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A BILL TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE LAKE PONTCHARTRAIN BASIN RESTORATION PROGRAM

JULY 16, 2012.—Ordered to be printed

Mrs. BOXER, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany S. 3264]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 3264) to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, having considered the same, reports favorably thereon and recommends that the bill, do pass.

GENERAL STATEMENT AND BACKROUND

S. 3264 would reauthorize the Lake Pontchartrain Basin Program, which was authorized under Sec. 121 of the Clean Water Act as part of the Lake Pontchartrain Basin Restoration Act of 2000. The Lake Pontchartrain Basin comprises over 10,000 square miles of land in 16 Louisiana parishes and four Mississippi counties. It is one of the largest estuarine systems in the Gulf of Mexico receiving fresh water from rivers and streams and salt water from the Gulf. The basin supports a population of approximately 2.1 million people. The goal of the Lake Pontchartrain Basin Program, which this legislation would reauthorize, is to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

OBJECTIVES OF THE LEGISLATION

S. 3264 reauthorizes the Lake Pontchartrain Basin Program, which was authorized under Sec. 121 of the Clean Water Act as part of the Lake Pontchartrain Basin Restoration Act of 2000.

19–010

SECTION-BY-SECTION ANALYSIS

Section 1. Lake Pontchartrain Basin Restoration Program

Section 1 extends the authorization for Fiscal Years 2013–2017. The legislation establishes a non-Federal cost-share of 25% for any project funded through the program and limits the annual authorized funding to $20 million or the lowest amount appropriated to carry out this section for any of the preceding 5 fiscal years, whichever is less.

LEGISLATIVE HISTORY

Senators David Vitter and Mary Landrieu introduced S. 3264 on June 5, 2012. The bill was received, read twice and referred to the Committee on Environment and Public Works.

On June 21, 2012, the Full Committee met to consider a number of bills including S. 3264. The bill was ordered to be reported favorably by voice vote.

HEARINGS

No hearings were held on this legislation.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 3264 on June 21, 2012. The bill was ordered to be reported favorably by voice vote.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 3264 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the committee noted that the Congressional Budget Office (CBO) has found, "S. 3264 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments."

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

JUNE 29, 2012.

Hon. BARBARA BOXER,
Chairman, Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3264, a bill to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Susanne S. Mehlman.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

S. 3264—A bill to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program

Summary: S. 3264 would authorize appropriations for the Environmental Protection Agency's (EPA's) Lake Pontchartrain Basin Restoration Program through 2017. Under this program, EPA provides assistance and grants to the parishes and cities within the Lake Pontchartrain Basin watershed and to the Lake Pontchartrain Basin Foundation for restoration and education projects to improve the ecological health of the basin. The bill would limit the annual authorized funding over the 2013–2017 period to the lesser of $20 million or the lowest amount appropriated for grants and assistance for any of the preceding five fiscal years. According to EPA, $1 million is the lowest annual amount appropriated since 2008 for the Lake Pontchartrain Basin Restoration Program. Thus, CBO estimates that implementing S. 3264 would cost $5 million over the 2013–2017 period.

Pay-as-you-go procedures do not apply to this legislation because the bill would not affect direct spending or revenues.

S. 3264 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 3264 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2013	2014	2015	2016	2017	2013–2017
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level	1	1	1	1	1	5
Estimated Outlays	1	1	1	1	1	5

Basis of estimate: For this estimate, CBO assumes that S. 3264 will be enacted near the beginning of fiscal year 2013 and that the estimated amounts will be appropriated for each year. Estimated outlays are based on historical spending patterns for the program.

Pay-As-You-Go considerations: None.

Intergovernmental and private-sector impact: S. 3264 contains no intergovernmental or private-sector mandates as defined in UMRA. Louisiana, Mississippi, and local governments that participate in the Lake Pontchartrain Basin Restoration Program would benefit from the bill's reauthorization of grants, research, and restoration activities of the basin. Any costs to those governments would be incurred voluntarily as conditions of federal assistance.

Estimate prepared by: Federal costs: Susanne S. Mehlman; Impact on state, local, and tribal governments: Melissa Merrell; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

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FEDERAL WATER POLLUTION CONTROL ACT

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SEC. 101. (a) The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. In order to achieve this objective it is hereby declared that, consistent with the provisions of this Act—

(1) * * *

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SEC. 121. LAKE PONTCHARTRAIN BASIN.

(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

(c) DUTIES.—In carrying out the program, the Administrator shall—

(1) provide administrative and technical assistance to a management conference convened for the Basin under section 320;

(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

(4) develop a comprehensive research plan to address the technical needs of the program;

(5) coordinate the grant, research, and planning programs authorized under this section; and

(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin.

(d) GRANTS.—The Administrator may make grants *to pay not more than 75 percent of the costs*—

(1) for restoration projects and studies recommended by a management conference convened for the Basin under section 320; and

(2) for public education projects recommended by the management conference.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) BASIN.—The term "Basin" means the Lake Pontchartrain Basin, a 5,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

(2) PROGRAM.—The term "program" means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $20,000,000 [for each of fiscal years 2001 through 2011] *or the lowest amount appropriated to carry out this section for any of the preceding 5 fiscal years, whichever is less, for each of fiscal years 2013 through 2017*. Such sums shall remain available until expended.

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