



November 19, 2021

What the bipartisan infrastructure act means for Trout Unlimited

The Infrastructure Investment and Jobs Act, signed into law this week, is a once-in-a-generation, \$1.2 trillion investment to address America's vast infrastructure needs, protect and restore watershed resilience in the face of climate change, and enable the nation's green energy future. At Trout Unlimited, we worked diligently on a bipartisan basis to secure significant provisions in the bill that support our mission. With this memo, we are beginning the process of informing staff and volunteer leaders about program funding opportunities provided by the new law. This memo is in no way an exhaustive analysis of the 2,700 page bill, but rather a starting point to focus our attention on the opportunities it affords TU to develop and fund restoration projects.

The new law provides the opportunity to make investments in trout and salmon protection, recovery and restoration projects in virtually every corner of the nation's salmonid habitat. As we begin working on our shared Priority Waters under TU's new strategic plan, working with our agency partners to implement this legislation, and do it well, it will be a TU priority for years to come. If Congress also passes the Build Back Better plan, our work will be dramatically enhanced beyond the already incredible levels provided by the infrastructure act.

Opportunities such as these do NOT come around very often. We must work very hard to ensure we get every bit of conservation gain out of every dollar invested. We must assist the agencies in making good strategic choices about where they invest these dollars. We must provide them with the assistance they will need to fill the significant workload capacity gaps they face as a result of years of budgetary neglect. And critically, TU must bring forward compelling project proposals that deliver conservation benefits.

TU is well-positioned to help ensure that these funds are put to the best and highest use. Today, we leverage \$30 million annually in federal and state funding to complete projects on the ground and in the nation's rivers and streams. With our science-based restoration priorities and our deep partnerships with the natural resource agencies, we intend to see that these funds support projects that help deliver transformational results for fish, habitat and people. From the Maine salmon rivers, to the Klamath and Colorado River basins, to the Delaware River and the Great Lakes watersheds, we have unprecedented opportunities to protect the future of these critical resources and the many communities that depend on them.

Topline Summary

- An unprecedented investment of \$1.2 trillion in total spending over five years. This represents a significant infusion of federal funding for U.S. public works across various agencies.
- Several important reauthorizing measures: Title IV of the Abandoned Mine Land Fund, the Surface Transportation Reauthorization Act of 2021 ([S. 1931](#)), the Surface Transportation Investment Act ([S. 2016](#)), the Drinking Water and Wastewater Infrastructure Act ([S. 914](#)), the Energy Infrastructure Act ([S. 2377](#)), and the Sport Fish Restoration and Boating Trust [Fund](#), among others.

TU Provisions of Interest

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

- **Delaware River Basin** - \$26 million for restoration projects.
- **Klamath Basin** - \$162 million for restoration projects.
- **National Fish Passage Program** - \$200 million for restoring fish and wildlife passage by removing in-stream barriers and providing technical assistance.

Bureau of Reclamation

\$8.3 billion to improve western water infrastructure, including funds for water storage; rehabilitation of aging infrastructure; rural water projects; water recycling and reuse programs; water desalination research; and other programs to improve access to clean water. Highlights:

- **Aging infrastructure** - \$3.2 billion for rehabilitation and replacement activities; \$100 million for irrigation works that have suffered a critical failure and \$100 million for dam rehabilitation, reconstruction or replacement.
- **Drought Contingency Plan** - \$300 million for Colorado River Basin plan implementation, including \$50 million for Upper Basin states.
- **WaterSMART Water and Energy Efficiency Grants** - \$400 million, including \$100 million for natural or nature-based features.
- **Cooperative Watershed Management Program** - \$100 million for watershed planning and project development in partnership with a watershed group. Eligible projects include projects that enhance water conservation; improve water quality; and bolster ecological resiliency by providing benefits to fisheries, wildlife or habitat, or reducing the potential for water conflicts.
- **Aquatic ecosystem restoration and protection** - \$250 million for fish passage improvements and aquatic habitat enhancement, including removal of dams or other aging infrastructure if the project maintains water security and is supported by a broad multi-stakeholder group.
- **Multi-benefit projects to improve watershed health** - \$100 million for a new competitive grant program for the “design, implementation, and monitoring of conservation outcomes of habitat

restoration projects that improve watershed health in river basins impacted by BOR water projects.”

Office of Surface Mining Reclamation and Enforcement

- **Abandoned Mine Land Reclamation Fund reauthorization** – The AML Fund mechanism is reauthorized for additional 13 years; \$11.29 billion deposited into the fund from general Treasury dollars to substantially increase the pace and scale of cleanup of abandoned coal mines in coal mining states. TU, states and watershed groups have used this funding extensively over the past 15 years to clean up pollution from abandoned mines, resulting in substantial water quality improvements in coal country.

Bureau of Land Management

- **Hardrock AML Fund authorization** - A dedicated fund, authorized for the first time at a \$3 billion level, for cleaning up hardrock abandoned mine sites, with 50 percent dedicated to grants to states and tribes, and 50 percent dedicated to AML cleanup on federal lands. While Congress must still appropriate the funds for the program, establishment of this new program increases the likelihood that substantial funding will be allocated by Congress in future years.

DEPARTMENT OF AGRICULTURE

Forest Service

- **Legacy Roads and Trails Program (LRT)** - \$250 million for the LRT program, which supports culvert replacements, moving roads out of riparian areas, and decommissioning obsolete roads.
- **Wildfire Risk Reduction** - \$3.37 billion for projects to reduce wildfire risks, including \$100 million for the Collaborative Forest Landscape Restoration Program.
- **Forest Service Dam Removals** - \$10 million for the removal of obsolete, non-powered Forest Service dams and for dam removal technical assistance.
- **Joint Chiefs** - \$450 million, jointly administered by the chiefs of the Natural Resources Conservation Service and the Forest Service, to improve the health and resilience of forest landscapes across the National Forest System and adjacent State, Tribal, and private lands.
- **Ecosystem Restoration** - \$2.13 billion, including the following investments:
 - \$80 million to establish a **collaborative, aquatic-focused, landscape-scale Aquatic Restoration Program** to restore fish passage or improve water quality on federal and non-federal land through voluntary, cooperative agreements with willing parties;
 - \$300 million for **stewardship contracts** or agreements to restore ecological health on at least 10,000 acres of federal land per agreement;
 - \$400 million to provide grants to states, territories, and tribes for implementing **voluntary ecosystem restoration projects on private or public land**; cross-boundary projects are prioritized.

Natural Resources Conservation Service (NRCS)

- **PL-566 (Watershed and Flood Prevention Operations Program)** - \$500 million for irrigation infrastructure that provide river benefits and / or watershed restoration with at least 20 percent agriculture land benefits; NRCS-approved Watershed Plan is required for projects.

- **Emergency Watershed Program** - \$300 million for post-flood or fire emergency repair and rehabilitation.

NOAA / NATIONAL MARINE FISHERIES SERVICE (NMFS)

- **Fish Passage Barrier Removal Grants** - \$400 million for removing instream barriers and providing technical assistance for restoring fish passage through NOAA Community Based Restoration Grant Program; 15 percent is set aside for tribes and tribal partnerships
- **Pacific Coastal Salmon Recovery Fund** - \$172 million to a competitive grants program for the purpose of reversing the decline of West Coast salmon and steelhead.
- **Office of Habitat Restoration** - \$491 million for contracts, grants, and cooperative agreements to provide funding and technical assistance for purposes of restoring marine, estuarine, coastal, or Great Lakes ecosystem habitat, or constructing or protecting ecological features that protect coastal communities from flooding or coastal storms.

ENVIRONMENTAL PROTECTION AGENCY

Regional Restoration Programs

- **Great Lakes Restoration Initiative** - \$1 billion
- **Chesapeake Bay** - \$238 million
- **Columbia River Basin** - \$79 million
- **Puget Sound** - \$89 million
- **Lake Champlain** – \$40 million
- **Pacific Northwest** - \$4 million

Clean Water State Revolving Fund (SRF) - \$11.713 billion for the SRF program, which funds municipal water pollution treatment facilities, estuary restoration, stormwater management, and more. This program directly improves water quality and fish habitat

DEPARTMENT OF TRANSPORTATION

- **National Culvert Removal, Replacement and Restoration Grant Program** - \$1 billion to provide grants to states, local governments and tribes to address anadromous fish passage. The program will fund removal, replacement, and restoration of culverts to address the flow of water through roads, bridges, railroad tracks, and trails. Also provides funding to address certain freshwater impacts to marine fish and shellfish species. Competitive grant program will be administered by Transportation in close consultation with NOAA and FWS.
- **Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program (PROTECT program)** - \$1.4 Billion formula-based allocation to states. Establishes new competitive grant program to provide grants for resilience improvements to specific categories of infrastructure, including natural infrastructure that protects and enhances surface transportation assets while improving ecosystem conditions. Eligible projects include culverts that ensure adequate flows in rivers and estuarine systems.

FEDERAL EMERGENCY MANAGEMENT AGENCY

- **Dam Safety** - \$725 million for dam-safety activities through FEMA's National Dam Safety Program, including grants to states and \$75 million for removal of high-hazard dams with consent of dam owner.
- **Building Resilient Infrastructure and Communities (BRIC) Program** - \$1 billion for the BRIC program, which supports pre-disaster and hazard-mitigation activities by states, territories, tribal governments and local communities.
- **Flood Mitigation Assistance Program** - \$3.5 billion for financial and technical assistance to states and communities to reduce the risk of flood damage to homes and businesses through buyouts, elevation and other activities.

U.S. ARMY CORPS OF ENGINEERS

- **Aquatic Ecosystem Restoration Program** - \$115 million for barrier removal and related technical assistance

DEPARTMENT OF ENERGY

- **Hydropower Resilience, Dam Safety and Environmental Improvements** - \$533 million in funding and policy language to support voluntary investments in dam safety, environmental enhancements and grid resiliency at existing hydropower facilities.

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