

Selected Summary
The Moving Forward Act (H.R. 2)

I. PFAS INFRASTRUCTURE GRANT PROGRAM

- **GRANT PROGRAM (Sec. 33101)** Would establish a new grants program for affected community water systems to pay for capital costs associated with the implementation of eligible treatment technologies.
 - Within 12 months of enactment, the Administrator must publish guidance describing scope and timing for the grants program.
 - No later than 150 days after the date of enactment, and every two years thereafter, the Administrator shall publish a list of treatment technologies that are effective at removing all detectable amounts of PFAS from drinking water.
 - Funding priority will be given to community water systems that serve a disadvantaged community; will provide at least a 10 percent cost share for the cost of implementing an eligible treatment technology; or demonstrate the capacity to maintain the eligible treatment technology to be implemented.
 - Authorizes not more than \$500,000,000 for each of the fiscal years 2021 through 2025 for this grants program.

II. WATER RESOURCES INFRASTRUCTURE

- **Watershed Restoration (Sec. 81233)** Would establish a competitive grant program to award grants to eligible entities (Irrigation district, water district, or other organization with water or power delivery authority) for restoration projects that improve watershed health in a Reclamation State.
 - Authorizes \$150,000,000 for each fiscal year through fiscal year 2026
- **Volume cap on private activity bonds (Sec. 90104)** Would increase the state ceiling on tax-exempt private activity bonds to an amount equal to \$135 (currently \$62.50) multiplied by the State population, or to \$402,220,000 (currently \$225,000,000).
 - Would modify the tax code to remove state volume caps on the issuances of government private activity bonds used by water and wastewater systems for infrastructure investment.

- **Wastewater Infrastructure Workforce Investment (Sec. 22102)** No later than 2 years after enactment, USEPA Administrator submit report to congressional committees outlining:
 - Assessment of current and future POTW workforce needs, with an estimate of number of future positions needed for POTWs and technical skills and education needed for identified positions
 - Summary of USEPA actions (including federal investment) to promote workforce development
 - Agency recommendations to address needs

- **Watershed, Wet Weather, and Resiliency Projects (Sec. 22104)** Amends CWA to include “Increased Resilience of Treatment Works-Efforts“ to:
 - Assess future risks and vulnerabilities of POTWs to manmade or natural disasters (including wet weather and sea level rise)
 - Carry out planning, designing, or constructing of projects on systemwide or areawide basis to increase resilience of POTWs through:
 - Conservation of water or enhancement of water use efficiency
 - Enhancement of wastewater + stormwater management by increasing watershed preservation and protection (e.g. green infrastructure, reclamation and reuse of wastewater and stormwater, such as through aquifer recharge zones, modification or relocation of existing POTWs, enhancement of energy efficiency or generation of recovered or renewable energy in management of wastewater and stormwater)
 - Authorizes \$1 billion until expended. Requires not less than 15% appropriated goes to assist municipalities with population less than 10,000

- **Pilot Program for Alternative Water Source Projects (Sec. 22105)** Amends CWA section 220(d) so that project receiving construction funds under Reclamation Projects Authorization and Adjustment Act of 1992 is ineligible for grant assistance under this section
 - Authorizes \$600 million
 - Not less than 15% of funds will go to eligible entities projects designed to server fewer than 10,000 individuals
 - Federal cost share not to exceed 25% or \$20 million, whichever is less for alternative water source project that has receive funds under Reclamation Projects Authorization and Adjustment Act of 1992

- **Sewer Overflow and Stormwater Reuse Municipal Grants (Sec. 22106)**
CWA section 221 amended, Federal cost share of activities carried out using grant made to financially distressed community will not be less than 75% of cost
 - Authorizes \$400 million for each of the fiscal years 2021 – 2025
 - Requires USEPA to ensure that of amounts granted to municipalities, not less than 20% is granted to populations less than 20,000
 - Amends section 516(b)(1) of CWA, so that reports to Congress must include summary of the costs to implement measures necessary to address the resilience and sustainability of POTWs to manmade or natural disasters

- **Capitalization Grants (Sec. 22109)** CWA section 602(b) is amended by inserting “efficient energy use (including through implementation of technologies to recapture and reuse energy produced in the treatment of wastewater)”
 - To extent sufficient eligible projects/activities for capitalization grants received by State under this title and section 205(m) – State will use not less than 15% of funds for projects to address green infrastructure, water or energy efficiency improvements, other environmentally innovative activities

- **Water Pollution Control Revolving Loan Funds (Sec. 22110)** States may use allotted funding amounts to provide additional subsidization that does not exceed 30% of total amount received by State in capitalization grants or annual average over previous 10 years of amounts deposited by State in SRF
 - Authorizes \$40 billion over five years
 - For each FY2021-2025 extent there are sufficient applications for additional subsidization that meet outlined requirements by section, State will use an amount not less than 10% of total amount received by state in capitalization grants to provide additional subsidization for the fiscal year

- **Safe Drinking Water State Revolving Loan Funds (Sec. 33103)**
Provides \$20 billion over five years.

- **Allotment of Funds (Sec. 22111)** State may reserve each fiscal year up to 1% of sums allotted to State under section to carry out workforce development, training, and retraining activities

- **Report on Financial Capability of Municipalities ((Sec 22115)** Directs USEPA to review existing implementation guidance for evaluating financial resources available to a municipality to implement CWA requirements to determine if guidance needs to be revised. During evaluation USEPA should consider:
 - Report by National Academy of Public Administration – “Developing a New Framework for Community Affordability of Clean Water Services”
 - Report developed by National Environmental Justice Advisory Council entitled “EPA’s Role in Addressing Urgent Water Infrastructure Needs of Environmental Justice Communities”
 - Report by AWWA, NCCWA, and WEF entitled “Developing a New Framework for Household Affordability and Financial Capability Assessment in the Water Sector”
 - Recommendations of Environmental Financial Advisory Board related to municipal financial capability assessments
 - Other information Administrator deems appropriate
 - USEPA is to provide public notice, consult, and solicit advise and recommendations from States and local governments, stakeholders, and NGOs when conducting review
 - No later than 18 months after date of enactment USEPA will submit a report to congressional committees with jurisdiction of review results

- **Emerging Contaminants (Sec. 22116)** USEPA will award grants to owners and operators of POTWs for implementation of pretreatment standard or effluent limitation developed by USEPA for the introduction or discharge of perfluoroalkyl or polyfluoroalkyl substance or other pollutant identified by Administrator as a potential contaminant of emerging concern
 - Authorizes \$200 million for each of the fiscal years 2021-2025

III. LOCAL/REGIONAL WATER PROTECTION

- **Nonpoint Source Management Programs (Sec.22201)** Authorizes \$200 million for each of the fiscal years 2021-2025

- **San Francisco Bay Restoration Grant Program (Sec. 22302)** Estuary Partnership is defined as San Francisco Estuary Partnership
 - San Francisco Bay Plan means a plan developed by Director, comprehensive conservation and management plan for San Francisco Bay estuary until plans are completed
 - USEPA will establish a San Francisco Bay Program Office within USEPA Region 9 HQ
 - Administrator will appoint Director to the Office with appropriate management, technical, and environmental experience and expertise to Bay
 - Director will annually compile priority project list, consistent with San Francisco Bay Plan, identifying projects, activities, and studies including: restoration projects and habitat improvement for fish, waterfowl, and wildlife
 - Projects and activities should advance goals and objectives of plan for:
 - Water quality improvement including reduction of marine litter
 - Wetland, riverine, estuary restoration and protection
 - Nearshore and endangered species recovery
 - Adaption to climate change
 - Director will consult with Estuary Partnership, State of CA, affected local governments in Bay watershed, San Francisco Bay Restoration Authority, and any other relevant stakeholders
 - No later than 5 years after enactment, Director, will review and revise comprehensive conservation and management plan approved for San Francisco Bay estuary to develop plan to guide projects, activities, and studies
 - At least once every 5 years after completion of plan, Director will review and revise plan as appropriate
 - Director may provide funding via cooperative agreements, grants, or other means to state and local agencies, special districts, public or nonprofit agencies, institutions, or organizations for projects, activities, and studies identified on priority list
 - Amounts provided to eligible entity will not exceed amount equal to 75% of total project, activity, or study cost
 - Not less than 25% of costs will be provided from non-federal sources
 - Section authorized at \$25 million for each of fiscal years 2021-2025
 - In each of the fiscal years 2021-2025 President will submit information regarding each federal department and agency involved in San Francisco Bay protection and restoration as part of annual budget submission to Congress

- **Section 22304. Great Lakes Restoration Initiative Reauthorization (Sec. 22304)** Authorizes the following:
 - \$375 million for FY2022
 - \$400 million for FY2023
 - \$425 million for FY2024
 - \$450 million for FY2025
 - \$475 million for FY2026

- **National Estuary Program Reauthorization (Sec. 22305)** Authorized at \$50 million for each of fiscal years 2022 -2026
 - Includes identification of “Peconic Bay, New York; Casco Bay, Maine; Tampa Bay, Florida; Coastal Bend, Texas; San Juan Bay, Puerto Rico; Tillamook Bay, Oregon; Piscataqua Region, New Hampshire; Barnegat Bay, New Jersey; Maryland Coastal Bays, Maryland; Charlotte Harbor, Florida; Mobile Bay, Alabama; Morro Bay, California; and Lower Columbia River, Oregon and Washington”
 - Purpose of conference is for the management plan that recommends and addresses effects of recurring extreme weather events on the estuary including:
 - Identification and assessment of vulnerabilities in estuary and development and implementation of adaption strategies
 - USEPA will award grants to selected estuaries or those that relate to coastal resiliency of such estuaries. Grant funding can go towards addressing:
 - Stormwater runoff
 - Accelerated land loss
 - Sea level rise
 - Extreme weather

IV. Public Lands, Tribal Communities and Resilient Natural Infrastructure - Interior/U.S. Bureau of Reclamation (Sec. 80000)

- Requires each California region dependent upon Delta water supplies to improve regional self-sufficiency through investment in water use efficiency, water recycling, advanced water technologies
- Operate CVP to deliver water as reasonably possible to drought impacted areas and minimize harm to fish and wildlife
- Reclamation fund surplus to be used to offset costs of program spending through water reuse, desalination, and water storage projects
- Competitive Title XVI grants program (\$500 million) for water recycling amended to emphasize priority for regional projects, multiple benefits including improved water quality. Strikes requirement for congressional approval of projects. Increases federal share to \$30 million per project.
- Establishes process for study of storage projects, including identification of project benefits

- Watershed grants assistance to improve watershed health authorized \$650 million over five years
- Provides \$750 million funding (50% federal cost share) for storage projects (federal, natural, and major federally assisted). Major federally assisted projects include surface and groundwater storage not federally owned, ecosystem restoration, and conveyance facilities. Compliance with federal environmental mandates required. Projects must be more than \$250 million.
- “Standard Federally assisted storage project” is one that costs less than \$250 million. Governor must request assistance among other criteria to be eligible for federal assistance. Approval dependent upon fish and wildlife benefits versus losses
- CalFed storage projects authorization extended related to WIIN Act with conditions including state approval of project
- Redefines eligible desalination projects as those that constructed, operated and maintained by public entity or water deliverer and provides a federal benefit. Project must be consistent with state coastal plans. Federal share limited to 25%. Priority for assistance to projects that address drought and reduce reliance on imported water and that address imperiled ecosystems.
- Disadvantaged communities in need of safe and reliable water supplies provided with \$100 million in grants assistance. (population of community less than 60,000)
- Improved data and technology assistance provided to support water recycling and desalination, X-prize for water technology breakthroughs, and other initiatives. Priority to fund federal stream gages \$45 million authorized
- Innovative Technology Adoption grants authorized to help foster adoption of technologies that can identify water losses in nondestructive manner from pipes and canals, provide data on pipe integrity (leak and gas pocket detection), real time monitoring of weather monitoring reservoir operations, real time monitoring of aquifer management, use of real time sensors to improve management of other water infrastructure assets, improve water use efficiency and conservation, including through behavioral water efficiency, supervisory control and data acquisition systems or other system modernizations
- \$25 million to support for critically important fisheries authorized to include “commercially and recreationally important “ fisheries as part of drought planning assistance including hatcheries improvements and retrofits
- \$125 million provided to support aquatic ecosystem restoration projects