

AMENDMENT
TO RULES COMMITTEE PRINT 115-72
OFFERED BY MR. HECK OF WASHINGTON

Add at the end of title I the following:

1 **SEC. ____ . INNOVATIVE STORMWATER INFRASTRUCTURE**
2 **CENTERS OF EXCELLENCE AND TECHNICAL**
3 **ASSISTANCE.**

4 (a) **DEFINITIONS.**—In this section:

5 (1) **ADMINISTRATOR.**—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

8 (2) **CENTER.**—The term center means a center
9 of excellence for innovative stormwater control infra-
10 structure established under section (b).

11 (3) **ELIGIBLE INSTITUTION.**—

12 (A) **IN GENERAL.**—The term “eligible in-
13 stitution” means an institution of higher edu-
14 cation (as defined in section 101 of the Higher
15 Education Act of 1965 (20 U.S.C. 1001)), or a
16 research institution, that has demonstrated ex-
17 cellence in innovative stormwater control infra-
18 structure by—

- 1 (i) conducting research on innovative
2 stormwater control infrastructure to deter-
3 mine the means by which innovative infra-
4 structure reduces stormwater runoff, en-
5 hances and protects drinking water
6 sources, and improves water quality;
- 7 (ii) developing and disseminating in-
8 formation regarding the means by which
9 an organization can use innovative
10 stormwater control infrastructure;
- 11 (iii) providing technical assistance to
12 an organization for an innovative
13 stormwater control infrastructure project;
- 14 (iv) developing best practices stand-
15 ards for innovative stormwater control in-
16 frastructure;
- 17 (v) providing job training relating to
18 innovative stormwater control infrastruc-
19 ture;
- 20 (vi) developing course curricula for—
21 (I) elementary schools (as defined
22 in section 8101 of the Elementary and
23 Secondary Education Act of 1965 (20
24 U.S.C. 7801)).

1 (II) secondary schools (as defined
2 in section 8101 of the Elementary and
3 Secondary Education Act of 1965 (20
4 U.S.C. 7801));

5 (III) institutions of higher edu-
6 cation (as defined in section 101 of
7 the Higher Education Act of 1965 (20
8 U.S.C. 1001)); or

9 (IV) vocational schools;

10 (vii) training students regarding inno-
11 vative stormwater control infrastructure; or

12 (viii) providing information to the
13 Federal Government or State, tribal, and
14 local governments regarding the implemen-
15 tation of innovative stormwater control in-
16 frastructure.

17 (B) RESEARCH INSTITUTION.—For pur-
18 poses of subparagraph (A), the term “research
19 institution” means an entity that is—

20 (i) described in section 501(c)(3) of
21 the Internal Revenue Code of 1986;

22 (ii) exempt from tax under section
23 501(a) of the Internal Revenue Code of
24 1986; and

1 (iii) organized and operated for re-
2 search purposes.

3 (4) INDIAN TRIBE.—The term “Indian tribe”
4 has the meaning given the term in section 518(h) of
5 the Federal Water Pollution Control Act (33 U.S.C.
6 1377(h)).

7 (5) STATE.—The term “State” means—

8 (A) each of the several States of the
9 United States;

10 (B) the District of Columbia;

11 (C) the Commonwealth of Puerto Rico;

12 (D) Guam;

13 (E) American Samoa;

14 (F) the Commonwealth of the Northern
15 Mariana Islands;

16 (G) the Federated States of Micronesia;

17 (H) the Republic of the Marshall Islands;

18 (I) the Republic of Palau; and

19 (J) the United States Virgin Islands.

20 (6) INNOVATIVE STORMWATER CONTROL INFRA-
21 STRUCTURE.—

22 (A) IN GENERAL.—The term “innovative
23 stormwater control infrastructure” means any
24 green infrastructure stormwater management
25 technique that—

1 (i) uses natural systems or engineered
2 systems that mimic natural processes to
3 infiltrate, evapotranspire, or capture
4 stormwater; and

5 (ii) preserves, enhances, or mimics
6 natural hydrology to protect or restore
7 water quality.

8 (B) INCLUSION.—The term “innovative
9 stormwater control infrastructure” includes—

10 (i) methods that promote absorption,
11 uptake, percolation, evapotranspiration,
12 and filtration by soil and plant life; and

13 (ii) the preservation or restoration
14 of—

15 (I) natural topography, including
16 hills, plains, ravines, and shorelines;

17 (II) interconnected networks of
18 natural land that protect essential ec-
19 ological functions critical for water
20 quality;

21 (III) ecological function, includ-
22 ing forests, grasslands, and deserts;

23 (IV) bodies of water, including
24 lakes, flood plains, headwaters, and
25 wetlands; and

1 (V) native soil characteristics of
2 composition, structure, and
3 transmissivity.

4 (b) CENTERS OF EXCELLENCE FOR INNOVATIVE
5 STORMWATER CONTROL INFRASTRUCTURE.—

6 (1) ESTABLISHMENT OF CENTERS.—

7 (A) IN GENERAL.—The Administrator
8 shall provide grants, on a competitive basis, to
9 eligible institutions to establish and maintain
10 not less than three, and not more than five,
11 centers of excellence for innovative stormwater
12 control infrastructure, to be located in various
13 regions throughout the United States.

14 (2) GENERAL OPERATION.—Each center
15 shall—

16 (A) conduct research on innovative
17 stormwater control infrastructure that is rel-
18 evant to the geographical region in which the
19 center is located, including stormwater and
20 sewer overflow reduction, other approaches to
21 water resource enhancement, and other environ-
22 mental, economic, and social benefits;

23 (B) develop manuals and establish industry
24 standards on best management practices relat-
25 ing to State, Tribal, local, and commercial inno-

1 vative stormwater control infrastructure for use
2 by State, Tribal, and local governments and the
3 private sector;

4 (C) develop and administer testing and
5 evaluation protocols to measure and verify the
6 performance of stormwater infrastructure prod-
7 ucts and practices;

8 (D) provide information regarding research
9 conducted under subparagraph (A), manuals
10 developed under subparagraph (B), and testing
11 and evaluation performed under subparagraph
12 (C) to the national electronic clearinghouse cen-
13 ter for publication on the Internet website es-
14 tablished under paragraph (4) to provide to the
15 Federal Government, State, Tribal, and local
16 governments, and the private sector information
17 regarding innovative stormwater control infra-
18 structure;

19 (E) provide technical assistance to State,
20 Tribal, and local governments to assist with the
21 construction, operation, and maintenance of in-
22 novative stormwater control infrastructure
23 projects;

24 (F) collaborate with institutions of higher
25 education and private and public organizations

1 in the geographical region in which the center
2 is located on innovative stormwater control in-
3 frastructure research and technical assistance
4 projects;

5 (G) assist institutions of higher education,
6 secondary schools, and vocational schools to de-
7 velop innovative stormwater control infrastruc-
8 ture curricula;

9 (H) provide training regarding innovative
10 stormwater control infrastructure to institutions
11 of higher education and professional schools;

12 (I) evaluate regulatory and policy issues
13 relating to innovative stormwater control infra-
14 structure; and

15 (J) coordinate with the other centers to
16 avoid duplication of efforts.

17 (3) APPLICATION.—To be eligible to receive a
18 grant under this section, an eligible institution shall
19 prepare and submit to the Administrator an applica-
20 tion at such a time, in such form, and containing
21 such information as the Administrator may require.

22 (4) NATIONAL ELECTRONIC CLEARINGHOUSE
23 CENTER.—Of the centers established under sub-
24 section (b)(1), one shall—

1 (A) be designated as the “national elec-
2 tronic clearinghouse center”; and

3 (B) in addition to the other functions of
4 that center—

5 (i) develop, operate, and maintain an
6 Internet website and a public database
7 that contain information relating to inno-
8 vative stormwater control infrastructure;
9 and

10 (ii) post to the website information
11 from all centers.

12 (c) ENVIRONMENTAL PROTECTION AGENCY INNOVA-
13 TIVE STORMWATER CONTROL INFRASTRUCTURE PRO-
14 MOTION.—

15 (1) IN GENERAL.—The Administrator shall en-
16 sure that the Office of Water, the Office of Enforce-
17 ment and Compliance, the Office of Research and
18 Development, and the Office of Policy of the Envi-
19 ronmental Protection Agency promote the use of in-
20 novative stormwater control infrastructure in and
21 coordinate the integration of innovative stormwater
22 control infrastructure into permitting programs,
23 planning efforts, research, technical assistance, and
24 funding guidance.

1 (2) DUTIES.—The Administrator shall ensure
2 that the Office of Water—

3 (A) promotes the use of innovative
4 stormwater control infrastructure in the pro-
5 grams of the Environmental Protection Agency;

6 (B) supports establishing public-private
7 partnerships and other innovative financing
8 mechanisms in the implementation of innovative
9 stormwater control infrastructure; and

10 (C) coordinates efforts to increase the use
11 of innovative stormwater control infrastructure
12 with—

13 (i) other Federal departments and
14 agencies;

15 (ii) State, Tribal, and local govern-
16 ments; and

17 (iii) the private sector.

18 (3) REGIONAL INNOVATIVE STORMWATER CON-
19 TROL INFRASTRUCTURE PROMOTION.—The Adminis-
20 trator shall direct each regional office of the Envi-
21 ronmental Protection Agency, as appropriate based
22 on local factors, to promote and integrate the use of
23 innovative stormwater control infrastructure within
24 the region that includes—

1 (A) a plan for monitoring, financing, map-
2 ping, and designing the innovative stormwater
3 control infrastructure;

4 (B) outreach and training regarding inno-
5 vative stormwater control infrastructure imple-
6 mentation for State, Tribal, and local govern-
7 ments, Tribal communities, and the private sec-
8 tor; and

9 (C) the incorporation of innovative
10 stormwater control infrastructure into permit-
11 ting and other regulatory programs, codes, and
12 ordinance development, including the require-
13 ments under consent decrees and settlement
14 agreements in enforcement actions.

15 (4) INNOVATIVE STORMWATER CONTROL INFRA-
16 STRUCTURE INFORMATION.—The Administrator
17 shall promote innovative stormwater control infra-
18 structure information-sharing, including through an
19 Internet website, to share information with, and pro-
20 vide technical assistance to, State, Tribal, and local
21 governments, Tribal communities, the private sector,
22 and the public regarding innovative stormwater con-
23 trol infrastructure approaches for—

24 (A) reducing water pollution;

25 (B) protecting water resources;

1 (C) complying with regulatory require-
2 ments; and

3 (D) achieving other environmental, public
4 health, and community goals.

5 (5) INNOVATIVE STORMWATER CONTROL INFRA-
6 STRUCTURE PORTFOLIO STANDARD.—The Adminis-
7 trator, in collaboration with State, Tribal, and local
8 water resource managers, shall establish voluntary
9 measurable goals, to be known as the “innovative
10 stormwater control infrastructure portfolio stand-
11 ard”, to increase the percentage of annual water
12 managed by eligible entities that use innovative
13 stormwater control infrastructure.

14 (6) AUTHORIZATION OF APPROPRIATIONS.—
15 There are authorized to be appropriated to carry out
16 this section such sums as are necessary for each of
17 the fiscal years 2019 through 2023.

