

116TH CONGRESS  
1ST SESSION

# H. R. 2206

To direct the Secretary of the Army, acting through the Chief of Engineers, to establish a program to provide environmental assistance to non-Federal interests in Arizona.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Mr. STANTON (for himself and Mr. GALLEGO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To direct the Secretary of the Army, acting through the Chief of Engineers, to establish a program to provide environmental assistance to non-Federal interests in Arizona.

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 “Environmental Infra-  
5       structure Assistance Act”.

6       **SEC. 2. ENVIRONMENTAL ASSISTANCE PROGRAM, ARIZONA.**

7       (a) ESTABLISHMENT OF PROGRAM.—The Secretary  
8       of the Army, acting through the Chief of Engineers, shall

1 establish a program for providing environmental assist-  
2 ance to non-Federal interests in Arizona.

3 (b) FORM OF ASSISTANCE.—Assistance under this  
4 section may be in the form of—

5 (1) design and construction assistance for  
6 water-related environmental infrastructure and re-  
7 source protection and development in Arizona, in-  
8 cluding projects for—

9 (A) wastewater treatment and related fa-  
10 cilities;

11 (B) water supply and related facilities;

12 (C) environmental restoration; and

13 (D) surface water resource protection and  
14 development; and

15 (2) technical assistance to small and rural com-  
16 munities for water planning and issues relating to  
17 access to water resources.

18 (c) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-  
19 retary may provide assistance for a project under sub-  
20 section (b)(1) only if the project is publicly owned.

21 (d) LOCAL COOPERATION AGREEMENT.—

22 (1) IN GENERAL.—Before providing assistance  
23 under subsection (b)(1), the Secretary shall enter  
24 into a local cooperation agreement with a non-Fed-

1 eral interest to provide for design and construction  
2 of the project to be carried out with the assistance.

3 (2) REQUIREMENTS.—Each local cooperation  
4 agreement entered into under this subsection shall  
5 provide for the following:

6 (A) PLAN.—Development by the Secretary,  
7 in consultation with appropriate Federal and  
8 State officials, of a facilities or resource protec-  
9 tion and development plan, including appro-  
10 priate engineering plans and specifications.

11 (B) LEGAL AND INSTITUTIONAL STRUC-  
12 TURES.—Establishment of such legal and insti-  
13 tutional structures as are necessary to ensure  
14 the effective long-term operation of the project  
15 by the non-Federal interest.

16 (3) COST SHARING.—

17 (A) IN GENERAL.—The Federal share of  
18 project costs under each local cooperation  
19 agreement entered into under this subsection  
20 shall be 75 percent. The Federal share may be  
21 in the form of grants or reimbursements of  
22 project costs.

23 (B) CREDIT FOR DESIGN WORK.—The  
24 non-Federal interest shall receive credit for the  
25 reasonable costs of design work completed by

1 the non-Federal interest before entering into a  
2 local cooperation agreement with the Secretary  
3 for a project.

4 (C) CREDIT FOR INTEREST.—In case of a  
5 delay in the funding of the non-Federal share  
6 of the costs of a project that is the subject of  
7 an agreement under this subsection, the non-  
8 Federal interest shall receive credit for reason-  
9 able interest incurred in providing the non-  
10 Federal share of the project costs.

11 (D) LAND, EASEMENTS, RIGHTS-OF-WAY,  
12 AND RELOCATIONS.—The non-Federal interest  
13 shall receive credit for land, easements, rights-  
14 of-way, and relocations provided by the non-  
15 Federal interest toward the non-Federal share  
16 of project costs (including all reasonable costs  
17 associated with obtaining permits necessary for  
18 the construction, operation, and maintenance of  
19 the project on publicly owned or controlled  
20 land), but not to exceed 25 percent of total  
21 project costs.

22 (E) OPERATION AND MAINTENANCE.—The  
23 non-Federal share of operation and mainte-  
24 nance costs for projects constructed with assist-

1           ance provided under subsection (b)(1) shall be  
2           100 percent.

3           (e) APPLICABILITY OF OTHER FEDERAL AND STATE  
4 LAWS.—Nothing in this section waives, limits, or other-  
5 wise affects the applicability of any provision of Federal  
6 or State law that would otherwise apply to a project to  
7 be carried out with assistance provided under this section.  
8           (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated to carry out this section  
10 \$150,000,000, to remain available until expended.

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