

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

Page 1549, after line 8, insert the following:

1 **SEC. 12022. RULEMAKING ON CLIMATE RESILIENCY.**

2 (a) IN GENERAL.—Not later than 18 months after  
3 the date of enactment of this section, the Administrator  
4 of the Environmental Protection Agency, after notice and  
5 opportunity for public comment, shall issue such regula-  
6 tions as are necessary to require that an applicant for  
7 wastewater infrastructure funds—

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

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

14 (b) CONSIDERATIONS.—In issuing regulations under  
15 subsection (a)(1), the Administrator shall consider requir-  
16 ing varying levels of assessments that reflect the scale or  
17 type of the project or activity for which wastewater infra-  
18 structure funds are sought.

1 (c) CONSULTATION; TECHNICAL ASSISTANCE.—In  
2 carrying out the rulemaking required under subsection  
3 (a), the Administrator shall—

4 (1) consult with other Federal and State agen-  
5 cies, municipalities, Tribal governments, owners and  
6 operators of publicly owned treatment works, and  
7 other stakeholders with experience in addressing po-  
8 tential impacts of climate change on projects and ac-  
9 tivities eligible for wastewater infrastructure funds;  
10 and

11 (2) identify entities to provide technical assist-  
12 ance to applicants for wastewater infrastructure  
13 funds to assist such applicants in incorporating the  
14 climate resilience measures described under sub-  
15 section (a)(2).

16 (d) DEFINITIONS.—In this section:

17 (1) IMPACTS OF CLIMATE CHANGE.—The term  
18 “impacts of climate change” includes observed  
19 changes to temperature, precipitation patterns,  
20 drought, storms, flooding, and sea level rise that  
21 may adversely impact the continued safe and reliable  
22 operation of a treatment works.

23 (2) MUNICIPALITY; STATE; TREATMENT  
24 WORKS.—The terms “municipality”, “State”, and  
25 “treatment works” have the meaning given such

1 terms in section 502 of the Federal Water Pollution  
2 Control Act (33 U.S.C. 1362).

3 (3) WASTEWATER INFRASTRUCTURE FUNDS.—

4 The term “wastewater infrastructure funds” means  
5 funds made available for projects or activities under  
6 or pursuant to—

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

9 (B) section 122 of the Federal Water Pol-  
10 lution Control Act (33 U.S.C. 1274);

11 (C) section 220 of the Federal Water Pol-  
12 lution Control Act (33 U.S.C. 1300); and

13 (D) section 221 of the Federal Water Pol-  
14 lution Control Act (33 U.S.C. 1301).

