S. 3591, America’s Water Infrastructure Act of 2020:
Section-By-Section

The Senate’s water resources development legislation, S. 3591 or “America’s Water Infrastructure Act of 2020”, is primarily focused on authorizations for Army Corps of Engineers programs and projects. However, there are a number of provisions that apply to the Safe Drinking Water Act and Clean Water Act. Those most pertinent to AWWA and its membership are outlined below.

**Section 1062: Restoration of Abandoned Sites**
This section amends WRDA 1999 to allow the Secretary of the Army Corps of Engineers to carry out technical, planning, and design assistance to federal and non-federal interests for carrying out projects to address water quality problems caused by drainage and related activities from abandoned and inactive non-coal mines. The authorization is for $30 million.

**Section 1073: Completion of Reports**
This section authorizes $50 million for completion of any reports required by WRRDA 2014, WIIN 2016, AWIA 2018, AWIA 2020, including any additional amendments which may be made.

**Section 1102: Development of Categorical Exclusions**
This section directs the Secretary to share a list of the Corps’ categorical exclusions for environmental review with other federal agencies and directs those federal agencies to conduct a rulemaking process if they determine that it is appropriate to adopt similar categorical exclusions.

**Section 2001: Clean Water Infrastructure Resiliency and Sustainability Program**
The section establishes the Clean Infrastructure Resiliency and Sustainability Program, modeled off a similar drinking water program established in AWIA 2018. An owner or operator of a publicly owned treatment works can use the grants to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project to increase the resiliency or adaptability of water systems to natural hazards. The authorization is $5 million for fiscal years 2021-2024 and there is a non-federal cost-share of 25%.

**Section 2006: Pilot Program for Alternative Water Source Projects**
This section reauthorizes an existing grant program for alternative water source projects. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. “Alternative water source projects” means a project that provides alternative sources of water through conserving, managing, reclaiming, or reusing water, stormwater or wastewater. The program is authorized for $25 million for fiscal years 2022-2024.
Section 2008: Water Infrastructure and Workforce Investment
This section reauthorizes the competitive grant program created in AWIA 2018 to promote workforce development in the water utility sector. The section modifies the program to make public works departments and agencies eligible for these grants in addition to schools. The program is authorized at $2 million for fiscal years 2021-2024.

Section 2011: Connection to Publicly Owned Treatment Works
This section creates a grant program that allows EPA to provide grants to publicly owned treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system. The program authorizes $20 million for fiscal years 2021 and 2022.

Section 2013: Water Data Sharing Pilot Program
This section requires EPA to establish a pilot program for states to encourage intrastate information sharing among communities regarding water quality, water infrastructure needs, and water technology. A state that is eligible for funding must contain a coastal watershed that has significant pollution levels or substantive wastewater infrastructure deficits. This section also authorizes funds to assist states in the creation of multi-state consortia to exchange water data, share information regarding water practices, protocols, technologies and procedures, and to establish regional intended use plans. The program is authorized at $15 million for fiscal years 2021-2024.

Section 2014: Water Infrastructure Financing Reauthorization
This section reauthorizes WIFIA through fiscal year 2024 at $50 million per year. The section also includes an important clarification of existing law, resolving an impasse between federal agencies over how to measure the budget impact of WIFIA projects that include a federal partner. The clarification will help protect WIFIA’s leveraging capacity and long-term stability.

Section 2015: Final Rating Opinion Letters
This section amends the WIFIA program so that in seeking a WIFIA loan, an applicant only needs a credit rating from one rating agency instead of two.

Section 2016: Reauthorization of Clean Water State Revolving Loan Funds
This section reauthorizes CWSRF through fiscal year 2023 and provides for an incremental increase in funding: $2 billion for fiscal year 2021, $2.5 billion for fiscal year 2022, and $3 billion for fiscal year 2023.

Section 2017: Small and Disadvantaged Community Analysis
This section requires EPA to conduct an analysis of the historical distribution of CWA and SDWA funds to low income communities, rural, minority and indigenous peoples. EPA must then analyze new opportunities to improve the distribution of the funds to those communities.

Section 3004: Assessment of Coastal Water Infrastructure Vulnerabilities
This section requires the EPA Administrator, within one year of the enactment of this Act, to submit a report to Congress that assesses the vulnerability of coastal drinking water and wastewater infrastructure to sea level rise, storm surge, extreme weather, and other flood risks. The report must identify states and communities with the most immediate and severe risks, and make recommendations for investments and other improvements to water infrastructure to ensure the infrastructure’s long-term survivability.

Section 3010: Final Rating Opinion Letters
This section reduces the number of final agency rating opinion letters required of WIFIA applicants from two to one prior to final acceptance and financing of the project.