

112TH CONGRESS  
2D SESSION

# H. R. 6380

To temporarily relieve cost-sharing requirements for Army Corps of Engineers watershed mitigation projects and flood damage reduction projects for counties adversely impacted by Hurricane Irene or Tropical Storm Lee, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2012

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

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## A BILL

To temporarily relieve cost-sharing requirements for Army Corps of Engineers watershed mitigation projects and flood damage reduction projects for counties adversely impacted by Hurricane Irene or Tropical Storm Lee, and for other purposes.

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 “Hurricane Irene and  
5 Tropical Storm Lee Community Recovery Assistance Act  
6 of 2012”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The devastation that Hurricane Irene and  
4 Tropical Storm Lee brought to many communities  
5 was catastrophic. In addition to the damage sus-  
6 tained from the storms themselves, subsequent flood-  
7 ing destroyed towns, wiped out roads and bridges,  
8 and caused thousands of Americans to lose their  
9 homes, businesses, farms, and personal possessions.  
10 Given the fiscal challenges facing these communities,  
11 the task of repairing and rebuilding has been signifi-  
12 cant. Difficult economic times have created very real  
13 challenges and obstacles for local and State govern-  
14 ments to overcome.

15 (2) Members of Congress recognized this devas-  
16 tation and organized a bipartisan coalition of 30  
17 Members whose districts were impacted by Hurri-  
18 cane Irene or Tropical Storm Lee. The coalition has  
19 worked diligently to ensure that the Federal Emer-  
20 gency Management Agency has the resources it  
21 needs to support the recovery efforts. As the recov-  
22 ery efforts move forward, it is equally important to  
23 conduct studies on what can be done to mitigate dis-  
24 asters of this scale in the future, and the Corps of  
25 Engineers is leading the work associated with these  
26 studies.

1           (3) As the Nation continues to recover from  
2           Hurricane Irene and Tropical Storm Lee, some com-  
3           munities are financially incapable of making pay-  
4           ments immediately to meet cost-sharing require-  
5           ments for watershed mitigation projects and flood  
6           damage reduction projects. Given the fiscal cir-  
7           cumstances and the critical need for recovery efforts,  
8           it is necessary to provide temporary relief of these  
9           cost-sharing requirements, so that ongoing studies  
10          can be concluded and mitigation efforts can be im-  
11          plemented. Providing such relief could result in long-  
12          term future savings.

13 **SEC. 3. TEMPORARY RELIEF OF COST-SHARING REQUIRE-**  
14 **MENTS FOR CERTAIN COUNTIES ADVERSELY**  
15 **IMPACTED BY HURRICANE IRENE OR TROP-**  
16 **ICAL STORM LEE.**

17          (a) PAYMENT OF NON-FEDERAL CONTRIBUTIONS.—  
18          Upon the request of a State or local government, the Sec-  
19          retary of the Army shall allow a non-Federal interest to  
20          make payment of any non-Federal contribution associated  
21          with a qualifying watershed mitigation project (including  
22          treatment and distributions components) or a qualifying  
23          flood damage reduction project over a 30-year period in  
24          accordance with section 103(k) of the Water Resources  
25          Development Act of 1986 (33 U.S.C. 2213(k)).

1 (b) DEFINITIONS.—In this section, the following defi-  
2 nitions apply:

3 (1) DISASTER COUNTY.—The term “disaster  
4 county” means—

5 (A) a county included in the geographical  
6 area covered by a qualifying natural disaster  
7 declaration; and

8 (B) each county contiguous to a county de-  
9 scribed in subparagraph (A).

10 (2) QUALIFYING NATURAL DISASTER DECLARA-  
11 TION.—The term “qualifying natural disaster dec-  
12 laration” means a major disaster or emergency de-  
13 clared by the President under the Robert T. Staf-  
14 ford Disaster Relief and Emergency Assistance Act  
15 (42 U.S.C. 5121 et seq.) in 2011 due to damaging  
16 weather and other conditions relating to Hurricane  
17 Irene or Tropical Storm Lee.

18 (3) QUALIFYING FLOOD DAMAGE REDUCTION  
19 PROJECT.—The term “qualifying flood damage re-  
20 duction project” means a flood damage reduction  
21 project carried out by the Corps of Engineers for a  
22 disaster county.

23 (4) QUALIFYING WATERSHED MITIGATION  
24 PROJECT.—The term “qualifying watershed mitiga-  
25 tion project” means a project or study carried out

1 by the Corps of Engineers with respect to a water-  
2 shed located in whole or in part in a disaster county  
3 for one or more of the following purposes:

4 (A) To reduce the impacts of flooding in  
5 the watershed, including through ecosystem res-  
6 toration.

7 (B) To enhance rivers in the watershed  
8 with respect to use as transportation corridors.

9 (C) To improve water quality throughout  
10 the watershed.

11 (D) To increase economic opportunities in  
12 the watershed.

13 (E) To utilize new technologies and inno-  
14 vative approaches to benefit the watershed.

15 (F) To develop and implement a long-term  
16 resource monitoring program for the watershed.

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