118TH CONGRESS
1ST SESSION

H. R. ___

To amend title 54, United States Code, to authorize the Secretary of the Interior to make financial assistance to States under the Land and Water Conservation Fund available for water quality projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. [MAST] introduced the following bill; which was referred to the Committee on

A BILL

To amend title 54, United States Code, to authorize the Secretary of the Interior to make financial assistance to States under the Land and Water Conservation Fund available for water quality projects, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Land and Water Conservation Fund Water Amendments Act of 2023”.
SEC. 2. FINANCIAL ASSISTANCE TO STATES FOR WATER QUALITY PROJECTS.

Section 200305 of title 54, United States Code, is amended—

(1) in subsection (a), in the second sentence, by inserting “and water quality improvement” after “outdoor recreation”;

(2) in subsection (d), by adding at the end the following:

“(5) WATER QUALITY.—A comprehensive state-wide outdoor recreation plan shall identify—

“(A) any body of water within the boundaries of the State for which a State water quality control plan has been developed pursuant to section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)); and

“(B) any proposed water quality project (as defined in subsection (e)(4)(A)) to be conducted with respect to a body of water that is identified under subparagraph (A).”;

(3) in subsection (e)—

(A) in the heading, by striking “AND DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES” and inserting “, DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES,
AND CONDUCT OF WATER QUALITY PROJECTS;

(B) in paragraph (1), by striking "and (3)" and inserting "(3), and (4)"; and

(C) by adding at the end the following:

"(4) WATER QUALITY PROJECTS.—

"(A) DEFINITION OF WATER QUALITY PROJECT.—In this paragraph, the term 'water quality project' means any project identified in a State water quality control plan developed for the purpose of restoring any body of water that is identified by the State under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)) as being impaired.

"(B) FINANCIAL ASSISTANCE.—Under paragraph (1), the Secretary may provide financial assistance for the conduct of water quality projects.

"(C) NON-FEDERAL SHARE CREDIT.—The Secretary may credit toward the non-Federal share required under subsection (e) funds allocated by a State for the conduct of a water quality project.

"(D) CONSULTATION.—The Secretary shall consult with the Administrator of the En-
vironmental Protection Agency in carrying out this paragraph.

"(E) LIMITATIONS.—

"(i) IN GENERAL.—In providing financial assistance to water quality projects under this paragraph, the Secretary shall only provide financial assistance to water quality projects that seek to improve water quality by improving, restoring, remediating, or developing natural hydrological systems, such as—

"(I) wetlands;

"(II) marshes;

"(III) living shorelines;

"(IV) near-shore estuarine waters; or

"(V) any other naturally occurring hydrological features the Secretary determines to be necessary for the purpose of reducing nutrient loads.

"(ii) NO REIMBURSEMENT.—Funds made available for a water quality project under this paragraph may not be used to reimburse the cost of any water quality
project that has already been completed or
is otherwise fully funded.

“(iii) EFFECT.—Nothing in this para-
paragraph—

“(I) expands the authority of the
Federal Government over nonnavigable waters; or

“(II) authorizes the Secretary to
regulate the conduct of water quality
projects.”.