



Matthew McKenna, mmckenna@nemw.org
 Director, Great Lakes Washington Program

House [Energy and Water Appropriations Bill](#) and [Report](#)

The House Appropriations Committee approved a FY2019 Energy and Water Appropriations on Wednesday, May 16. The bill includes \$44.7 billion overall for the Department of Energy (DOE), U.S. Army Corps of Engineers (USACE), and some programs within the Department of Interior, which is \$1.5 billion above the FY2018 enacted level and \$8.17 billion above the President’s budget request. More specifically, the bill includes \$7.28 billion for the USACE, which is \$451 million above the current federal spending on the Corps and \$30.2 billion for DOE, a decrease of \$4.4 billion from current levels. The following is a brief breakdown of key accounts and provisions within the bill.

Program (funding levels in millions of dollars)	FY16	FY17	FY18	FY19 POTUS Request	FY19 House
Electricity Delivery & Energy Reliability	206	230	248	157 ¹	321 ¹
Energy Efficiency & Renewable Energy	2,073	2,090	2,322	1,383	2,079
Weatherization Assistance Program	215	225	248	0	248
State Energy Program	50	50	55	0	55
Energy Information Administration	122	122	125	115	125
Advanced Manufacturing Office	228.5	257.5	305	167	260
Building Technologies Program	200.5	67.5	221	121	180
Environmental Management Program Upper Mississippi River	19.8	20	33.2	33.2	33.2
Mississippi River and Tributaries	345	363	425	245	430
Harbor Maintenance Trust Fund	1,254	1,300	1,400	965	1,600
Great Lakes and Mississippi River Interbasin Study	1	2.6	1.85	.2	.2

Other notable funding and provisions:

Army Corps of Engineers

Clean Water Act

The House Report includes language repealing the Waters of the United States rule.

Asian Carp

The House Report directs the Secretary of the Army, acting through the Chief of Engineers, shall make every effort to submit to Congress the Report of the Chief of Engineers for the Brandon Road feasibility study according to the original published schedule of February 2019. The Corps is directed to provide

¹ The President's FY19 budget proposes to split the Electricity Delivery and Energy Reliability account into two accounts to increase focus on grid reliability (Electricity Delivery) and cybersecurity (CESER). This number reflects both accounts.

quarterly updates to the Committees on Appropriations of both Houses of Congress on the progress and status of efforts to prevent the further spread of Asian carp as well as the location and density of carp populations, including the use of emergency procedures. The Corps shall continue to collaborate with the U.S. Coast Guard, the U.S. Fish and Wildlife Service, the State of Illinois, and members of the Asian Carp Regional Coordinating Committee to identify and evaluate whether navigation protocols would be beneficial or effective in reducing the risk of vessels inadvertently carrying aquatic invasive species, including Asian carp, through the Brandon Road Lock and Dam in Joliet, Illinois. Any findings of such an evaluation shall be included in the quarterly briefings to the Committees. The Corps is further directed to implement protocols shown to be effective at reducing the risk of entrainment without jeopardizing the safety of vessels and crews. The Corps and other federal and state agencies are conducting ongoing research on potential solutions.

Aging Waterway Infrastructure

The House Report includes language that recognizes the extraordinary implications to the local, regional, and national economy, as well as national security due to aging waterway infrastructure. The Committee urges the Corps to complete feasibility studies for ongoing deep draft lock modernization or replacement projects. In these studies, the Corps is encouraged to include national and regional economic analyses, taking into account the unique movement of the commodities and the value-added in the supply chain.

Navigation Maintenance on Great Lakes Navigation System

The House Report includes funding for individual projects within this System that exceeds the funding level envisioned in section 210(d)(1)(B)(ii) of WRDA 1986.

Chicago Sanitary and Ship Canal Dispersal Barrier (Operations and Maintenance)

The House Report includes \$18.92 million for the operation and maintenance of the electric fish barrier at the Chicago Sanitary and Ship Canal for FY2019, level with the President's request.

Disposal of Dredged Sediment

The House Report prohibits the use of funds for open lake placement of dredged materials in Lake Erie.

New Starts

The House Report recommends six new study starts and up to two new construction starts to be distributed across the three main mission areas of the USACE. Of the new study starts, one shall be for a navigation project, one shall be for a flood and storm damage reduction project, three shall be for additional navigation or flood and storm damage reduction studies, and one shall be for an environmental restoration study. The USACE is directed to propose a single group of new starts as a part of the work plan, which cannot be changed or substituted once the work plan has been provided to the Appropriations Committee.

Aquatic Plant Control Program

The House Report includes \$5,000,000 for watercraft inspection stations, as authorized by section 1039 of the Water Resources Reform and Development Act of 2014, and \$1,000,000 is for related monitoring.

Aquatic Nuisance Research Program

The House Report encourages the Corps to support research that will identify and develop improved strategies for early detection, prevention, and management techniques and procedures to reduce the occurrence and impacts of harmful algal blooms in our nation's water resources.

Continuing Authorities Program (CAP)

The House Report supports all sections of the Continuing Authorities Program. Funding is provided for eight CAP sections at a total of \$72,000,000. This program provides a useful tool for the Corps to undertake small localized projects without the lengthy study and authorization process typical of larger Corps projects. The management of the Continuing Authorities Program should continue consistent with direction provided in previous fiscal years.

Beneficial Use of Dredged Material Pilot Program

The House Report supports implementation of the pilot program authorized in section 1122 of the WIIN Act. To date, the Corps has not identified how these pilots would be funded, however. Therefore, the Corps is directed to fund these pilots, if otherwise competitive, under the CAP section 204 line item and the applicable additional funding line items in this account. The Corps shall not use Operation and Maintenance funds provided or allocated to the projects from which the dredged material is generated for costs beyond the costs of the Federal Standard. The Corps shall brief the Committees on Appropriations of both Houses of Congress not later than 60 days after the enactment of this Act on the selection of pilot projects, as well as the planned activities and cost estimates for each selected pilot project.

Passaic River Basin Mainstem, New Jersey (Investigations)

The House Report acknowledges that flooding has long been a problem in the Passaic River Basin. The Committee encourages the Corps to continue to work in coordination with the non-federal sponsor on plans to reduce flooding in the basin, including the reevaluation of the Passaic River Basin Mainstem project. The Corps is directed to brief the Committee not later than 30 days after the enactment of this Act on the current status of this project.

Peckman River, New Jersey (Investigations)

The House report acknowledges repeated delays with the Peckman River Feasibility Study. The Corps is directed to provide to the Committee quarterly briefings on the current schedule to bring this study to completion, with the first briefing to occur not later than 30 days after the enactment of this Act.

Rahway River Basin (Upper Basin), New Jersey (Investigations)

The House Report acknowledges extended delays with the Rahway River Basin Flood Risk Management Feasibility Study where flooding is of acute concern to the affected communities. The Committee encourages the Corps to continue to work with the non-federal sponsor on plans to reduce flooding caused by the Rahway River in affected areas. The Corps is directed to provide to the Committee quarterly briefings on the current schedule to bring this study to completion, with the first briefing to occur not later than 30 days after the enactment of this Act.

Impacts on Oyster Reefs (Investigations)

The House Report supports Corps efforts, when conducting or reviewing environmental assessments or environmental impact statements for navigation or coastal restoration projects in areas where oyster reefs exist, to consider water quality and salinity impacts on those reefs and, when appropriate, to mitigate any negative impacts.

Upper Mississippi River-Illinois Waterway System (Investigations)

The House Report states that beginning in 2005, more than \$59,000,000 in appropriated funds have been allocated for preconstruction engineering and design of improved locks and ecosystem restoration throughout the Upper Mississippi and Illinois Rivers for measures authorized in Title VIII of the Water

Resources Development Act of 2007. Unfortunately, the Corps has determined that a Level 3 Economic Re-Evaluation Report (ERR) shall occur before PED can continue. While the Committee disagrees with this conclusion, if the Corps decides to fund such an ERR, the Committee encourages the Corps to complete it not later than January 1, 2020, so that PED can resume in a timely fashion.

Upper Des Plaines River and Tributaries Project (Investigations)

The House Report states that the Committee is aware that the project area was flooded with record high crests overflowing the Des Plaines River last summer, resulting in damage to more than 3,200 residences. The Committee urges the Corps to cooperate with the non-federal sponsor as it prepares advance work on a number of flood features under Section 204 of the Water Resources Development Act of 1986, as amended.

Chesapeake Bay Oyster Recovery, Maryland and Virginia (Construction)

The House Report urges the Corps to consider species selection for disease resistance and survivability as part of oyster recovery in the Chesapeake Bay and to support development of substrate as a substitute for oyster shell, including competitively awarded contracts for research and development, as appropriate.

New Jersey and New York Harbor Deepening Project (Construction)

The Committee is encouraged by the work of the Corps and its local partners to bring the construction of the New Jersey and New York Harbor Deepening Project to completion. This project of national significance is an example of how the Corps and its partners can work together to enhance our national economy.

Department of Energy

Vehicle Technologies

The House Report includes \$130,000,000 for Batteries and Electric Drive Technology, of which \$7,000,000 is to enable extreme fast charging and advanced battery analytics; \$25,000,000 for Energy Efficient Mobility Systems; \$25,000,000 for Materials Technology; \$2,500,000 for Advanced Vehicle Competitions; and \$20,000,000 to continue the SuperTruck II program to further improve the efficiency of heavyduty class 8 long- and regional-haul vehicles. The Committee also supports research and development to lower the cost of batteries for electric vehicles through cobalt-free materials and roll-to-roll manufacturing.

Clean Cities

The House Report directs DOE to continue to support the Clean Cities program, including providing competitive grants to support alternative fuel, infrastructure, and vehicle deployment activities. Within available funds, the recommendation provides \$34,000,000 for Deployment through the Clean Cities Program. When issuing competitive grants in support of these activities, the Department is encouraged to focus on awards that range from \$500,000 to \$1,000,000 each and include at least one Clean Cities coalition partner. The Committee encourages the Department to ensure balance in the award of funds to achieve varied aims in fostering broader adoption of clean vehicles and installation of supporting infrastructure.

Advanced Manufacturing

The House Report includes \$80,000,000 for Advanced Manufacturing Research and Development Projects; not less than \$4,205,000 for improvements in the steel industry; \$20,000,000 for process

informed science, design, and engineering of materials and devices operating in harsh environments; \$5,000,000 for research into the materials and manufacturing process development of high-strength, light-weight nano-crystalline metal alloys; and \$5,000,000 for process-informed catalyst science to direct chemical reactions in fullscale industrial manufacturing processes and to develop new industrial product applications.

The House Report provides \$56,000,000 for four Clean Energy Manufacturing Innovation (CEMI) Institutes, \$25,000,000 for the Critical Materials Institute, and \$20,000,000 for the Manufacturing Demonstration Facility (MDF) and the Carbon Fiber Test Facility. Within available funds for the MDF, up to \$5,000,000 is for the development of additive systems and automation technologies that have the potential to deposit multiple materials allowing for hybrid material solutions. In addition, the Committee supports the Department's ongoing efforts to work on bio-based composites, bio-derived materials, and nano/microcellulose research. The Committee supports the budget request for Research and Development Consortia to conduct early-stage research and development in high priority areas and also supports early-stage research in materials, process knowledge, and applications of modeling and simulation relevant to energy in manufacturing. The recommendation provides no funding for the Energy-Water Desalination Hub.

ARPA-E

The House Report includes \$325 million for the Advanced Research Projects Agency-Energy (ARPA-E), which is a \$28 million decrease from FY18. Projects funded by ARPA-E include such wide-ranging areas as production processes for transportation fuel alternatives that can reduce our dependence on imported oil, heating and cooling technologies with exceptionally high energy efficiency, and improvements in petroleum refining processes.

Northeast Home Heating Oil Reserve

The House Report includes \$10 million for the Northeast Home Heating Oil Reserve, which is \$3.5 million more than what was requested by the President and appropriated in FY18. The purpose of the reserve is to assure home heating oil supplies for the Northeastern States during times of very low inventories and significant threats to the immediate supply of heating oil.