

Senate panel advances water resources bill

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The Senate Environment and Public Works (EPW) Committee last week unanimously advanced (<https://www.epw.senate.gov/public/index.cfm/2022/5/epw-committee-unanimously-advances-water-resources-development-act>) the latest iteration (https://www.epw.senate.gov/public/_cache/files/3/b/3ba2242c-dc36-4ac2-9848-b75542517170/FA1E49C501679D56FAE99AFCB7EBC6B5.wrda-2022-bill-summary.pdf) of the Water Resources Development Act (WRDA), biennial legislation that authorizes flood control, navigation, and ecosystem restoration projects carried out by the U.S. Army Corps of Engineers. But unlike several WRDA bills enacted in recent years, the EPW proposal does not include any extraneous drinking water or wastewater policy provisions affecting activities at EPA.

This year's EPW proposal (https://www.epw.senate.gov/public/_cache/files/e/1/e1a5557f-de89-442f-9571-26396db7c476/46ECE692C73686EE7C22437E0D735361.wrda-2022-4292022.pdf), formally titled the Water Resources Development Act of 2022, would authorize 36 new Army Corps project feasibility studies and authorize or modify another 21 projects for construction. It would also modify the Corps' approach to considering climate change and equity, by:

- Allowing an existing levee rehabilitation program to fund projects that reduce flood risk or increase resiliency to extreme weather events, while also prioritizing levee restorations in economically disadvantaged communities;
- Granting the Army Corps permanent authority to evaluate and approve water supply conservation measures at water resources development projects in states that have experienced repeated droughts;
- Establishing a Tribal and Disadvantaged Communities Advisory Committee that would provide the Army Corps with recommendations on how to effectively deliver projects and other assistance to tribes and economically disadvantaged communities; and
- Setting up a Western Water Cooperative Committee to identify opportunities to minimize conflicts between authorized projects and state water rights and water laws.

The narrow focus of this WRDA on Army Corps projects and authorizations is a departure from the recent practice of using the legislation as a vehicle to advance drinking water and wastewater policy priorities. But in recent months, Senate staff have repeatedly signaled that this year's WRDA would avoid new drinking water and wastewater provisions, in large part because Congress recently approved a suite of new and reauthorized drinking water and wastewater programs through last year's Bipartisan Infrastructure Law (<https://www.amwa.net/article/president-signs-infrastructure-bill-billions-drinking-water>).

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