

DAM REMOVAL AND WESTERN WATER OPPORTUNITIES IN THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

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American Rivers
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INFRASTRUCTURE INVESTMENT AND JOBS ACT

*Quick Summary**

US Army Corps of Engineers - Section 206 Aquatic Ecosystem Restoration Program - \$115M

NOAA - Community Based Restoration Grant Program - \$400M

US Fish & Wildlife Service - National Fish Passage Program - \$200M

US Forest Service - \$10M

FEMA – High Hazard Dams Program - \$75M

Dam Safety

FEMA - National Dam Safety Program federal agency dam safety - \$67M

FEMA - National Dam Safety Program grants to states - \$658M

Water Infrastructure Finance and Innovation Act dam safety funding - \$75M

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam removal

NOAA - Community Based Restoration Grant Program - \$400 million (p. 928)

- a. For restoring fish passage through NOAA Community Based Restoration Grant Program (Section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a))
- b. 15% set aside for Tribes and Tribal partnerships
- c. Eligibility: institution of higher education, non-profit, commercial (for profit) organizations, U.S. territories, state or local governments, and Indian Tribes
- d. Non-federal match requirements: no

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam removal

US Fish & Wildlife Service - National Fish Passage Program - \$200 million (p. 961)

- a. For restoring fish and wildlife passage by removing in-stream barriers and providing technical assistance under the National Fish Passage Program
- b. This is intended to be used for dam removal (dams are the in-stream barriers)
- c. One half of one percent of the funds to be transferred for oversight of funding
- d. Eligibility: institution of higher education, non-profit, commercial (for profit) organizations, U.S. territories, state or local governments, Indian Tribes, and individuals
- e. Non-federal match requirements: There is a 1:1 match requirement on a regional basis that FWS must demonstrate. FWS does strongly encourage match on an individual project basis.

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam removal

FEMA – High Hazard Dams Program - \$75 million (p. 958)

- a. \$75,000,000 (of the \$585,000,000 for the High Hazard Potential Dams program, (33 U.S.C. 467f-2)) for the removal of dams
- b. Eligibility: states (see notes)
- c. Non-federal match requirements: not less than 35 percent

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam removal

US Army Corps of Engineers - Section 206 Aquatic Ecosystem Restoration Program - \$115 million (p. 932)

- a. For restoring fish and wildlife passage by removing in-stream barriers and providing technical assistance to non-Federal interests at full Federal expense, notwithstanding the individual project cost limitations of Section 206 (\$10 million in Federal spending)
- b. This is intended to be used for dam removal (dams are the in-stream barriers)
- c. Not to be used for the removal, breach, or otherwise alter the operations of a Federal hydropower dam
- d. Eligibility: Non-federal entities can request Corps assistance under the 206 program and enter into a cooperative agreement. Non-profits can be a non-federal entity if there is no future requirements for OMRR&R. However, the elimination of non-federal match changes the need for a non-federal sponsor.
- e. Non-federal match requirements: no (new and only applies to the \$115M for dam removal)

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam removal

US Forest Service - for removal of non-hydropower Federal dams- \$10 million (p. 981)

- a. \$10,000,000 in equal amounts for each of the fiscal years 2022 through 2026 for the removal of non-hydropower Federal dams and for providing dam removal technical assistance
- b. One half of one percent of the funds to be transferred for oversight of funding
- c. Funds under this heading may be transferred to USFWS and NMFS for the costs of carrying out their responsibilities under ESA
- d. Eligibility: Non-profits should be eligible to receive funding to assist the USFS with executing this work (see notes)
- e. Non-federal match requirement: no

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in dam safety

FEMA - National Dam Safety Program federal agency dam safety - \$67 million (p. 958)

FEMA - National Dam Safety Program grants to states - \$658 million (p. 958)

Water Infrastructure Finance and Innovation Act dam safety funding - \$75 million (p. 935)

Eligibility: states

Non-federal match requirements: not less than 35 percent for the High Hazard Potential Dam Program; not less than 50 percent for state assistance grants*

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in culverts and road stream crossings

Forest Service Legacy Road and Trail Remediation Program

- a. \$250 million for USFS to restore fish passage by addressing roads, Culverts and removing barriers on USFS or land where the USDA/DOI have a cooperative agreement
- b. Projects must have received public comment for changing the management status to close the road or trail to public access
- c. USDA Secretary establishes program based on criteria established in bill language
- d. Eligibility: Non-profits should be eligible to receive funding to assist the USFS with executing this work
- e. Non-federal match requirement: no

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in culverts and road stream crossings

National Culvert Removal, Replacement and Restoration Grant Program (DOT)

\$1 billion to establish an annual competitive grant program to award grants to eligible entities for projects for the replacement, removal, and repair of culverts or weirs that--

- “(1) would meaningfully improve or restore fish passage for anadromous fish; and

- “(2) with respect to weirs, may include--

 - “(A) infrastructure to facilitate fish passage around or over the weir; and

 - “(B) weir improvements.

Eligibility: An entity eligible to receive a grant under the program is (1) a State; (2) a unit of local government; or (3) an Indian Tribe.

Non-federal match requirements: no less than 20 percent

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments in culverts and road stream crossings

Bridge Investment Program (DOT) (p56-58) - \$3.265B

Establishes a bridge investment program (BIP) to provide financial assistance for eligible projects with the goal of improving the safety, efficiency, and reliability of the movement of people and freight over bridges.

- a. Eligible projects include “a project to replace or rehabilitate culverts for the purpose of improving flood control and improved habitat connectivity for aquatic species.”
- b. Grants solely for addressing culverts shall be no more than 5 percent of the amount available for each fiscal year for grants made under the BIP
- c. Eligibility: states and local governments (and other political subdivisions), tribal governments, multistate or multijurisdictional groups, federal land management agencies
- d. Non-federal match: varies (federal assistance from other federal programs also appear eligible)

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments with potential barrier removal benefits

USDA NRCS Watershed and Flood Prevention Operations Program (PL-566) - \$500 million

- a. Rehabilitate/remove irrigation infrastructure to provide river benefits and/or watershed restoration (language shared by the Resource Legacy Fund)
- b. Must have at least 20 percent agricultural land benefits

US Army Corps of Engineers - \$1.9 billion (p. 932)

- a. For aquatic ecosystem restoration projects, of which not less than \$1B shall be for multi-purpose projects or multi-purpose programs that include aquatic ecosystem restoration as a purpose.
- b. Eligibility: see slide 7
- c. Match: 50 percent (study phase); 35 percent (design/construction)

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Investments with potential barrier removal benefits

FEMA – \$4.5 billion

Building Resilient Infrastructure and Communities - \$1,000,000,000

- a. Supports states, local communities, tribes, and territories in undertaking pre-disaster hazard mitigation projects, reducing the risks they face from disasters and natural hazards. Focus is to shift funding from reactive disaster spending and toward research-supported, proactive investment in community resilience so that when the next hurricane, flood, or wildfire comes, communities are better prepared.
- b. Eligibility: state, local government, tribe (eligible entities can apply on behalf of non-profits)
- c. Non-federal match requirements: not less than 25 percent (10 percent for “small impoverished communities”)

Flood Mitigation Assistance Program - \$3,500,000,000

INFRASTRUCTURE INVESTMENT AND JOBS ACT

Regional watershed investments

ENVIRONMENTAL PROTECTION AGENCY– Environmental programs and management (examples)

- a. \$1B shall be for Great Lakes Restoration Initiative;
- b. \$238,000,000 shall be for Chesapeake Bay;
- c. \$24,000,000 shall be for San Francisco Bay;
- d. \$89,000,000 shall be for Puget Sound;
- e. \$106,000,000 shall be for Long Island Sound;

NOAA – Pacific Coastal Salmon Recovery - \$172,000,000

Bureau of Reclamation – Western Water Infrastructure (p688-690)

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