AMENDMENT TO RULES COMMITTEE
PRINT 117–9
OFFERED BY MRS. LEE OF NEVADA

Page 1549, after line 8, insert the following:

SEC. 12022. RULEMAKING ON CLIMATE RESILIENCY.

(a) In General.—Not later than 18 months after the date of enactment of this section, the Administrator of the Environmental Protection Agency, after notice and opportunity for public comment, shall issue such regulations as are necessary to require that an applicant for wastewater infrastructure funds—

(1) undertake an assessment of the potential impacts of climate change on the project or activity for which such funds are sought; and

(2) where appropriate, incorporate measures to avoid, minimize, or mitigate such potential impacts into the design of such project or activity.

(b) Considerations.—In issuing regulations under subsection (a)(1), the Administrator shall consider requiring varying levels of assessments that reflect the scale or type of the project or activity for which wastewater infrastructure funds are sought.
(c) Consultation; Technical Assistance.—In carrying out the rulemaking required under subsection (a), the Administrator shall—

(1) consult with other Federal and State agencies, municipalities, Tribal governments, owners and operators of publicly owned treatment works, and other stakeholders with experience in addressing potential impacts of climate change on projects and activities eligible for wastewater infrastructure funds; and

(2) identify entities to provide technical assistance to applicants for wastewater infrastructure funds to assist such applicants in incorporating the climate resilience measures described under subsection (a)(2).

(d) Definitions.—In this section:

(1) Impacts of Climate Change.—The term “impacts of climate change” includes observed changes to temperature, precipitation patterns, drought, storms, flooding, and sea level rise that may adversely impact the continued safe and reliable operation of a treatment works.

(2) Municipality; State; Treatment Works.—The terms “municipality”, “State”, and “treatment works” have the meaning given such
terms in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(3) WASTEWATER INFRASTRUCTURE FUNDS.—
The term “wastewater infrastructure funds” means funds made available for projects or activities under or pursuant to—

(A) title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.);

(B) section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274);

(C) section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300); and

(D) section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301).