



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Summary of Environment Related Provisions in the American Recovery and Reinvestment Act of 2009 (Public Law No: 111-005)

		Public Law No: 111-005
Department of the Interior		
Bureau of Land Management	Management of Lands & Resources	<ul style="list-style-type: none">• \$125 Million - additional amount for activities in all Bureau of Land Management lands including maintenance (including deferred), rehabilitation, & restoration of facilities, property, roads, trails & lands & for remediation of abandoned mines & wells, watershed improvement, & high priority habitat restoration.• Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities.• Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Construction	<ul style="list-style-type: none">• \$180 Million - additional amount for activities on all BLM lands, including construction, reconstruction, decommissioning & repair of roads, bridges, trails, property, & facilities & for energy efficient retrofits of existing facilities, including remediation of abandoned mine & well sites.• Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities.• Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Wildland Fire Management	<ul style="list-style-type: none">• \$15 Million - additional amount for hazardous fuels reduction

United States Fish & Wildlife Service	Resource Management	<ul style="list-style-type: none"> • \$165 Million - additional amount for deferred maintenance, construction, & capital improvements projects on national wildlife refuges & national fish hatcheries & for high priority habitat restoration projects • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Construction	<ul style="list-style-type: none"> • \$115 Million - additional amount for construction, reconstruction & repair of roads, bridges, property & facilities & for energy efficient retrofits of existing facilities • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
National Park Service	Operation of the National Park System	<ul style="list-style-type: none"> • \$146 Million - additional amount for deferred maintenance of facilities & trails & for other critical repair & rehabilitation projects • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Historic Preservation Fund	<ul style="list-style-type: none"> • \$15 Million - an additional amount for historic preservation projects at historically black colleges & universities as authorized by the Historic Preservation Fund Act of 1996 & the Omnibus Parks & Public Lands Act of 1996 • Any matching requirements otherwise required for such projects are waived • Projects will be selected competitively
	Construction	<ul style="list-style-type: none"> • \$589 Million - additional amount for repair & restoration of roads; construction of facilities, including energy efficient retrofits of existing facilities; equipment replacement; preservation & repair of historical resources within the National Park System; cleanup of abandoned mine sites on park lands; & other critical infrastructure projects • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates

		lasting value for the American public.
United States Geological Survey	Surveys, Investigations, & Research	<ul style="list-style-type: none"> • \$140 Million - additional amount for repair, construction & restoration of facilities; equipment replacement & upgrades including steam gages & seismic & volcano monitoring systems; national map activities; & other critical deferred maintenance & improvement projects • Preference should be given to projects that can maximize jobs & provide lasting improvement to our Nation's science capacity
Bureau of Indian Affairs	Operation of Indian Program	<ul style="list-style-type: none"> • \$40 Million - additional amount for workforce training programs & the housing improvement program
	Construction	<ul style="list-style-type: none"> • \$450 Million additional amount for repair & restoration of roads; replacement of school construction; school improvements & repairs; & detention center maintenance & repairs • Section 1606 of this Act shall not apply to tribal contracts entered into by BIA with this appropriations • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Indian Guaranteed Loan Program Account	<ul style="list-style-type: none"> • \$10 Million - additional amount - for construction
Office or Inspector General	Salaries & Expenses	<ul style="list-style-type: none"> • \$15 Million - additional amount to remain available until September 30, 2012
Environmental Protection Agency - \$7.22 Billion		
Office of Inspector General		<ul style="list-style-type: none"> • \$20 Million - additional amount, to remain available until September 30, 2012
Hazardous Substance Superfund		<ul style="list-style-type: none"> • \$600 Million - an additional amount for the Superfund Remedial Program • EPA may retain up to 3% of funds for management & oversight purposes • Administrator & Inspector General shall coordinate oversight activities
Leaking Underground Storage Tank Trust Fund		<ul style="list-style-type: none"> • \$200 Million - additional amount for cleanup activities as authorized by section 9003(h) of the Solid Waste Disposal Act • No cost share requirements • EPA may retain up to 1.5% of the funds for management & oversight purposes

Program (LUST)		
State & Tribal Assistance Grants (Including Transfers of Funds)	<ul style="list-style-type: none"> • \$6.4 Billion Clean Water State Revolving Funds	<ul style="list-style-type: none"> • \$4 billion for capitalization grants for the Clean Water State Revolving Funds • EPA may retain up to 1% of combined total for the Revolving Funds for management & oversight purposes & may transfer to the Environmental Programs & Management account as needed • No matching or cost share requirements • EPA will reallocate such funds for where projects are not under contract or construction within 12 months of date of enactment • Priority will be given to projects on a State priority list that are ready to proceed to construction within 12 months of the date of enactment • Each State shall use not less than 50% of the amount of its capitalization grants to provide and additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants, or any such combination <ul style="list-style-type: none"> ○ provides States flexibility to reach communities that would not otherwise have the resources to repay a loan with interest. ○ EPA will strongly encourage States to maximize the use of additional subsidies & will work with the States to ensure expedited award of grants ○ States are expected to continue the implementation of their base loan programs funded through the annual appropriations bill • If there are sufficient eligible project applications, no less than 20% of the funds appropriated for the Resolving Funds shall be fore projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities, including innovative water quality improvements, decentralized wastewater treatment, stormwater runoff mitigation, & water conservation. • Up to 1.5% of these funds for the Clean Water SRF may be reserved for tribal grants • Up to 4% of these funds for tribal set-asides under the Resolving Funds may be transferred to the Indian Health Service to support management & oversight of tribal projects • None of these funds will be available for purchase of land or easements or other such set asides that do not directly create jobs. • These funds may be used to buy, refinance or restructure debt obligations of eligible recipients only where such debt was incurred on or after October 1, 2008
	Safe Drinking Water State Revolving Funds	<ul style="list-style-type: none"> • \$2 Billion for capitalization grants for the Safe Drinking Water Act (SDWA) • EPA may retain up to 1% of these funds for management & oversight purposes • Section 1452(e) of SDWA match requirement waived • Section 1452(g)(2) of SDWA was not waived so the State Program set-asides 1:1 match remains in affect • EPA will reallocate such funds where projects are not under contract or construction within 12 months

		<p>of date of enactment</p> <ul style="list-style-type: none"> • Priority will be given to projects on a State priority list that are ready to proceed to construction within 12 months of the date of enactment • Each State shall use not less than 50% of the amount of its capitalization grants to provide and additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants, or any such combination • If there are sufficient eligible project applications, no less than 20% of the funds appropriated for the Resolving Funds shall be fore projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities • Up to 4% of these funds for tribal set-asides under the Resolving Funds may be transferred to the Indian Health Service to support management & oversight of tribal projects • None of these funds will be available for purchase of land or easements or other such set asides that do not directly create jobs. • These funds may be used to buy, refinance or restructure debt obligations of eligible recipients only where such debt was incurred on or after October 1, 2008
	Brownfields	<ul style="list-style-type: none"> • \$100 Million - for projects authorized by section 104(k) of the Comprehensive Environmental Response, Compensation, & Liability Act of 1980 • Competitive grants • EPA may retain up to 3.% of these funds for management & oversight purposes • No cost share requirements • EPA may make awards for meritorious & quality proposals submitted under competitions that were initiated within the past 18 months
	Diesel Emission Reduction Act	<ul style="list-style-type: none"> • \$300 Million for competitive grants • EPA may retain up to 2% of these funds for management & oversight purposes • State Grant & Loan Program Matching Incentive provisions are waived • DERA funds are expected to be used on projects that spur job growth while achieving direct, measurable reductions in diesel emissions • EPA may make awards for meritorious & quality proposals submitted under competitions that were initiated within the past 18 months.
Administrative Provision, EPA (Including Transfer of Funds)		<ul style="list-style-type: none"> • Funds made available for management & oversight purposes and shall remain available until September 30, 2011. • May be transferred to the "Environmental Programs & Management" account as needed

Forest Service	Capital Improvement & Maintenance	<ul style="list-style-type: none"> • \$650 Million - additional amount for priority road, bridge & trail maintenance & decommissioning, including related watershed restoration & ecosystem enhancement projects; facilities improvement, maintenance & renovation; remediation of abandoned mine sites; reconstruction, capitol improvement; alternative energy technologies; & other related critical habitat, forest improvement & watershed enhancement projects, & support costs necessary to carry out this work • Provides flexibility to the agency in determining the allocation of this funding among various program activities & sub-activities. • Encourages that the selection of individual projects be based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest period of time & which creates lasting value for the American public.
	Wildland Fire Management	<ul style="list-style-type: none"> • \$500 Million <ul style="list-style-type: none"> ○ \$250 Million for hazardous fuels reduction, forest health protection, rehabilitation & hazard mitigation activities on Federal lands ○ \$250 Million for State and private forestry activities including hazardous fuels reduction, forest health & ecosystem improvement activities on State & private lands using all authorities available to the Forest Service ○ Up to \$50 million of the total funding may be used to make wood-to-energy competitive grants to promote increased utilization of biomass from Federal, State & private lands. ○ No match or cost share requirements ○ Provides flexibility for the allocation of funds among existing State & private assistance programs to choose programs that provide the maximum public benefit. ○ The Service is encouraged to select individual projects based on a prioritization process which weighs the capacity of proposals to create the largest number of jobs in the shortest amount of time & to create lasting value for the American public
General Provisions		
Sec.701	<ul style="list-style-type: none"> • Within 30 days of enactment, each agency receiving such funds need to submit a general spending plan to both Chambers' Committees on Appropriations • Within 90 days of enactment, each agency receiving such funds need to submit to the Committees a report with detailed project level information • Agencies are to submit bi-annual progress reports on implementation of the provisions under their jurisdiction 	
Sec. 702	<ul style="list-style-type: none"> • The Secretaries of the Interior & Agriculture must utilize the Public Lands Corps, the Youth Conservation Corps, the Job Corps & the Student Conservation Corps where practicable. 	
Sec. 703	<ul style="list-style-type: none"> • Provides for each agency to transfer up to 10% of funds from one appropriation to another if such move will increase the number of jobs created or the speed with which projects can be undertaken. Transfers are limited to accounts within a particular agency 	

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| | <ul style="list-style-type: none">• Amounts for administrative and support costs associated with the implementation of title VII activities shall not exceed 5%, unless otherwise stated in this bill. This encourages agencies to balance the goal of proper management & fiscal prudence when setting funding levels for administrative support, i.e., to be aware of the limit to the permanent expansion of their workforce. |
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