

118TH CONGRESS
1ST SESSION

S. 2660

To direct restoration and protection efforts of the 5-State Connecticut River Watershed region, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mrs. SHAHEEN (for herself, Mr. MARKEY, Mr. BLUMENTHAL, Mr. WELCH, Mr. MURPHY, Ms. WARREN, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To direct restoration and protection efforts of the 5-State Connecticut River Watershed region, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Connecticut River Wa-
5 tershed Partnership Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ENVIRONMENTAL JUSTICE COMMUNITY.—

9 The term “environmental justice community” means

1 a community with significant representation of com-
2 munities of color, low-income communities, or Tribal
3 and Indigenous communities, that experiences, or is
4 at risk of experiencing, higher or more adverse
5 human health or environmental effects.

6 (2) FOUNDATION.—The term “Foundation”
7 means the National Fish and Wildlife Foundation.

8 (3) GRANT PROGRAM.—The term “grant pro-
9 gram” means the voluntary Connecticut River Wa-
10 tershed Partnership grant program established
11 under section 4(a).

12 (4) PROGRAM.—The term “program” means
13 the nonregulatory Connecticut River Watershed
14 Partnership program established under section 3(a).

15 (5) RESTORATION AND PROTECTION.—The
16 term “restoration and protection” means the con-
17 servation, stewardship, and enhancement of land and
18 water for fish, wildlife, and people—

19 (A) to preserve and improve ecosystems
20 and ecological processes on which fish, wildlife,
21 and people depend; and

22 (B) for use and enjoyment by the public.

23 (6) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior, acting through the Di-

1 rector of the United States Fish and Wildlife Serv-
2 ice.

3 (7) TRIBES.—The term “Tribes” means Native
4 American groups that descend from peoples indige-
5 nous to the Watershed, without regard to whether
6 the groups are—

7 (A) recognized by the Federal Government
8 or a Watershed State; or

9 (B) non-enfranchised.

10 (8) WATERSHED.—The term “Watershed”
11 means the 5-State watershed region, including the
12 Connecticut River and its tributaries and all of the
13 land area in portions of the Watershed States whose
14 surface water drains into the Connecticut River.

15 (9) WATERSHED STATE.—The term “Water-
16 shed State” means each of the States of Con-
17 necticut, Maine, Massachusetts, New Hampshire,
18 and Vermont.

19 **SEC. 3. CONNECTICUT RIVER WATERSHED PARTNERSHIP**
20 **PROGRAM.**

21 (a) ESTABLISHMENT.—Not later than 180 days after
22 the date of enactment of this Act, the Secretary shall es-
23 tablish a nonregulatory program, to be known as the
24 “Connecticut River Watershed Partnership program”.

1 (b) DUTIES.—In carrying out the program, the Sec-
2 retary shall draw on existing and new approved plans for
3 the Watershed, or portions of the Watershed, and work
4 in consultation with applicable management entities, in-
5 cluding representatives of the Friends of the Silvio O.
6 Conte National Fish and Wildlife Refuge, the Connecticut
7 River Joint Commissions, the Connecticut River Atlantic
8 Salmon Commission and its successor organization the
9 Connecticut River Migratory Fish Restoration Coopera-
10 tive, the Federal Government, and other State and local
11 governments, Tribal governments or organizations, and
12 regional and nonprofit organizations, as appropriate, to
13 identify, prioritize, and implement restoration and protec-
14 tion activities within the Watershed through the adoption
15 of an inclusive Watershed-wide strategy and framework.

16 (c) CONSULTATION.—In establishing the program,
17 the Secretary shall consult, as appropriate, with—

18 (1) the heads of Federal agencies, including—

19 (A) the Administrator of the Environ-
20 mental Protection Agency;

21 (B) the Administrator of the National Oce-
22 anic and Atmospheric Administration;

23 (C) the Chief of the Natural Resources
24 Conservation Service;

1 (D) the Director of the National Park
2 Service;

3 (E) the Chief of Engineers of the Corps of
4 Engineers;

5 (F) the Secretary of Transportation;

6 (G) the Secretary of Commerce; and

7 (H) the head of any other applicable Fed-
8 eral agency, as determined by the Secretary;

9 (2) the Governors of the Watershed States;

10 (3) Tribal governments or organizations, includ-
11 ing Tribes;

12 (4) the Friends of the Silvio O. Conte National
13 Fish and Wildlife Refuge;

14 (5) the Connecticut River Joint Commissions;

15 (6) the Connecticut River Atlantic Salmon
16 Commission and its successor organization the Con-
17 necticut River Migratory Fish Restoration Coopera-
18 tive;

19 (7) other public and quasi-public agencies and
20 organizations with authority for the planning and
21 implementation of conservation strategies in or af-
22 fecting the Watershed; and

23 (8) stakeholders from impacted environmental
24 justice communities.

25 (d) PURPOSES.—The purposes of the program are—

1 (1) to coordinate and collaborate on restoration
2 and protection activities among Federal, Tribal,
3 State, local, and regional entities and conservation
4 partners throughout the Watershed; and

5 (2) to carry out coordinated restoration and
6 protection activities in, and provide technical assist-
7 ance throughout, the Watershed—

8 (A) to restore, recover, and manage for
9 sustainable fish, wildlife, and plant populations;

10 (B) to sustain and enhance fish and wild-
11 life habitat restoration, stewardship, and pro-
12 tection activities;

13 (C) to improve and maintain water quality
14 to support fish, wildlife, and fish and wildlife
15 habitat, including to improve opportunities for
16 public access and recreation in the Watershed
17 consistent with the ecological needs of fish and
18 wildlife habitat;

19 (D) to advance the use of nature-based so-
20 lutions to maximize the resilience of commu-
21 nities, natural systems, and habitats under
22 changing sea levels, storm risks, and watershed
23 conditions;

24 (E) to support farmland conservation and
25 food equity, including habitat protection, cli-

1 mate resilience, and carbon sequestration on
2 working farms and forests;

3 (F) to engage the public, particularly envi-
4 ronmental justice communities, through out-
5 reach, education, and community involvement to
6 increase capacity and support for coordinated
7 restoration and protection activities in the Wa-
8 tershed;

9 (G) to identify, affirm, and promote the
10 practice and awareness of traditional Tribal
11 river and Watershed-related cultural practices
12 and traditional ecological knowledge;

13 (H) to improve access to open space and
14 trails by enhancing trails in the Watershed and
15 on-street active transportation, such as bike
16 lanes, sidewalks, public transportation, and bike
17 share;

18 (I) to sustain and enhance water manage-
19 ment for volume and flood damage mitigation
20 improvements to benefit fish and wildlife habi-
21 tat;

22 (J) to support land and water conservation
23 and management activities necessary to fulfill
24 the Watershed-wide strategy adopted under
25 subsection (b);

1 (K) to monitor environmental quality to
 2 assess progress towards the purposes of the
 3 program;

4 (L) to facilitate strategic planning to maxi-
 5 mize the resilience of natural systems and habi-
 6 tats under changing watershed conditions;

7 (M) to improve fish and wildlife habitats,
 8 including opportunities for personal recreation,
 9 hunting, fishing, and wildlife viewing along riv-
 10 ers, particularly in environmental justice com-
 11 munities;

12 (N) to increase scientific capacity to sup-
 13 port the planning, monitoring, and research ac-
 14 tivities necessary to carry out coordinated res-
 15 toration and protection activities; and

16 (O) to provide technical assistance to carry
 17 out restoration and protection activities in the
 18 Watershed.

19 **SEC. 4. CONNECTICUT RIVER WATERSHED PARTNERSHIP**
 20 **GRANT PROGRAM.**

21 (a) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
 22 tion, the term “eligible entity” means—

- 23 (1) a State, Tribal, or local government;
 24 (2) a nonprofit organization; and

1 (3) an institution of higher education (as de-
2 fined in section 101(a) of the Higher Education Act
3 of 1965 (20 U.S.C. 1001(a))).

4 (b) ESTABLISHMENT.—Not later than 180 days after
5 the date of enactment of this Act, the Secretary shall es-
6 tablish a voluntary grant and technical assistance pro-
7 gram, to be known as the “Connecticut River Watershed
8 Partnership grant program”, to provide competitive
9 matching grants to eligible entities to carry out restoration
10 and protection activities for the Watershed.

11 (c) CRITERIA.—The Secretary, in consultation with
12 the agencies, organizations, and other individuals and en-
13 tities referred to in section 3(c), shall develop criteria for
14 the grant program to ensure—

15 (1) the equitable distribution of funds; and

16 (2) that projects funded under the grant pro-
17 gram accomplish 1 or more of the purposes de-
18 scribed in section 3(d).

19 (d) COST SHARING.—

20 (1) FEDERAL SHARE.—

21 (A) IN GENERAL.—Except as provided in
22 subparagraph (B), the Federal share of the cost
23 of a project funded under the grant program
24 shall not exceed 75 percent of the total cost of
25 the project, as determined by the Secretary.

1 (B) ENVIRONMENTAL JUSTICE COMMU-
2 NITIES.—

3 (i) IN GENERAL.—Subject to clause
4 (ii), the Federal share of the cost of a
5 project funded under the grant program
6 that serves an environmental justice com-
7 munity shall be 90 percent of the total cost
8 of the project, as determined by the Sec-
9 retary.

10 (ii) WAIVER.—The Secretary may in-
11 crease the Federal share under clause (i)
12 to 100 percent of the total cost of the
13 project if the Secretary determines that the
14 grant recipient is unable to pay, or would
15 experience significant financial hardship if
16 required to pay, the non-Federal share.

17 (2) NON-FEDERAL SHARE.—The non-Federal
18 share of the cost of a project funded under the grant
19 program may be provided in cash or in the form of
20 an in-kind contribution of services, materials, or
21 land value.

22 (e) ADMINISTRATION.—

23 (1) IN GENERAL.—The Secretary may enter
24 into an agreement to manage the grant program

1 with the Foundation or a similar organization that
2 offers grant management services.

3 (2) FUNDING.—If the Secretary enters into an
4 agreement under paragraph (1), the Foundation or
5 similar organization selected shall—

6 (A) for each fiscal year in which the grant
7 program is carried out, receive amounts made
8 available to carry out this section for that fiscal
9 year in an advance payment of the entire
10 amounts on October 1 of that fiscal year, or as
11 soon as practicable thereafter;

12 (B) invest and reinvest those amounts for
13 the benefit of the grant program; and

14 (C) otherwise administer the grant pro-
15 gram to support partnerships between the pub-
16 lic and private sectors in accordance with this
17 Act.

18 (3) REQUIREMENTS.—If the Secretary enters
19 into an agreement with the Foundation under para-
20 graph (1), any amounts received by the Foundation
21 under this section shall be subject to the National
22 Fish and Wildlife Foundation Establishment Act (16
23 U.S.C. 3701 et seq.), excluding section 10(a) of that
24 Act (16 U.S.C. 3709(a)).

1 **SEC. 5. ANNUAL REPORTS.**

2 Not later than 180 days after the date of enactment
3 of this Act, and annually thereafter, the Secretary shall
4 submit to Congress a report on the implementation of this
5 Act, including a description of each project that has re-
6 ceived funding under the grant program in the preceding
7 fiscal year.

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated to the Secretary to carry out this Act such sums
11 as are necessary for each of fiscal years 2023 through
12 2027.

13 (b) USE FOR GRANT PROGRAM.—Of the amounts
14 made available to carry out this Act for each fiscal year,
15 the Secretary shall use not less than 75 percent to carry
16 out the grant program and to provide, or provide for, tech-
17 nical assistance under that grant program.

18 (c) SUPPLEMENT, NOT SUPPLANT.—Amounts made
19 available to carry out this Act shall supplement, and not
20 supplant, funding for other activities carried out by the
21 Secretary in the Watershed.

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