

118TH CONGRESS
2D SESSION

H. R. 8579

To amend the Federal Water Pollution Control Act to direct the Administrator of the Environmental Protection Agency to carry out further improvement of Onondaga Lake, New York, and for the purposes of integrating research, education, planning and restoration of the watershed.

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2024

Mr. WILLIAMS of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to direct the Administrator of the Environmental Protection Agency to carry out further improvement of Onondaga Lake, New York, and for the purposes of integrating research, education, planning and restoration of the watershed.

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 “Onondaga Lake Water-
5 shed Improvement Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that the recovery of Onon-
3 daga Lake is of National importance.

4 **SEC. 3. ONONDAGA LAKE, NEW YORK.**

5 (a) MANAGEMENT ACTIVITIES.—Title I of the Fed-
6 eral Water Pollution Control Act (33 U.S.C. 1251 et seq.)
7 is amended by adding at the end the following:

8 **“SEC. 127. ONONDAGA LAKE, NEW YORK.**

9 “(a) MANAGEMENT ACTIVITIES.—

10 “(1) ESTABLISHMENT OF ONONDAGA LAKE WA-
11 TERSHED COUNCIL.—The Administrator shall estab-
12 lish a council, to be known as the ‘Onondaga Lake
13 Watershed Council’, to develop a plan, to be known
14 as the ‘Adaptive Management Plan’, consistent with
15 the Onondaga Lake Management Plan, for further
16 improvement of Onondaga Lake.

17 “(2) IMPLEMENTATION OF ADAPTIVE MANAGE-
18 MENT PLAN.—The Administrator shall cooperate
19 with Federal and State agencies to carry out the
20 recommendations of the Adaptive Management Plan,
21 and such recommendations shall be carried out—

22 “(A) in consultation with the Onondaga
23 Lake Watershed Council; and

24 “(B) with the participation of the public,
25 including the Onondaga Nation, Federal, State,
26 and local governmental entities, and any other

1 entities that may be affected by activities car-
2 ried out under this section.

3 “(b) ONONDAGA LAKE WATERSHED COUNCIL.—

4 “(1) DUTIES.—

5 “(A) DEVELOPMENT OF ADAPTIVE MAN-
6 AGEMENT PLAN.—The Onondaga Lake Water-
7 shed Council shall develop and periodically re-
8 vise the Adaptive Management Plan in con-
9 sultation with the Onondaga Lake Scientific
10 Center established under subsection (d).

11 “(B) ESTABLISHMENT OF PROGRAM FOR
12 PUBLIC PARTICIPATION.—The Onondaga Lake
13 Watershed Council shall establish and carry out
14 a comprehensive, inclusive, and ongoing pro-
15 gram for participation of the public, including
16 the Onondaga Nation, Federal, State, and local
17 governmental entities, and any other entities
18 that may be affected by activities under this
19 section, in the development and revision of the
20 Adaptive Management Plan under subpara-
21 graph (A).

22 “(2) MEMBERSHIP.—

23 “(A) IN GENERAL.—The Onondaga Lake
24 Watershed Council shall consist of the following
25 members:

1 “(i) The Administrator.

2 “(ii) The Secretary of the Army.

3 “(iii) The head of any other interested
4 Federal department of agency, as deter-
5 mined by the Administrator.

6 “(iv) A representative of the Governor
7 of the State of New York.

8 “(v) A representative of the Attorney
9 General.

10 “(vi) A representative designated by
11 the Onondaga Nation Council of Chiefs.

12 “(vii) A representative designated by
13 the County Executive of Onondaga County,
14 New York.

15 “(viii) A representative designated by
16 the mayor of the City of Syracuse, New
17 York.

18 “(B) EX OFFICIO MEMBERSHIP.—The On-
19 ondaga Lake Watershed Council shall consist of
20 the following ex officio, nonvoting members:

21 “(i) The Senators from the State of
22 New York.

23 “(ii) Each Member of the House of
24 Representatives whose congressional dis-

1 trict is located all or partially within the
2 Onondaga Lake watershed.

3 “(iii) Each member of the New York
4 State Legislature whose district is located
5 all or partially within the Onondaga Lake
6 watershed.

7 “(iv) Other members as the Adminis-
8 trator determines appropriate.

9 “(C) DESIGNEES.—Any member of the
10 Onondaga Lake Watershed Council specified in
11 clauses (i) through (iv) of subparagraph (A) or
12 in subparagraph (B) may appoint a designee to
13 serve in place of the member on the Council.

14 “(3) COMMITTEES.—

15 “(A) ESTABLISHMENT.—The Onondaga
16 Lake Watershed Council shall adopt bylaws
17 providing for the establishment of standing
18 committees including the following:

19 “(i) A Public Participation Com-
20 mittee.

21 “(ii) A Science and Engineering Com-
22 mittee, which shall include representatives
23 of the member institutions of the Onon-
24 daga Lake Science Center established
25 under subsection (d).

1 “(B) APPOINTMENT.—The Onondaga
2 Lake Watershed Council shall appoint members
3 to each committee described in subparagraph
4 (A).

5 “(c) ADAPTIVE MANAGEMENT PLAN.—

6 “(1) IDENTIFICATION OF GOALS.—In devel-
7 oping the Adaptive Management Plan under this
8 section, the Onondaga Lake Watershed Council shall
9 identify measurable goals for—

10 “(A) the further restoration, conservation,
11 and management of Onondaga Lake; and

12 “(B) compliance with all provisions of law
13 affecting the further restoration and conserva-
14 tion of Onondaga Lake, including the water
15 quality standards established for Onondaga
16 Lake (including total maximum daily loads es-
17 tablished under section 303(d)(C)) and the
18 Amended Consent Judgment and all effluent
19 limitations therein (or otherwise promulgated
20 under this Act).

21 “(2) RECOMMENDATION OF STRATEGIES.—To
22 achieve the goals identified under paragraph (1), the
23 Onondaga Lake Watershed Council shall incorporate
24 and specify the recommendations of the Onondaga
25 Lake Management Plan in the Adaptive Manage-

1 ment Plan and recommend strategies for manage-
2 ment of—

3 “(A) the biological and chemical makeup
4 and structural attributes of Onondaga Lake;
5 and

6 “(B) the use of Onondaga Lake for edu-
7 cational, recreational, and other purposes.

8 “(3) COORDINATION WITH OTHER ACTIVI-
9 TIES.—The strategies recommended under para-
10 graph (2) shall provide for coordination with all
11 other activities to further restore or conserve, or oth-
12 erwise affecting the restoration or conservation of,
13 Onondaga Lake, including ongoing public participa-
14 tion activities, scientific and engineering activities,
15 and other activities carried out under Federal, State,
16 or local law.

17 “(4) ONGOING EVALUATION OF STRATEGIES.—
18 To evaluate the effectiveness of the strategies rec-
19 ommended under paragraph (2) in achieving the
20 goals identified under paragraph (1), the Onondaga
21 Lake Watershed Council shall—

22 “(A) identify a specific, integrated sci-
23 entific and engineering program, which may in-
24 clude monitoring, process studies, and mod-
25 eling, by which the Council may make such

1 evaluation, and provide for the periodic revision
2 of such program to achieve such goals;

3 “(B) establish and implement the inte-
4 grated scientific and engineering program iden-
5 tified under subparagraph (A); and

6 “(C) provide for the periodic evaluation of
7 the information provided by such program.

8 “(5) APPROVAL.—

9 “(A) IN GENERAL.—The recommendations
10 of the Adaptive Management Plan shall not be
11 implemented under subsection (a)(2) before the
12 date on which the plan is approved by the Ad-
13 ministrator, in consultation with the Governor
14 of the State of New York.

15 “(B) TIMELINE.—The Administrator, after
16 providing an opportunity for public review and
17 comment, shall approve the Adaptive Manage-
18 ment Plan not later than 120 days after the
19 date on which such plan is developed if the
20 Adaptive Management Plan meets the require-
21 ments of this section.

22 “(6) EFFECT ON ONONDAGA LAKE MANAGE-
23 MENT PLAN.—This section shall not be construed to
24 interfere with any activity carried out under the On-
25 ondaga Lake Management Plan, or any other activ-

1 ity affecting the further restoration, conservation or
2 management of Onondaga Lake.

3 “(d) ONONDAGA LAKE SCIENTIFIC CENTER.—

4 “(1) ESTABLISHMENT.—The Onondaga Lake
5 Watershed Council shall establish and direct a cen-
6 ter to be known as the ‘Onondaga Lake Scientific
7 Center’.

8 “(2) DUTIES.—The Onondaga Lake Scientific
9 Center shall advise the Onondaga Lake Watershed
10 Council on—

11 “(A) development of benchmarks to accom-
12 plish the goals identified under subsection
13 (c)(1);

14 “(B) implementation of the strategies rec-
15 ommended under subsection (c)(2);

16 “(C) implementation of the integrated sci-
17 entific and engineering program under sub-
18 section (c)(4);

19 “(D) establishment of the program for
20 public participation described in subsection
21 (b)(1)(B); and

22 “(E) other matters concerning the develop-
23 ment and implementation of the Adaptive Man-
24 agement Plan under this section.

1 “(3) MEMBERSHIP.—The Onondaga Lake Sci-
2 entific Center shall consist of the following members:

3 “(A) The Administrator.

4 “(B) Non-Federal entities appointed by the
5 Onondaga Lake Watershed Council, including—

6 “(i) Syracuse University;

7 “(ii) the State University of New
8 York College of Environmental Science and
9 Forestry;

10 “(iii) the Onondaga Environmental
11 Institute; and

12 “(iv) other members as the Onondaga
13 Lake Watershed Council determines appro-
14 priate.

15 “(4) REPORTING.—The Onondaga Lake Sci-
16 entific Center shall submit to the Onondaga Lake
17 Watershed Council an annual report—

18 “(A) assessing the effectiveness of the
19 strategies recommended under subsection (c)(2)
20 in accomplishing the goals identified under sub-
21 section (c)(1);

22 “(B) recommending changes to manage-
23 ment and activities of the integrated scientific
24 and engineering program to accomplish the
25 goals identified under subsection (c)(1); and

1 “(C) recommending means for implementa-
2 tion of such changes.

3 “(e) GRANTS.—

4 “(1) IN GENERAL.—The Administrator, in con-
5 sultation with the Onondaga Lake Watershed Coun-
6 cil, may make grants to the State of New York, the
7 City of Syracuse, New York, Onondaga County, New
8 York, and the Onondaga Environmental Institute—

9 “(A) to implement the strategies rec-
10 ommended under section (c)(2);

11 “(B) for research, surveys, administrative
12 services, studies and elements of the integrated
13 scientific program; and

14 “(C) to gather data necessary to carry out
15 the objectives of this section.

16 “(2) CONDITIONS.—As a condition of receiving
17 a grant under this subsection, the Onondaga Envi-
18 ronmental Institute shall provide administrative
19 services for the development and implementation of
20 the Onondaga Lake Science Center and the Adaptive
21 Management Plan.

22 “(3) MATCHING REQUIREMENT.—

23 “(A) IN GENERAL.—The non-Federal
24 share of the cost of an activity carried out with

1 a grant under this subsection may not exceed
2 35 percent of the cost of such activity.

3 “(B) IN-KIND CONTRIBUTION.—The non-
4 Federal share required under this paragraph
5 shall be provided from non-Federal sources, and
6 may be satisfied through the provision of in-
7 kind services.

8 “(4) NO RELIEF FROM LIABILITY.—Grants
9 made under this subsection shall not relieve from li-
10 ability any person that would otherwise be liable
11 under Federal or State law for damages, response
12 costs, natural resource damages, restitution, equi-
13 table relief, or any other relief.

14 “(f) RELATIONSHIP TO OTHER LAWS.—

15 “(1) NO EFFECT ON FEDERAL OR STATE
16 LAW.—This section shall not be construed to alter,
17 modify, or otherwise affect any other provision of
18 Federal or State law or any responsibility assigned
19 thereunder, including—

20 “(A) this Act; or

21 “(B) a provision of law (including a provi-
22 sion of the Comprehensive Environmental Re-
23 sponse, Compensation, and Liability Act of
24 1980 (42 U.S.C. 9601 et seq.) or the New York
25 State Environmental Conservation Law) that

1 requires, and assigns responsibility for, the per-
2 formance of cleanup activities (including re-
3 sponse and removal activities) or other activities
4 affecting the restoration or conservation of On-
5 ondaga Lake.

6 “(2) NO EFFECT ON EXISTING LIABILITIES.—

7 This section shall not be construed to create or en-
8 large any liability that any party may have for nat-
9 ural resource damages under any provision of law.

10 “(g) DEFINITIONS.—In this section:

11 “(1) AMENDED CONSENT JUDGMENT.—The

12 term ‘Amended Consent Judgment’ means the
13 Amended Consent Judgment entered January 20,
14 1998, in the case of Atlantic States Legal
15 Foundation’ v. ‘The Onondaga County Department
16 of Drainage and Sanitation, Civil Action No. 88–
17 CV–0066, in the United States District Court for
18 the Northern District of New York, as amended.

19 “(2) ONONDAGA ENVIRONMENTAL INSTI-
20 TUTE.—The term ‘Onondaga Environmental Insti-
21 tute’ means the not-for-profit corporation established
22 pursuant to section 401(d)(1) of the Great Lakes
23 Critical Programs Act of 1990 (104 Stat. 3010) and
24 section 411(d)(1) of the Water Resources Develop-
25 ment Act of 1990 (104 Stat. 4648).

1 “(3) ONONDAGA LAKE.—The term ‘Onondaga
2 Lake’ means Onondaga Lake, New York and its wa-
3 tershed and tributaries.

4 “(4) ONONDAGA LAKE MANAGEMENT PLAN.—
5 The term ‘Onondaga Lake Management Plan’
6 means the plan—

7 “(A) developed pursuant to section
8 401(a)(1) of the Great Lakes Critical Programs
9 Act of 1990 (104 Stat. 3010) and 411(a)(1) of
10 the Water Resources Development Act of 1990
11 (104 Stat. 4648);

12 “(B) modified by the Amended Consent
13 Judgment; and

14 “(C) revised under section 573(c)(1) of the
15 Water Resources Development Act of 1999
16 (113 Stat. 372), as in effect on the day before
17 the date of the enactment of this Act.

18 “(h) AUTHORIZATION OF APPROPRIATIONS.—

19 “(1) IN GENERAL.—There are authorized to be
20 appropriated to the Administrator to carry out this
21 section \$10,000,000 each fiscal year, to remain
22 available until expended.

23 “(2) ADMINISTRATIVE EXPENSES.—The Ad-
24 ministrator may use amounts made available under

1 paragraph (1) for administrative expenses associated
2 with carrying out this section.”.

3 (b) WATER RESOURCES DEVELOPMENT ACT OF
4 1999.—Section 573 of the Water Resources Development
5 Act of 1999 (113 Stat. 372) is repealed. Such section 573,
6 as in effect on the day before the date of the enactment
7 of this Act, shall continue to apply to amounts appro-
8 priated before such date and made available to carry out
9 such section.

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