection activities and providing for technical as-
3 sistance throughout the Hudson-Mohawk River
4 Basin and Basin States—

5 (A) to sustain and enhance fish and wild-
6 life habitat restoration and protection activities;

7 (B) to improve and maintain water quality
8 to support fish and wildlife, as well as the habi-
9 tats of fish and wildlife, and drinking water;

10 (C) to sustain and enhance water manage-
11 ment for volume and flood damage mitigation
12 improvements to benefit fish and wildlife habi-
13 tat;

14 (D) to improve opportunities for public ac-
15 cess and recreation in the Hudson-Mohawk
16 River Basin consistent with the ecological needs
17 of fish and wildlife habitat;

18 (E) to facilitate strategic planning to maxi-
19 mize the resilience of natural systems and habi-
20 tats under changing watershed conditions;

21 (F) to engage the public through outreach,
22 education, and citizen involvement; and

23 (G) to increase scientific capacity to sup-
24 port the planning, monitoring, and research ac-

1 activities necessary to carry out coordinated res-
2 toration and protection activities;

3 (4) maintaining an inventory of historic and
4 cultural resources of the Hudson-Mohawk River
5 Basin and identifying projects to provide for cultural
6 enrichment, preservation of cultural resources, public
7 education about local heritage and historical signifi-
8 cance of properties, canals, and historic sites within
9 the Hudson-Mohawk River Basin; and

10 (5) providing a mechanism to promote commu-
11 nication and coordination among the organizations
12 engaged in water resource management activities to
13 promote collaborative working relationships among
14 all entities working in the Hudson-Mohawk River
15 Basin.

16 **SEC. 5. GRANTS AND ASSISTANCE.**

17 (a) HUDSON-MOHAWK RIVER BASIN GRANT PRO-
18 GRAM.—To the extent that funds are available to carry
19 out this section, the Secretary shall establish a voluntary
20 grant program to be known as the “Hudson-Mohawk
21 River Basin Grant Program” to provide—

22 (1) competitive matching grants of varying
23 amounts to State and local governments, nonprofit
24 organizations, institutions of higher education, and

1 other eligible entities to carry out activities described
2 in section 4(d); and

3 (2) technical assistance to grant recipients.

4 (b) CRITERIA.—The Secretary, in consultation with
5 the organizations described in section 4(c), shall develop
6 criteria for the grant program to help ensure that activi-
7 ties funded under this section accomplish one or more of
8 the purposes identified in section 4(d) and advance the
9 implementation of priority actions or needs identified in
10 the Basin-wide strategy adopted under section 4(b)(2).

11 (c) COST SHARING.—

12 (1) FEDERAL SHARE.—The Federal share of
13 the cost of a project funded under the grant pro-
14 gram shall be determined by the Secretary and shall
15 not exceed 80 percent of the total cost of the activ-
16 ity.

17 (2) NON-FEDERAL SHARE.—The non-Federal
18 share of the cost of a project funded under the grant
19 program may be provided in cash or in the form of
20 an in-kind contribution of services or materials.

21 **SEC. 6. ANNUAL REPORTS.**

22 Not later than 180 days after the date of the enact-
23 ment of this Act and annually thereafter, the Secretary
24 shall submit to Congress a report on the implementation

1 of this Act, including a description of each project that
2 has received funding under this Act.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There is authorized to be appro-
5 priated to the Secretary to carry out this Act \$25,000,000
6 for each of fiscal years 2017 through 2023.

7 (b) USE.—Of any amount made available under this
8 section for each fiscal year, the Secretary shall use at least
9 75 percent to carry out the grant program and to provide,
10 or provide for, technical assistance under such program.

○