

GILA RIVER, NEW MEXICO
MASON CUMMINGS

American Rivers:

STATE POLICY PLATFORM

2026

Introduction

The United States is a nation of rivers. Clean water is one of the country's greatest sources of national wealth. It is essential to our health, our well-being, our economic growth, and our national security. It is no surprise then that over many years, polling has consistently indicated that clean water is the top conservation concern for Americans.[1] At the same time, our water wealth has never faced greater threats. Dams are failing, infrastructure is crumbling, communities are flooding more frequently, and drinking water costs are increasing as our rivers are impacted by pollution and sewage overflows.

Despite this, federal oversight, enforcement, and funding on water-related issues have vacillated profoundly with each presidency. In addition, recent Supreme Court rulings, including *Sackett v. EPA* and *San Francisco v. EPA*, have significantly narrowed federal jurisdiction and enforcement authority under the Clean Water Act. As a result, federal agencies are less equipped to consistently safeguard waters of the United States, with direct implications for communities that rely on these shared resources. The responsibility for water protection is now considerably more reliant on the states. Numerous states do not have the proper funding, legislation, and/or enforcement for their respective bodies of water. The state of our water infrastructure and the lack of legislation and funding needed for our waters and rivers jeopardize America's ability to continue as a world leader.

For these reasons, American Rivers has constructed a state policy platform to support state legislators in implementing policies and funding that protect wild rivers, restore damaged rivers, and conserve clean water for people and nature. To complement this policy platform, American Rivers has collected model policies, bills, and ballots that have been adopted from Pennsylvania to Michigan and from Texas to Washington. This collection of policy language reflects regional priorities and can be tailored to best align with each state's needs and political and cultural context.

American Rivers has additional resources and stands ready to support legislators across the country in passing legislation that will make every river clean and healthy for people and wildlife.



MISSISSIPPI AND ILLINOIS RIVERS, ILLINOIS
MITCH PAINE PHOTOGRAPHY

[1] Bucci, Sarah. *Polling: water messages that bridge divides.* Water Hub. 10 April 2025, https://waterhub.org/polling-water-messages-that-bridge-divides/

State policy platform

ENSURE ADEQUATE STAFFING OF WATER- AND RIVER-RELEVANT STATE AGENCIES

- To protect a state's water resources, water-related agencies need to be fully staffed. Staff are needed in natural resources, environmental protection, fishing and boating, water infrastructure, emergency management, and transportation agencies, among others, to ensure that communities have clean water in their taps and their rivers, and safe and appropriate infrastructure. Adequate staffing also enables the timely development and processing of permits. In some instances, new agencies can be helpful in achieving a state's river and water goals. For example, the Massachusetts Division of Ecological Restoration was established around 2010 to develop, manage, and provide technical assistance for dam removals, culvert replacements, and other river restoration projects.
    - Examples of adequate staffing include dam safety offices that are able to enforce dam safety actions and state natural resources departments that are equipped to evaluate river infrastructure that they own for possible removal. In addition, State floodplain and emergency management agencies need adequate staffing to provide technical support to local communities; acquire, manage, and distribute state and federal funding; manage grants and large capital projects; and respond to and recover from a disaster. Furthermore, establishing state task forces or partnership teams can help engage state staff on conservation issues in the most efficient ways.

PROVIDE SUFFICIENT, EFFICIENT, AND SUSTAINED FUNDING

- Funding is the backbone for any river-related, on-the-ground project. The American Society of Civil Engineers states in its "2025: Report Card for America's Infrastructure" that the funding gap for federal investment in infrastructure is behind by approximately 40%, including infrastructure priorities like drinking water, flood risk reduction, and stormwater.[2] Funding needs are an investment in the state or community, and the long-term benefits far outweigh the cost in dollars and lives saved. For example, the U.S. Chamber of Commerce report on the economic benefits of disaster preparedness found that every $1 invested in resilience and disaster preparation saves $13 in economic impact, damage, and cleanup after the event.[3]
- State funding programs have never been more needed, and states can ensure efficient and equitable distribution of funding by a) supporting all phases of locally prioritized projects (e.g., capacity building, education and outreach, planning, implementation, and monitoring), b) incentivizing nature-based approaches, c) expanding eligibility criteria to cover multiple benefits, and d) reducing match requirements and administrative burdens. Lower-income and overburdened communities benefit from these policies, as well as from statutory or policy requirements that require collaboration or set percentages for awarding funds to communities.
- State funding should incentivize durable investments. For example, the bipartisan Virginia Community Flood Preparedness Fund (CFPF) evaluates project Type, Scale, and Lifespan.[4] As a

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[2] American Society of Civil Engineers. (2025). 2025 *Infrastructure Report Card.* [Annual Report]. infrastructurereportcard.org/wp-content/uploads/2025/03/Full-Report-2025-Natl-IRC-WEB.pdf

[3] U.S. Chamber of Commerce. Allstate. U.S. Chamber of Commerce Foundation. (2024). The Preparedness Payoff: The Economic Benefits of Investing in Climate Resilience. https://www.uschamber.com/assets/documents/USCC_2024_Allstate_Climate_Resiliency_Report.pdf

[4] Virginia Community Flood Preparedness Fund issue brief: *Georgetown Climate Center*, https://www.georgetownclimate.org/articles/issuebrief-virginia-community-flood-preparedness-fund.html

result, land acquisition and nature-based solutions that provide permanent or long-term benefits across large areas are prioritized. This drives communities to develop comprehensive long-term solutions rather than conventional engineering products.

- States can secure funding via various approaches, including state legislation, state appropriations, ballot initiatives (bonds and levies), and tax revenue allocations; and revenue can be generated in many forms, such as capital funds, agency budgets, grant programs, license plate funds, mitigation funds, sales and use tax, carbon mitigation markets, real estate taxes, natural resources damages funds, lottery funds, or state matches for federal funds.



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- **Examples of state investments in watershed projects include:**
  - WA Floodplains by Design Program: $359 million on multi-benefit projects. Restored 11,374 acres. Saved ~$2 billion in disaster recovery[5]
  - NY Resilient NY and Resilient Watersheds Grant program: $1.1 billion from 2022 Prop 1 bond to map, model, and develop 48 projects[6]
  - MN One Watershed, One Plan Program: $3.2 billion on local capacity building, planning, and implementation in 90% of state watersheds[7]
  - VA Community Flood Preparedness Fund (CFPF): $200+ million to 218 projects since 2020—supported by Republicans and Democrats[8]
  - SC Office of Resilience: two resilience and disaster funds used for buyouts and floodplain restoration protected 7,614 acres[9]
  - H2Ohio program: awarded 586 grants totaling $400+ million, enabling 3,200 ag agreements and 19,007 acres of habitat restoration[10]
  - TX Flood Infrastructure Fund (FIF): $669 million committed for 140 projects and will see a significant infusion due to 2025 Prop 4 passage[11]

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[5] Floodplains by Design: https://floodplainsbydesign.org/

[6] Resilient NY – Water Quantity: *New York State Department of Environmental Conservation*, https://dec.ny.gov/environmental-protection/water/water-quantity/resilient-ny#rwg

[7] One Watershed One Plan: *Minnesota Board of Water and Soil Resources*, https://bwsr.state.mn.us/one-watershed-one-plan

[8] Virginia Community Flood Preparedness Fund – Dam Safety and Floodplain Management: *Virginia Department of Conservation and Recreation*, https://www.dcr.virginia.gov/dam-safety-and-floodplains/dsfpm-cfpf

[9] South Carolina Statewide Flood Risk Reduction Plan – Progress: *South Carolina Office of Resilience*, https://scor.sc.gov/SSRRRP/Progress

[10] Ohio Water Development Authority Annual Reports: *H2Ohio/Ohio Water Development Authority*, https://h2.ohio.gov/track-our-progress/annual-reports/annual-reports

[11] Texas Water Development Board – Flood Infrastructure Fund: https://www.twdb.texas.gov/financial/programs/fif/index.asp

STIMULATE PUBLIC-PRIVATE PARTNERSHIPS

- Stimulating partnerships between public and private stakeholders can help prevent isolation between institutions that rely on a river's resources and leverage diverse partners' unique strengths and authorities to advance work. Public agencies often hold unique regulatory, taxing, and decision-making authority, but can be rigid and bureaucratic. Private entities often don't have the same constraints and generate revenue from diverse and potentially more flexible sources, so they can be nimble in their operations and advocacy. By working together, public-private partnerships can help convene diverse partners for comprehensive, broadly supported solutions, leverage different forms of funding for complementary actions, build deep, trusted relationships at all levels of government, and advance community funding and policy needs through appropriate channels.
    - Examples include Washington's Floodplain by Design initiative that engages the state Department of Ecology, local governments, Tribal Nations, as well as private stakeholders—nonprofits, community members, academics, and others. The goal is for partnerships, policies, and practices to collectively lead to integrated floodplain management.

SUPPORT LOCAL CAPACITY & TECHNICAL ASSISTANCE

- Government agencies alone have not had sufficient resources or capacity to undertake all of the water-related work necessary to keep people and wildlife safe. While national organizations, such as American Rivers, assist in these efforts, grassroots organizations and local communities often serve as the cornerstone in advancing clean water, dam safety, floodplain restoration, and river protection. For this reason, bolstering the local capacity can greatly assist in reaching a community's river-related goals. Additionally, proper technical assistance is required in order to implement the best technology or solution available.
    - Examples include water quality monitoring programs to record pollution levels, GIS analysis to allocate watershed regions, or local staffing and coordinating capacity to develop and implement community-led resilience efforts

INCENTIVIZE BEST AVAILABLE TECHNOLOGY

- While industries must already meet best-available-technology standards under the Clean Water Act, states can spur additional river-friendly technologies from water-polluting and water-intensive industries. The extraction and manufacture of raw materials can be done in increasingly sustainable ways that minimize impacts to rivers.
    - States can mandate additional best-available-technology requirements or support research and development investments in technologies related to a) efficient water use, b) water purification and treatment, c) water reuse, d) recycling and reuse of materials, and e) biomaterials use.

IMPROVE URBAN WATER MANAGEMENT

- Stormwater is a growing issue throughout the United States, and places stress on America's rivers and waterways. As stormwater flows across agricultural and developed landscapes, it picks up harmful pollutants that ultimately contaminate our rivers and threaten water quality. In some instances, the quantity of stormwater poses a threat to flash flooding when drainage systems cannot handle increased precipitation irregularities. Stormwater reduction systems are needed to address both water quality and flooding issues.
- Stormwater permits across much of the country remain largely "process-based", emphasizing whether communities have plans, programs, and best management practices in place rather than whether those efforts actually achieve water quality improvements. As a result, many stormwater permits require activities like inspections, public education, and project

implementation without tying those actions to clear water quality outcomes. Shifting toward performance-based permitting, with enforceable targets, real-time monitoring, and accountability for achieving water quality standards, would better align stormwater programs with the Clean Water Act's core goal of fishable and swimmable waters.

  - State examples include Minnesota and Washington, where stormwater programs are increasingly tied to measurable water quality outcomes. In Minnesota, municipal stormwater permits are integrated with watershed-based TMDL requirements, while Washington State has incorporated enhanced stormwater standards, monitoring, and adaptive management into its MS4 permits.

- Due to decades of neglect, the pipes and treatment plants that ensure sewage stays out of our rivers are crumbling. This is resulting in sewage spills into rivers, which can harm people and wildlife. Public investment in water infrastructure, both traditional and nature-based, must be increased.

  - Washington, D.C. and Milwaukee, WI which have both significantly reduced combined sewer overflows through a combination of investments in large-scale gray infrastructure—such as deep storage tunnels that capture and treat billions of gallons of sewage—with targeted green infrastructure like permeable pavement, rain gardens, and green roofs that reduce stormwater entering the system.

ENSURE RIVER AND WATER-FRIENDLY DEVELOPMENT

- Choices are made when developing the built environment that can ensure water-friendly practices. Urban and agricultural runoff are leading factors in the current pollution struggles that rivers face. All too often, development is proposed in floodplains. Water-intensive industries, such as data centers, are too often sited in water-stressed regions. And water-polluting industries, such as mines, are proposed too close to rivers. A holistic understanding of how regional and local development affects local rivers and their ecosystems is essential to mitigating those impacts.

- States must incorporate resilience planning and nature-based solutions to shape sustainable communities for future generations. Development best practices ensure that life-cycle planning is done for river infrastructure, as well as effective laws and regulations defining the criteria and fate of abandoned infrastructure. States can guide local communities to make wise decisions about where and how to develop in ways that protect wetlands and floodplains essential for clean water and public safety.

- Examples of river- and water-friendly policy approaches that states have adopted include establishing land use and zoning standards to guide sustainable, safe development and passing legislation to ensure that nature-based solutions are accounted for in funding initiatives, planning phases, and permitting processes. Opportunities exist for state agencies to clarify regulations, develop regulatory guidance documents, simplify regulations where appropriate, and strengthen them where necessary.

ENSURE STATES EVALUATE STATE-OWNED RIVER INFRASTRUCTURE FOR SAFETY AND OBSOLESCENCE, AND REMOVE OBSOLETE INFRASTRUCTURE

- State agencies own a significant share of river infrastructure, including dams, levees, culverts, and bridges, and the public bears the risk and cost as this infrastructure ages. For example, New Hampshire manages 276 state-owned dams with an estimated $414 million in repairs needed to meet safety standards, with an estimated century-long repair backlog.

In California, the State Plan of Flood Control includes about 1,600 miles of state-overseen levees with typical operations and maintenance costs on the order of tens of thousands of dollars per mile per year. Unfortunately, many states don't have strong programs that oversee and fund dam and levee safety.

- State agencies should lead by example and systematically evaluate which infrastructure is essential and which needs safety upgrades. States should regularly publish a plan detailing specific needs to repair, upgrade, or remove infrastructure. States should set clear decision triggers to remove infrastructure that has become unsafe, obsolete, or uneconomical.

STRENGTHEN DAM SAFETY, REMOVE OBSOLETE AND UNECONOMICAL DAMS, AND IMPROVE HABITAT

- Of the 92,597 nationally inventoried dams, 71% are regulated under the State Dam Safety Programs, and many of these programs lack adequate funding, staff, and authority to ensure public safety.[12] Approximately 18% of nationally recorded dams are considered a high hazard potential and pose a danger to local residents and property.[13] Low head dams have accounted for more than 700 fatalities due to people drowning in the flow caused by the dam's hydraulic patterns, and most low head dams are not adequately regulated for safety. Because of loopholes in laws and regulations, thousands of dams are not jurisdictional to any regulatory body and can become failures and drowning hazards. Improved state dam safety resources, policies, and procedures would save lives.
    - The best dam safety approaches strengthen owner responsibility and financial assurance, include more dams under state jurisdiction, have strong and straightforward enforcement approaches, provide guidance for dam removal as an effective dam safety approach, and have streamlined and efficient permitting processes for dam removals and the accompanying habitat restoration work for the impacted areas.



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PROTECT AND RESTORE FLOODPLAINS

- Flooding continues to become more frequent and severe across America, and the hardest hit communities have been those that built within floodplains. Model state-led integrated floodplain management programs demonstrate sustainable, proactive, and collaborative watershed planning. Projects must be locally driven, but they generally require state-support and partnerships within both the public and private sectors, including NGOs, industry aid, community collaborations, and grassroots movements. With floodplain restoration aligning with a form of riverine flood mitigation, restoring floodplains has the potential to save

[12] Association of State Dam Safety Officials. (2021). *Dam facts and stats for the media and public.* Damsafety.org. damsafety.org/media/statistics

[13] American Society of Civil Engineers. (2025). *2025 Infrastructure Report Card.* [Annual Report]. infrastructurereportcard.org/wp-content/uploads/2025/03/Full-Report-2025-Natl-IRC-WEB.pdf

billions of dollars in flood-related damages to public and private entities.[14]

- These programs use climate-informed data, collaborative project development, durable nature-based preservation or restoration, efficient execution, and streamlined administration.

CHAMPION STATE FLOOD RESILIENCE STANDARDS

- Champion coordinated decision-making on state-designated floodplains by encouraging state governments to provide guidance and incentives for local governments to adopt ordinances that avoid development in flood-prone areas. Championing state flood resilience standards starts with ensuring the protection of natural areas, like wetlands and floodplains, that provide clean water, recreation, and robust wildlife for communities. With the federal government eliminating flood resilience standards like the Federal Flood Risk Management Standard and minimizing floodplain standards under the National Flood Insurance Program, states need to adopt floodplain development standards that guide floodplain development decisions in ways to reduce flood damage and protect natural floodplains.
    - States can develop regulatory standards, model ordinances, or voluntary incentive-based approaches that a) require use of climate informed or best available flood data to guide local land use decisions, b) require or incentivize open space conservation and wetland protections, c) increase flood disclosure laws, d) increase freeboard standards, streamline state environmental permitting, and e) support local decision making through guidance, technical support, and funding criteria.

IMPLEMENT WATERSHED-BASED PROTECTION

- Watersheds are the natural drainage systems that channel water across the landscape into the rivers to safeguard public health and drinking water. Cities, towns, and industries in these watersheds deposit numerous amounts of pollution into rivers, contaminating the water that stakeholders, like voters, rely on for clean drinking water, thriving ecosystems, and healthy recreational conditions. Research shows that investing in watershed protection and conservation is more cost-effective for both public and private sectors than relying solely on advanced water treatment technologies.[15] State-led policies and initiatives—such as land conservation efforts and agricultural fertilizer subsidies—have demonstrated measurable improvements in water quality within just a few years.
    - Legislation that formally recognizes watersheds as integral components of the built environment or infrastructure can serve as a crucial starting point for protecting these vital hydrological systems. Done well, watershed-based permits and One Water approaches have the ability to more effectively improve water quality at a potentially lower cost.

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[14] American Society of Civil Engineers. (2025). *2025 Infrastructure Report Card.* [Annual Report]. infrastructurereportcard.org/wp-content/uploads/2025/03/Full-Report-2025-Natl-IRC-WEB.pdf. National Institute of Building Sciences. (2019). Mitigation saves: for riverine flood mitigation, federal grants provide $7 benefit for each $1 invested. [Factsheet]. app.box.com/s/24gzga9r31qgkclgv8fcyyvnsow7mpys

[15] United States Environmental Protection Agency. (2012). *The economic benefits of protecting healthy watersheds.* [Factsheet]. www.epa.gov/sites/default/files/2015-10/documents/economic_benefits_factsheet3.pdf

[16] Cite: Conservation Science Partners. (2025). *National protected rivers assessment of the United States.* https://map.myriver.americanrivers.org/NPRA_ExeSummary.pdf

INCREASE PROTECTED RIVER MILES

- Rivers stretch approximately 4.37 million miles across the terrain of the United States. Yet only 896,295 miles have some form of adequate protection (comprehensive, effective, or limited) designated from the threats of development and industrial activity.[16] Advocating for a million miles to be protected by 2030 through the implementation of state-led designation and classification processes, with the collaboration of local and native communities, will ensure healthy rivers for current and future generations.
    - River Protection programs and measures can be along the lines of land preservation tax credits, state natural river programs, expanding the state's Outstanding Resource Waters, and establishing state trust funds directed towards preserving natural resources for future generations.

ENSURE DATA IS COLLECTED, MAINTAINED, AND SHARED

- Policy decisions must rely on good data, and residents need access to that data to understand what is happening in their communities. State agencies must have the resources to collect, maintain, and publicly share data, such as water quality in the river, river infrastructure inventories including dams and levees, floodplains, and land use. Water-polluting and/or intensive industries, such as data centers, must be required to disclose water-related data, such as their current and projected water usage.



MISSISSIPPI RIVER, MINNEAPOLIS, MINNESOTA

ABOUT AMERICAN RIVERS

American Rivers is a national conservation organization working to make every river clean and healthy for people and wildlife. We combine evidence-based solutions with enduring partnerships to safeguard the 4.4 million miles of rivers and streams that are essential to our nation's clean drinking water, extraordinary wildlife, and the strength of our communities. For more than 50 years, our staff, supporters, and partners have been driven by a common belief: **Life Depends on Rivers.**

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