



CAWS-AIS Stakeholder Federal Update

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FY19 Energy and Water Appropriations Bill

Congress passed the FY19 E&W Appropriations bill that was signed into law by the President on 9/21/18 ([H.R. 5895](#)).

The Conference Report included the following provisions:

- The USACE is to make every effort to submit the completed Brandon Road Chief's Report to Congress by February 2019.
- Encourages the USACE to move expeditiously to the preconstruction engineering and design (PED) phase once feasibility is complete, including requesting sufficient funding in future budget submissions.
- Provide quarterly updates to Congressional Appropriators on:
 - Progress and status of efforts to prevent the spread of Asian carp;
 - Location and density of carp populations; and
 - The use of any emergency procedures.



FY 19 E&W (cont.)

- The continued collaboration between the USACE and the USCG, USFWS, Illinois, and the ACRCC to identify and evaluate whether navigation protocols could reduce the risk of vessels inadvertently carrying AIS through Brandon Road.
- USACE is directed to implement navigation protocols shown to be effective at reducing risk of entrainment, but without jeopardizing the safety of vessels and crews.
 - USACE is to brief Congressional Appropriators on protocols and solutions within 30 days of enactment of the bill.
- The bill also includes \$200,000 for the Interbasin Control of Great Lakes-Mississippi River Aquatic Nuisance Species, IL, IN, OH & WI (GLMRIS). This is the same amount that was requested by the Administration.

Pending Appropriations Bills

Congress has yet to approve a final FY19 Interior-Environment Appropriations bill (current CR expires on Friday, 12/21).

- House bill included \$10.4 million to the USFWS for Asian carp control in the Mississippi and Ohio River Basins and prevent them from entering and establishing in the Great Lakes.
 - \$2 million is to expand and perfect the combined use of contract fishing and deterrents to extirpate Asian carp, including grass carp.
- House bill included \$6.62 million to the USGS for Asian carp control.
 - \$1 million for research on Asian grass carp to contain or eradicate them.
- Senate bill included \$11 million to the USFWS for Asian carp activities.
 - Funding should be used to control Asian carp in the Mississippi and Ohio River Basins and USFWS should consider the utility of creating a dedicated funding source to increase the intensity and geographic scope of efforts to prevent entry into the Great Lakes.
- Senate bill included \$5.62 million to the USGS for Asian Carp activities in the Great Lakes and Upper Mississippi River (current base funding).

America's Water Infrastructure Act

Congress passed [S. 3021](#), America's Water Infrastructure Act (WRDA was attached to this legislation), which was signed by the President on 10/23/18.

- The final bill includes the following language addressing the “Feasibility of Chicago Sanitary and Ship Canal Dispersal Barriers Project, Illinois (Section 1142), which:
 - Clarifies that operation and maintenance of any project authorized under the Chief's Report for the Brandon Road Study is done at an 80/20 Federal/non-Federal cost share;
 - Requires that the Corps, following construction of any project authorized under the Chief's Report for the Brandon Road Study, to consult with the governor of the state where the project is located.
- The final bill does not contain language that was originally approved by the House earlier in the year that would require Congressional approval to add new technologies onto an existing projects.
- Directs the USACE to undertake research on the management and eradication of aquatic invasive species, including Asian carp (Aquatic Invasive Species Research, Sec. 1108).