

PROPOSALS FOR A WATER RESOURCES DEVELOPMENT ACT OF 2020

(116-47)

HEARING
BEFORE THE
SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENT
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

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JANUARY 3, 2020

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Water Resources and Environment
FROM: Staff, Subcommittee on Water Resources and Environment
RE: Subcommittee Hearing on “Proposals for a Water Resources Development Act of 2020”

PURPOSE

The Subcommittee on Water Resources and Environment will meet on Thursday, January 9, 2020, at 10:00 a.m. in 2167 Rayburn House Office Building to receive testimony from the U.S. Army Corps of Engineers (Corps) on the 2019 Report to Congress on Future Water Resources Development [authorized under section 7001 of the Water Resources Reform and Development Act of 2014 (P.L. 113–121)] and several reports of the Chief of Engineers (Chief’s Reports) on individual water resources development projects submitted to Congress for authorization. This hearing is intended to provide Members with an opportunity to review these reports, review the process the Corps undertakes for developing its projects, and identify future needs to inform the development of a new Water Resources Development Act (WRDA), which the Committee expects to develop and approve in 2020.

BACKGROUND

The Corps is the Federal government’s largest water resources development and management agency. The Corps began its water resources program in 1824 when Congress, for the first time, appropriated funds for improving river navigation. Since then, the Corps’ primary missions have expanded to address river and coastal navigation, reduction of flood damage risks along rivers, lakes, and the coastlines, and projects to restore and protect the environment.

Along with these missions, the Corps generates hydropower, provides water storage opportunities to cities and industry, regulates development in navigable waters, assists in national emergencies, and manages a recreation program. Today, the Corps is comprised of 38 district offices within eight divisions; operates more than 700 dams; has constructed 14,500 miles of levees; and maintains more than 1,000 coastal, Great Lakes, and inland harbors, as well as 12,000 miles of inland waterways. To achieve its mission, the Corps plans, designs, and constructs water resources development projects. The Corps planning process seeks to balance economic development and environmental considerations as it addresses water resources challenges. This process is intended to approach the Nation’s water resources needs from a systems perspective and evaluate a full range of alternatives in developing solutions.

The first step in a Corps project is to study the feasibility of the project. This can be done in two ways. One, if the Corps has previously conducted a study in the area of the proposed project, the new study can be authorized by a resolution of either the House Committee on Transportation and Infrastructure or the Senate Com-

mittee on Environment and Public Works (pursuant to 33 U.S.C. 542); however, the Committee on Transportation and Infrastructure has not adopted a new study resolution since 2010. Two, if the area has not been previously studied by the Corps, then an Act of Congress is necessary to authorize the study—usually through a WRDA bill.

Typically, the Corps enters into a cost-sharing agreement with the non-Federal project sponsor to initiate the feasibility study process. The cost of a feasibility study is shared 50 percent by the Federal government (subject to appropriations) and 50 percent by the non-Federal project sponsor.

Since February 2012, the Corps' feasibility studies have been guided by the "3x3x3 rule," which states that feasibility reports should, generally, be produced in no more than three years; with a cost not greater than \$3 million; and involve all three levels of Corps review—district, division and headquarters—throughout the study process.¹ The 3x3x3 process was codified in section 1001 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014).

During the feasibility study phase, the corresponding Corps' district office prepares a draft study report containing a detailed analysis on the economic costs and benefits of carrying out the project and identifies any associated environmental, social, or cultural impacts. The feasibility study typically describes with reasonable certainty the economic, social, and environmental benefits and detriments of each project alternatives being considered, and identifies the engineering features, public acceptability, and the purposes, scope, and scale of each. The feasibility study also includes any associated environmental impact statement and a mitigation plan. It also contains the views of other Federal and non-Federal agencies on project alternatives, a description of non-structural alternatives to the recommended plans, and a description of the anticipated Federal and non-Federal participation in the project.

After a full feasibility study is completed, the results and recommendations of the study are submitted to Congress in the form of a report approved by the Chief of Engineers (referred to as a Chief's Report). If the results and recommendations are favorable, then the subsequent step is Congressional authorization for construction of the project. Typically, project authorizations are contained in WRDAs, the most recent of which was enacted in 2018 as Title I of the America's Water Infrastructure Act of 2018 (P.L. 115–270).

The Corps is subject to all relevant Federal statutes, including the National Environmental Policy Act (NEPA), the Clean Water Act, the Endangered Species Act, the Fish and Wildlife Coordination Act, previous WRDAs, Flood Control Acts, and Rivers and Harbors Acts. These laws and associated regulations and guidance provide the legal basis for the Corps planning process.

For instance, when carrying out a feasibility study, NEPA requires the Corps to include: an identification of significant environmental resources likely to be impacted by the proposed project; an assessment of the project impacts; a full disclosure of the likely impacts; and a consideration of the full range of alternatives, including a No Action Alternative. Importantly, NEPA also requires a 30-day public review of any final document produced by the Corps. Additionally, when carrying out a feasibility study, section 401 the Clean Water Act requires an evaluation of the potential impacts of the proposed project or action and requires a letter from a State agency certifying the proposed project or action complies with State water quality standards.

The Corps must also adhere to the "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies" (P&G) developed in 1983. Congress directed the Corps to update the P&Gs, consistent with the requirements of section 2031 of WRDA 2007 (Pub. L. 110–114). The P&Gs were updated in 2014 with the intention that water resources projects reflect national priorities, encourage economic development, and protect the environment. The P&G is intended to ensure proper and consistent planning by all Federal agencies engaged in the formulation and evaluation of Federal water resources development projects and activities and contains defined Federal objectives for pursuing water resources development projects. To date, no funds have been provided through the appropriations process for the Corps to carry out the updated P&G.

Typically, the plan recommended by the Corps is the plan with the greatest net economic benefit consistent with protecting the environment. For projects that have multiple purposes, the P&G recommends that such projects maximize, to the greatest extent practicable, economic development and ecosystem restoration outputs. Additionally, the Secretary of the Army has the discretion to recommend an alter-

¹ https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/USACE_CW_FeasibilityStudyProgramExecutionDelivery.pdf.

native, such as a locally-preferred plan, if there are overriding reasons based on other Federal, State, or local concerns.

PENDING CHIEFS' REPORTS:

Since enactment of the most recent WRDA in 2018, Congress has received 17 Chief's Reports for projects in: Winslow, Arizona; Delta Islands and Levees, California; Pawcatuck River, Rhode Island; Anacostia Watershed, Maryland; Norfolk, Virginia; Souris River, North Dakota; Brandon Road, Illinois (Great Lakes/Mississippi River Interbasin Study (GLMRIS)); Yuba River, California; South Platte River, Colorado; Rio Grande River (Sandia Pueblo and Isleta Pueblo), Colorado, New Mexico, and Texas; East Rockaway Inlet to Rockaway and Jamaica Bay, New York; Jefferson County, Texas; Brazos River Floodgates and Colorado River Locks, Gulf Intracoastal Waterway (GIWW), Texas; Matagorda Ship Channel, Texas; and Meramec River (St. Louis Riverfront), Missouri, Hashamomuck Cove, New York; and Willamette River Basin Review Allocation, Oregon.

PENDING STUDIES OF WRDA PROJECTS BY NON-FEDERAL INTERESTS (SECTION 203 OF WRDA 1986):

In 2014, Congress amended section 203 of WRDA 1986 (33 U.S.C. 2231) to authorize non-Federal interests to undertake Congressionally-authorized feasibility studies (in lieu of the Corps) and to submit these studies to the Corps for their review. Upon completion of this review, the Corps is required to submit any study completed by the non-Federal interest to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works, along with a report that describes whether the study is suitable for Congressional authorization. Should the 203 study be authorized by Congress (subject to resolution of any conditions or recommendations of the Corps), construction of the project can proceed in the same manner as any feasibility study carried out by the Corps (such as a completed Chief's Report).

Since enactment of the most recent WRDA in 2018, the Committee has received 4 pending 203 studies from the Corps for projects in: Baptiste-Collette, Louisiana; Houma, Louisiana; Ft. Pierce, Florida; and Chacon Creek, Texas.

DEFINING FUTURE NEEDS AND SECTION 7001 ANNUAL REPORT

WRDA 2014 established a mechanism for Corps projects and studies to be communicated to Congress for potential authorization. Section 7001 of WRRDA 2014 requires the Secretary of the Army to annually publish a notice in the *Federal Register* requesting proposals from non-Federal interests for new project authorizations, new feasibility studies, and modifications to existing Corps projects. Further, it requires the Secretary to submit to Congress and make publicly available a "Report to Congress on Future Water Resources Development" (Annual Report) of those activities that are related to the missions of the Corps and require specific authorization by law. The Annual Report includes information about each proposal, such as benefits, the non-Federal interests, and cost share information. This information is meant to guide Congress to set priorities regarding which proposed studies, projects, and modifications will receive authorization in future WRDA legislation.

Additionally, Section 7001 requires the Corps to submit to Congress an appendix containing descriptions of those projects requested by non-Federal interests that were not included in the Annual Report. Submission of the Annual Report (and the appendix) allows Congress to review all requests submitted by non-Federal interests to the Corps and provides a more complete spectrum of potential project studies, authorizations, and modifications.

In recent years, the Committee has utilized the Annual Report as a guide from which Congress considers which studies, projects, and modifications will receive authorization. In June 2019, the Corps submitted its 2019 Annual Report² to Congress. The 7001 Annual Report for 2020 is expected in February 2020.

CONCLUSION

As the House Committee on Transportation and Infrastructure moves forward in developing the next WRDA legislation, this hearing is intended to provide Members with an opportunity to review potential project studies, authorizations, and modifications pending before the Committee and begin consideration of potential projects and policy initiatives that benefit the Nation.

² <https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll5/id/35439>.

WITNESS LIST

- The Honorable Rickey Dale “R.D.” James, Assistant Secretary of the Army (Civil Works), Office of the Assistant Secretary of the Army–Civil Works
- Lieutenant General Todd T. Semonite, Chief of Engineers and Commanding General, U.S. Army Corps of Engineers

PROPOSALS FOR A WATER RESOURCES DEVELOPMENT ACT OF 2020

THURSDAY, JANUARY 9, 2020

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON WATER RESOURCES AND
ENVIRONMENT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:01 a.m. in room 2167, Rayburn House Office Building, Hon. Grace F. Napolitano (Chairwoman of the subcommittee) presiding.

Mrs. NAPOLITANO. Good morning, and Happy New Year to all, and I call this hearing to order.

Let me start by asking unanimous consent that the chair be authorized to declare recesses during today's hearing.

And without objection, so ordered.

I also ask unanimous consent that committee members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, so ordered.

Today's hearing marks the next important step of the subcommittee in the development of the new Water Resources Development Act, WRDA, 2020. This committee has worked on a bipartisan basis to move a Water Resources Development Act every 2 years. We have been very successful in enacting three consecutive WRDAs since 2014 because of this bipartisan effort.

Through the biennial enactment of WRDA legislation, this committee has addressed local, regional, and national needs through authorization of new Corps projects, studies, and policies that benefit every corner of the Nation. I am committed to working with my ranking member, Mr. Westerman, and my committee colleagues in moving a fourth consecutive WRDA.

And while I encourage all Members to continue the discussions with the local water officials and the Corps on the potential project requests, we are working to release bipartisan guidelines for potential requests in the near future. Since the enactment of the Water Resources Development Act of 2018, the Corps has completed and submitted 17 additional Chief's Reports to Congress. These projects encompass flood risk management, hurricane and storm damage reduction, navigation, and ecosystem restoration.

I would also state that Puerto Rico is also part of what we want to discuss.

Today, subcommittee members have an opportunity to evaluate these reports, as well as other projects and study requests sub-

mitted by non-Federal interests through the 2019 Annual Report to Congress under section 7001 of the Water Resources Reform and Development Act of 2014. The 2020 Annual Report is due to Congress in February, and it will also be a resource for potential project and study requests for upcoming WRDA bills.

Secretary James and Lieutenant General Todd Semonite, thank you very much for being with us today, as your input is critically important to the development of a new WRDA. And we look forward to working with both of you. However, I want to impress upon you the importance of timely delivery of the 2020 report—and I guess you are working on it now—it is required by law to be submitted to the Congress next month.

The WRDA has become a product of its own success. Our constituents demand and expect that we move forward in developing this legislation every Congress. They are very happy with it, and congratulations to both of you for doing so.

It is why our subcommittee's agenda for the first part of this year will be driven by the development of a WRDA 2020 bill.

I want to thank the Corps in advance for their assistance. And I have great respect for the Corps, as a whole. Thank you very much.

I look forward to working with Ranking Member Westerman, and thank him—and his staff—for his continuing to work on a bipartisan basis—and all my colleagues—on a successful WRDA 2020.

[Mrs. Napolitano's prepared statement follows:]

Prepared Statement of Hon. Grace F. Napolitano, a Representative in Congress from the State of California, and Chairwoman, Subcommittee on Water Resources and Environment

Happy New Year. Today's hearing marks the next important step of this Subcommittee in the development of a new Water Resources Development Act for 2020.

This Committee has worked on a bipartisan basis to move a water resources development act every two years. We have been successful in enacting three consecutive WRDAs since 2014.

Through biennial enactment of WRDA legislation, this Committee has addressed local, regional, and national needs through authorization of new Corps projects, studies, and policies that benefit every corner of the nation.

I am committed to working with my Ranking Member, Mr. Westerman, and my Committee colleagues in moving a fourth-consecutive WRDA.

Since enactment of the Water Resources Development Act of 2018, the Corps has completed and submitted sixteen additional Chiefs Reports to Congress. These projects encompass flood risk management, hurricane and storm damage reduction, navigation, and ecosystem restoration.

Today, Subcommittee Members have an opportunity to evaluate these Reports, as well as other project and study requests submitted by non-Federal interests through the 2019 Annual Report to Congress, under Section 7001 of the Water Resources Development Act of 2014.

The 2020 Annual Report is due to Congress in February and will also be a resource for potential project and study requests for the upcoming WRDA bills.

I am sure that Lieutenant General Todd Semonite, the Chief Engineer for the U.S. Army Corps of Engineers, who is here to testify today, will ensure that the 2020 Report is submitted to Congress on time this year.

WRDA has become a product of its own success. Our constituents demand and expect that we move forward in developing this legislation every Congress.

It is why our Subcommittee's agenda for the first part of this year will be driven by the development of a WRDA 2020 bill.

I want to thank the Corps in advance for your assistance, and I look forward to working with Ranking Member Westerman and all my colleagues on a successful WRDA 2020.

Mrs. NAPOLITANO. At this time I am pleased to yield to my colleague, the ranking member of the subcommittee, Mr. Westerman, for any thoughts he may have.

Mr. WESTERMAN. Thank you, Chairwoman Napolitano. And we too look forward to working towards a successful 2020 WRDA. We look forward to working with you and working for our country to do legislation that is vitally important to the infrastructure of our country.

Good morning, Secretary James and General Semonite, and thank you for being here today. The Corps of Engineers constructs projects critical to the Nation for the purpose of navigation, flood control, shoreline protection, hydroelectric power, recreation, environmental protection, restoration and enhancement, and fish and wildlife mitigation: quite a task that you have.

Today we are going to review 17 Army Corps of Engineers Chief's Reports that have been delivered to Congress since WRDA 2018 was signed into law in October of 2018. These reports are the result of a rigorous planning and review process. Each project was proposed by non-Federal interests in cooperation and consultation with the Corps. All of these reports, while tailored to meet locally developed needs, have national, economic, and environmental benefits.

When constructed, Corps projects ensure that communities are protected from floods and our Nation remains globally competitive through a reliable and efficient port and inland waterway system. Today we will also review the 2019 Annual Report to Congress on Future Water Resources Development. The annual report enables non-Federal interests to submit to the Corps proposed feasibility studies and modifications to projects and other program authorities.

Required by section 7001 of the 2014 Water Resources Reform and Development Act, the annual report enables State and local entities to send up projects critical to their communities, and provides another avenue for congressional consideration and authorization.

This hearing today is an important step in Congress' oversight of the Corps' Civil Works program, and the reports reviewed today will serve as the foundation for the Water Resources Development Act this committee will consider later this year.

Finally, General Semonite, I understand this could be your last time before the committee in your current capacity. I want to thank you for your years of service, for your considerable efforts to drive accountability and efficiency within the Corps, and for your dedication to our Nation.

[Mr. Westerman's prepared statement follows:]

Prepared Statement of Hon. Bruce Westerman, a Representative in Congress from the State of Arkansas, and Ranking Member, Subcommittee on Water Resources and Environment

The Corps of Engineers constructs projects critical to the Nation for the purposes of navigation, flood control, shoreline protection, hydroelectric power, recreation, environmental protection, restoration and enhancement, and fish and wildlife mitigation.

Today we will review the 16 Army Corps of Engineers Chief's Reports that have been delivered to Congress since WRDA 2018 was signed into law in October of 2018. This is the same number of projects authorized by that bill, with more to be received later this year.

These reports are the result of a rigorous planning and review process. Each project was proposed by non-federal interests in cooperation and consultation with the Corps. All of these reports, while tailored to meet locally developed needs, have national economic and environmental benefits.

When constructed, Corps projects ensure that communities are protected from floods, and that our Nation remains globally competitive through a reliable and efficient port and inland waterway system.

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This hearing today is an important step in Congress's oversight of the Corps Civil Works program, and the reports reviewed today will serve as the foundation for the Water Resources Development Act this Committee will consider later this year.

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Mr. WESTERMAN. And with that, Madam Chair, I look forward to working with you, and yield back.

Mrs. NAPOLITANO. Thank you. I hadn't heard you are retiring, General Semonite.

A VOICE FROM AUDIENCE. [Inaudible.]

Mrs. NAPOLITANO. Fine, thank you.

I ask unanimous consent that the following statement be made part of today's hearing record: a statement from the United Steelworkers Union supporting WRDA.

And without objection, so ordered.

[The information follows:]

**Statement of the United Steelworkers, Submitted for the Record by Hon.
Grace F. Napolitano**

Chairwoman Napolitano, Ranking Member Westerman, and Members of the Water Resources and Environment Subcommittee on behalf of the 850,000 members of the United Steelworkers (USW), our union submits the following comments to the Subcommittee on Water Resources and Environment regarding the January 9th hearing on "Proposals for a Water Resources Development Act of 2020."

INTRODUCTION

Our union supports a robust reauthorization of the Water Resources Development Act (WRDA) that protects and advances communities, America's working people, and supports the full utilization of monetary resources. The USW represents thousands of workers at sites directly affected by policies and projects included in, or excluded from, the Act. From worksites that depend on navigable waterways to the manufacturing of piping and materials, our members have a vested interest in this legislation.

FULL UTILIZATION OF THE HARBOR MAINTENANCE TRUST FUND

As the committee is well aware, the Harbor Maintenance Trust Fund (HMTF) currently has an approximate \$9.3 billion-dollar end of year surplus balance and has historically ran at a budget surplus for the last 40 years. This idle surplus is not being used for its intended purpose of investing in our Nation's ports and harbors.

At the same time, some ports and harbors of all sizes struggle to remain competitive in the global shipment of goods and services or remain open to meet the needs of the communities that depend on a vibrant maritime and commercial fishing industry.¹ Last year Chairman Peter DeFazio (D-OR), Committee Ranking Member Sam Graves (R-MO), Chair of the Subcommittee on Water Resources and Environment Grace F. Napolitano (D-CA), Subcommittee Ranking Member Bruce Westerman (R-AR), and Congressman Mike Kelly (R-PA) introduced H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act, in an effort to unlock these funds for their intended purpose with fewer obstacles to take on and complete the needed projects of our nation's harbors. The bill passed the House with tremendous bi-partisan support and we ask that you implore your colleagues in the Senate to pass it as well.

GEORGETOWN INNER HARBOR SUSTAINABLE IMPROVEMENT PROJECT

One project of importance to our union is the Inner Harbor at the port of Georgetown, SC.

The break bulk port has been underutilized since 2008 when the last dredging took place. The costly annual dredging for the Georgetown Harbor is the result of 1949 decision to cut a bypass into the river altering the flow of the river that once naturally kept the depth of the port at levels allowing for commercial ship traffic, and now requires consistent dredging. The buildup of silt has essentially eliminated the use of the port for one of our employers, Liberty Steel who purchased the Georgetown furnace and mill in 2017. A team at Coastal Carolina University has identified cost effective alternatives that would restore the inner harbor and allow for the commercial needs of the steel mill.² Being able to ship their scrap by ship instead of land would amount to significant cost savings for Liberty Steel. This means a more secure future for the mill and for the working people it supports. The additional resource would also be available to other industries in the region. Currently, a coalition of local labor, community and industry leaders believe federal funding of \$1.5 million to complete a comprehensive study of the project could lead to a long-term permanent solution for one of the oldest break bulk ports in the country. This commitment by stakeholders is strengthened by a local government passed 1% sales tax in 2014 for the use of capital projects, but there is a need to secure federal resources to augment the local funding and a commitment from the Army Corp of Engineers to aid in the development of a permanent solution to port dredging in Georgetown.

GREAT LAKES DREDGING

The union encourages increased support for dredging projects on the Great Lakes. Often times our represented facilities are unable to maximize their loading of ships because of shallow waters of the Great Lakes harbors. The less full ships place an undue cost burden on those facilities and add to the number of ships required to move the material, wasting energy resources. Engineering firm OBG conducted a recent study in support of the Army Corps of Engineers to calculate dredging needs for the US Great Lakes harbors and concluded that increased dredging will be needed for the 2020–2030 time period.³ The unlocking of the funding needed to support this work is critical to communities, employers, and working people.

BUY AMERICA

The 115th Congress passed a 5-year authorization of “Buy America” language for the Drinking Water State Revolving Fund (DWSRF).⁴ The USW asks you to work with your colleagues on the Energy and Commerce Committee and in the Senate to make this permanent. Americans’ deserve for their federal tax dollars to be used to fund needed infrastructure that supports American workers and the products they make.

¹ <https://transportation.house.gov/committee-activity/investing-in-america-unlocking-the-harbor-maintenance-trust-fund-act>

² <https://samaritimuseum.org/coastal-carolina-university-study-addressing-georgetown-chronic-harbor-silting-issue/>

³ <https://dredgingandports.com/news/2019/us-great-lakes-ports-will-require-more-dredging-data-suggests/>

⁴ <https://www.congress.gov/bill/115th-congress/senate-bill/3021>

CONCLUSION

Our union supports the Corps work and the many projects that are vital to the environment, sustainability of our communities, and viability of American industry and workers. We ask that you continue the work to utilize available funding sources to their full capability and fund the projects necessary to advance working people.

Mrs. NAPOLITANO. I also ask unanimous consent to include in the record a summary prepared by the Corps of the 17 Chief's Reports and 9 Director's Reports that have been transmitted to this committee, and are awaiting congressional action through a new Water Resources Development Act.

And without objection, so ordered.
[The information follows:]

U.S. Army Corps of Engineers Summary of Chief's Reports and Post-Authorization Change Reports, Submitted for the Record by Hon. Grace F. Napolitano

CHIEF'S REPORTS

1. LITTLE COLORADO RIVER AT WINSLOW, NAVAJO COUNTY, ARIZONA

On December 14, 2018, a report was signed recommending flood risk management measures for Winslow, AZ. The recommended plan consists of 22,570 feet of new and reconstructed levees within and near the city. The plan also includes a flood warning system and improving conveyance through channelization and removal of saltcedar under the Burlington Northern Santa Fe Railway bridge. Based on October 2019 price levels, the total initial project cost for this project is \$80.7 million with the federal share totaling \$52.5 million and the non-federal share totaling \$28.2 million.

2. SACRAMENTO-SAN JOAQUIN BASIN STREAMS, DELTA ISLANDS AND LEVEES, CALIFORNIA

On December 18, 2018, a report was signed recommending ecosystem restoration improvements of 340 acres of intertidal marsh habitat in the Sacramento-San Joaquin Delta, an ecosystem of national significance where only 5 percent of the historic marsh remains. Based on October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is \$25.8 million with the federal share totaling \$16.7 million and the non-federal share totaling just under \$8.1 million.

3. ANACOSTIA WATERSHED RESTORATION, PRINCE GEORGE'S COUNTY, MARYLAND

On December 19, 2018, a report was signed recommending ecosystem restoration improvements for the Anacostia River Watershed in Prince George's County, Maryland. The recommended plan consists of the restoration of 7 miles of aquatic habitat, approximately 4 miles of fish passage through the removal of blockages, and the reconnection of approximately 14 miles of restored habitat in the Northwest and Northeast Branches. Access of the historic range for anadromous fish within the Northwest Branch will increase from 21% to 83% and in the Northeast Branch from 10% to 90%. Based on October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is just under \$35.7 million with the federal share totaling \$23.2 million and the non-federal share totaling \$12.5 million.

4. PAWCATUCK RIVER COASTAL STORM RISK MANAGEMENT, RHODE ISLAND

On December 19, 2018, a report was signed recommending hurricane and storm damage reduction measures for the Pawcatuck River, Rhode Island. The plan consists of elevating 247 structures and floodproofing 21 commercial structures. Based on the October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is \$58.2 million with the federal share totaling \$37.8 million and the non-federal share totaling \$20.4 million.

5. NORFOLK COASTAL STORM RISK MANAGEMENT, VIRGINIA

On February 05, 2019, a report was signed recommending hurricane and storm damage reduction for the City of Norfolk, Virginia. The plan consists of a 114 linear foot storm surge barrier with a pump and power station at Prettylake that would tie into a 5,642 linear feet of floodwall. A 6,634 linear foot storm surge barrier on the Lafayette River with a power station and three tide gates that would tie into 1,535 linear feet of earthen levee. A 600 linear foot storm surge barrier at the Hague with a pump and power station. The surge barrier would tie into 27,236 linear feet of floodwall and 2,582 linear feet of earthen levee. There would also be three pumps constructed for interior drainage. A 1,291 linear foot storm surge barrier at Broad Creek with four operation tide gates and a power station. The barrier would tie into 8,787 linear feet of flood wall and one pump station would be constructed for interior drainage. Nonstructural features would also be included in the neighborhoods outside of the structural system. This would include 176 basement fills, 89 properties to be elevated and have basement fill, 1 property to be floodproofed and basement fill, 624 properties elevated, a further 54 properties are dry floodproofed and acquisition of 76 properties. The plan also includes 0.3 acres of oyster reef and 8.9 acres of living shoreline as natural and nature based features to increase resiliency. Based on October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is \$1.4 billion with the federal share totaling \$909 million and the non-federal share totaling \$489 million.

6. SOURIS RIVER BASIN FLOOD RISK MANAGEMENT, BOTTINEAU, MCHENRY, RENVILLE, AND WARD COUNTIES, NORTH DAKOTA

On April 16, 2019, a report was signed recommending flood risk management for the City of Minot, North Dakota. The plan consists of 4,900 linear feet of diversion channel, a 3,700 linear feet of earthen levee, a 1,600 linear foot levee as a tieback and 1.21 mile recreation trail connecting to an existing trail system. Based on October 2019 price levels, the total initial project cost for this project is \$89.3 million with the federal share totaling \$58 million and the non-federal share totaling \$31.3 million.

7. THE GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN STUDY—BRANDON ROAD, WILL COUNTY, ILLINOIS

On May 23, 2019, a report was signed recommending ecosystem protection improvements to control upstream transfer of aquatic nuisance species at Brandon Road Lock and Dam in Will County, Illinois. The plan would consist of a flushing lock and an engineered channel, acoustic fish deterrent, electric barrier and an air bubble curtain. Nonstructural measures would primarily be implemented by other federal agencies and include public education and outreach, nonstructural monitoring, integrated pest management, pesticides, manual or mechanical removal and research and development. Supporting measures include two boat launches. Based on October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is \$863.3 million with the federal share totaling \$561.1 million and the non-federal share totaling \$302.2 million.

8. YUBA RIVER ECOSYSTEM RESTORATION, CALIFORNIA

On June 20, 2019, a report was signed recommending ecosystem restoration improvements on the Yuba River, California. The plan would consist of restoring approximately 179 acres of aquatic and riparian habitat, specifically along the lower Yuba River. Based on October 2019 price levels, the total initial project cost for this project, as recommended in the Chief's Report, is \$100 million with the federal share totaling \$65 million and the non-Federal share totaling \$35 million.

9. SOUTH PLATTE RIVER AND TRIBUTARIES, ADAMS AND DENVER COUNTIES, COLORADO

On July 29, 2019, a report was signed recommending flood risk management and ecosystem restoration on the South Platte River and tributaries in Adams and Denver Counties, Colorado. The plan consists of restoration of aquatic, wetland and riparian habitats along 6.5 miles of the South Platte River. The flood risk management features would consist of widening or enlarging an approximately 2.75 mile-long system of open channel and culverts along the Weir Gulch. A nonstructural solution would be implemented along the Harvard Gulch that would provide added protection for 176 structures. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$534.8 million with the federal share totaling \$334.4 million and the non-federal share totaling \$200.4 million.

10. RIO GRANDE, ENVIRONMENTAL MANAGEMENT PROGRAM, CO, NM, TX, SANDIA
PUEBLO TO ISLETA PUEBLO, NEW MEXICO

On August 5, 2019, a report was signed recommending measures to improve hydrologic connectivity between the Rio Grande and its floodplain and restore native habitat diversity through re-creation of historic habitat types. The plan would restore approximately 216 acres of the Middle Rio Grande bosque by constructing high-flow channels, willow swales, and wetlands. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$24.9 million with the federal share totaling \$16.2 million and the non-federal share totaling \$8.7 million.

11. EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY, ATLANTIC COAST
OF NEW YORK

On August 22, 2019, a report was signed recommending hurricane and storm damage reduction measures for coastal communities located between East Rockaway Inlet and Rockaway Inlet and Jamaica Bay, New York. The recommended plan consists of beach restoration with renourishment, extension of five existing groins, construction of 13 new groins, and a composite seawall along the Atlantic Ocean Shorefront Planning Reach; along with two separate high frequency flooding risk reduction features within the Jamaica Bay Planning Reach designed to reduce risks for communities vulnerable to high frequency flooding events located at Cedarhurst-Lawrence and Mid-Rockaway. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$604.2 million which is fully federally funded under the authority of P.L. 113-2.

12. JEFFERSON COUNTY ECOSYSTEM RESTORATION, JEFFERSON COUNTY, TX

On September 12, 2019, a report was signed recommending ecosystem restoration along the Gulf coast in Jefferson County, Texas. The recommended plan includes construction of 5,170 linear feet of armoring along the southern bank of the Gulf Intracoastal Waterway, and restores 6,048 acres of brackish marsh habitat in six restoration units, consisting of planting native species and removing invasive species within the restoration units, in an area referred to as "Keith Lake." The recommended plan utilizes dredged material from the federally authorized Sabine Neches Waterway navigation channel. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$57.9 million with the federal share totaling \$37.6 million and the non-federal share totaling \$20.3 million.

13. GULF INTRACOASTAL WATERWAY—BRAZOS RIVER FLOOD GATES AND COLORADO
RIVER LOCKS, TEXAS

On October 23, 2019, a report was signed recommending inland navigation improvements for the Gulf Intracoastal Waterway in Texas. At the Brazos River flood gates, the main features of the recommended plan are the removal of the existing gates on both sides of the river crossing, the construction of a 125-foot wide open channel on the west side and a new 125-foot wide sector gate structure on the east side. At Colorado River Locks, the main features of the recommended plan are the construction of new 125-foot sector gate structures on the east and west sides of the river crossing. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$409.8 million which is fully federally funded with half of the funding from the Inland Waterways Trust Fund.

14. ST. LOUIS RIVERFRONT—MERAMEC RIVER BASIN ECOSYSTEM RESTORATION,
MISSOURI

On November 1, 2019, a report was signed recommending ecosystem restoration in the Meramec River Basin, Missouri. The plan consists of measures in and along the Big River that would reduce excess mining derived sediment; reestablish depleted riparian areas; and restore the channel to mimic a more natural and stable river. Measures include installation of bed load sediment collectors, creation of sediment basins, in-stream excavation of sediment, construction of grade control structures, tree plantings, and implementation of bank stabilization features through stone work, root wad revetment, and bank shaping. The plan will restore a total of approximately 1,600 acres of aquatic and riparian habitat in the Meramec River Basin. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$92.5 million with the federal share totaling \$60.1 million and the non-federal share totaling \$32.4 million.

15. MATAGORDA SHIP CHANNEL IMPROVEMENT, PORT LAVACA, TEXAS

On November 15, 2019, a report was signed recommending navigation improvements for the Matagorda Ship Channel in the vicinity of the City of Port Lavaca, Texas. The recommended plan includes: addition of a new 1,200 foot turning basin in the Lavaca Bay reach to accommodate the larger vessels; extending the entrance channel 13,000 feet to allow for deepening to -49 feet Mean Lower Low Water (MLLW); dredging of a 1,600 foot long sediment trap in the area of the offshore bar; widening the entrance channel from 300 to 550 feet, and the Main channel from 200 to 300 feet; deepening the Entrance Channel from -40 to -49 feet, and the Main Channel from -38 to -47 feet MLLW; relocating 16 pipelines; a 165 acre sand engine as Beneficial Use of dredged material; and modifications to aids to navigation. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$218.3 million with the federal share totaling just under \$138.7 million and the non-federal share totaling just under \$79.7 million.

16. HASHAMOMUCK COVE, NEW YORK

On December 9, 2019, a report was signed recommending hurricane and storm damage reduction for Hashamomuck Cove and the neighboring coves in Southold, Suffolk County, New York. The recommended plan includes about 1.5 miles of beach restoration including a 25 foot wide berm using about 220,000 cubic yards of sand obtained from upland sources, and an estimated nine renourishments over a 50 year period requiring approximately 78,300 cubic yards per renourishment. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Chief's Report, is \$17.8 million with the federal share totaling \$11.6 million and the non-federal share totaling \$6.2 million. The total project cost for renourishment, as recommended in the Chief's Report, is \$47 million with the federal share totaling \$23.5 million and the non-federal share totaling \$23.5 million.

17. WILLAMETTE RIVER BASIN REVIEW REALLOCATION, OREGON

On December 18, 2019, a report was signed recommending reallocation of storage in the Corps Willamette Valley Project reservoirs to meet Municipal and Industrial (M&I) water supply, Fish and Wildlife (F&W) water supply, and Agricultural Irrigation (AI) water supply needs. M&I will be allocated 159,750 acre-feet of conservation storage and AI will be allocated 327,650 acre-feet of conservation storage. The allocations are subject to agreements under federal law between the Department of the Army and State or local entities for the use of the M&I storage and between the Department of the Interior and irrigation interests for the delivery of AI water. The remaining 1,102,600 acre-feet of conservation storage will be allocated to F&W. No conservation storage will remain allocated as Joint Use. This project will not include any construction activities at the reservoirs, so there should be no design and construction costs associated with the reallocation action. Once the action is approved by Congress, the Corps will update the Water Control Manuals and the Drought Contingency Plan to reflect the updated storage allocations and an adaptive management plan.

POST-AUTHORIZATION CHANGE REPORTS

1. DRY CREEK (WARM SPRINGS) RESTORATION, CALIFORNIA

On March 29, 2019, a report was signed recommending ecosystem restoration measures for Dry Creek in Sonoma and Marin Counties, California. The recommended plan consists of 2.6 river miles of habitat restoration spread out along 14 miles of lower Dry Creek. There are 3 major tributary connections (Fall Creek, Pena Creek, and Mill Creek) located at or downstream of the restoration sites on the mainstem of Dry Creek. Restoration features would improve hydrologic connectivity with the floodplain by constructing combinations of riffles, large woody debris, backwaters, alcoves, pool enhancements, and side channels, at multiple sites along lower Dry Creek's mainstem. Based on October 2018 price levels the total initial project cost for this project, as recommended in the Director's Report, is \$44.8 million with the federal share totaling \$29.1 million and the non-federal share totaling \$15.7 million.

2. KENAI BLUFFS BANK STABILIZATION, ALASKA

On April 10, 2019, a report was signed recommending coastal protection measures for Kenai, Alaska. The recommended plan consists of the construction of a 12 foot high armor-stoned berm along approximately 5,000 lineal feet of receding coastal

bluff. Based on October 2018 price levels the total initial project cost for this project, as recommended in the Director's Report, is \$40.3 million with the federal share totaling \$26.2 million and the non-federal share totaling \$14.1 million.

3. MOUNT SAINT HELENS LONG TERM SEDIMENT MANAGEMENT PLAN UPDATE

On April 18, 2019, a report was signed recommending an update of the long-term implementation plan for managing sediment from the Mount Saint Helens debris avalanche, to complete the project through 2035 and maintain the congressionally authorized Cowlitz River capacity and flood risk management for the communities along the lower 20 miles of the Cowlitz River. The selected plan includes two incremental sediment retention structure spillway crest raises; grade-building structures; as-needed dredging in the Cowlitz River; and, adaptive management at the mouth of Alder Creek to maintain connectivity with the North Fork Toutle River. Fish conservation measures necessary to comply with the Endangered Species Act are also included in the selected plan. Based on October 2018 price levels the project first cost estimate is \$538,368,000, of which \$178,131,000 has already been expended (from 1985 through the end of FY 2017).

4. PASSAIC RIVER FLOODWAY BUYOUT, PASSAIC COUNTY, NEW JERSEY

On April 18, 2019, a report was signed recommending voluntary buyout of 18 properties in Hoffman Grove, Wayne Township within the Passaic River Floodway. Based on October 2018 price levels the estimated total first cost of the recommended plan of buyouts is \$6,380,000, shared 75% federal and 25% non-federal as authorized in Section 1148 of WRDA 1986.

5. ALBENI FALLS DAM FISH PASSAGE, BONNER COUNTY, IDAHO

On July 11, 2019, a report was signed recommending a trap and haul facility that consists of a fishway (i.e., a short fish ladder with a fish lift) ending in a holding pool and sorting facility, where fish can be loaded onto a truck for transport. Based on October 2018 price levels the estimated project first cost is \$68,100,000.

6. WILLAMETTE FALLS LOCKS, WILLAMETTE RIVER, OREGON DISPOSITION

On July 11, 2019, a report was signed recommending Congressional deauthorization and disposal of the project, through either direct transfer by the Corps to an interested party or through the standard disposal authorities and procedures of the General Services Administration (GSA). Along with obtaining deauthorization and disposal authority, this alternative would address the primary seismic and safety risks associated with concerns of loss of the pool with measures that do not impede future owner/operators from returning the facility to operability. It includes minimal repairs, assuming the future owner/operator continues the base caretaker maintenance actions for the non-operational condition of the locks. Based on October 2018 price levels the total cost of required modifications and repairs for the selected plan is \$2,744,000.

7. PASSAIC RIVER TIDAL PROTECTION AREA, NEW JERSEY

On August 16, 2019, a report was signed recommending coastal storm risk management measures for the City of Newark, New Jersey. The recommended plan includes construction of six floodwall segments, one levee segment, eight gates (project alignment), and associated interior drainage features. The project alignment includes seven segments totaling 4,850 linear feet, which would tie into existing topography and infrastructure to an elevation of 14 feet North American Vertical Datum of 1988 (NAVD88). Based on October 2018 price levels the total initial project cost for this project, as recommended in the Director's Report, is \$45.4 million with the federal share totaling \$29.5 million and the non-federal share totaling \$15.9 million.

8. BARROW, ALASKA COASTAL EROSION

On December 11, 2019, a report was signed recommending coastal storm risk management measures for addressing erosion and coastal flooding along the shoreline of Barrow, Alaska. The recommended plan consists of a +19 foot mean lower low water (MLLW) rock revetment that would be constructed against the natural bluff in front of the airport and the Utqiagvik Village archeological site; a +14.5 foot MLLW revetted berm in front of a freshwater lagoon; and a +14.5 foot raised and revetted coastal road (Stevenson Street) stretching from the end of the lagoon north to Dewline Road, encompassing Browerville, the landfill, sewage lagoons, and the Naval Arctic Research Laboratory. Based on October 2019 price levels the total ini-

tial project cost for this project, as recommended in the Director's Report, is \$328.6 million with the federal share totaling \$213.6 million and the non-federal share totaling \$115 million.

9. PAJARO RIVER FLOOD RISK MANAGEMENT, SANTA CRUZ AND MONTEREY COUNTIES,
CALIFORNIA

On December 12, 2019, a report was signed recommending an increase to the level of flood risk reduction being provided by the flood risk management project completed in 1949 pursuant to Section 10 of the Flood Control Act of 1944, Public Law 78-534. The recommended plan would reduce the flood risk to the City of Watsonville and the Town of Pajaro and adjacent agricultural areas. The structural features of the recommended plan on the Pajaro River mainstem include: 0.85 miles of floodwalls on existing levees, 5.75 miles of new levees of which 5.10 miles is setback levees, 0.3 miles of levee improvements, 66 acres of floodplain between setback levees and the river, and 5.10 miles of existing levee demolition. The structural features of the recommended plan on the tributaries include: 1 mile of floodwall, 0.6 miles of floodwall on existing levee, 4.1 miles of new levee of which 1.5 miles is setback levees, 0.5 miles of existing levee improvements, 37.2 acres of floodplain between setback levee and creek, 1.5 miles of existing levee demolition, and two bridges raised. Based on October 2019 price levels the total initial project cost for this project, as recommended in the Director's Report, is \$393.7 million with the federal share totaling \$246.3 million and the non-federal share totaling \$147.4 million.

Mrs. NAPOLITANO. Now we will proceed to hear from our witnesses who will testify today. Thank you again for being here, and you are most welcome.

And we have the Honorable Rickey Dale "R.D." James, Assistant Secretary of the Army, Civil Works, Office of the Assistant Secretary of the Army for Civil Works, and Lieutenant General Todd T. Semonite, Chief of Engineers and Commanding General, U.S. Army Corps of Engineers.

Without objection, your prepared statements will be entered into the record, and all witnesses are asked to limit their remarks to 5 minutes.

Secretary James, you may proceed.

TESTIMONY OF HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS); AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Mr. JAMES. Good morning, Chairwoman Napolitano, Ranking Member Westerman, and members of this subcommittee. I am honored to testify before your committee today at this hearing on proposals for a Water Resources Development Act, WRDA, of 2020.

WRDA bills are so important, not only to what we try to do in the Corps of Engineers, but also how they affect the people that we all try to serve. And I thank you very much for promoting a WRDA 2020. Thank you.

The U.S. Army Civil Works program is the Nation's largest water resources program. It is a program that has three main missions: flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration.

The water resources infrastructure that the Corps has constructed has contributed toward the Nation's economy, helped communities to reduce their flood risk, and supports commercial navigation, and has contributed to the restoration of significant aquatic ecosystems.

I would like to provide some overarching comments as the committee is considering next steps on WRDA.

WRDA provides an opportunity to improve how the Nation invests in water resources, including actions to enable stronger partnerships with non-Federal interests. The administration believes this can be achieved by focusing future authorizations of Federal activities to those that are most warranted, while encouraging more non-Federal leadership, and removing barriers that can impede the ability of non-Federal parties to move forward on their own with investments in water resources infrastructure they deem as priorities.

Given the large number of authorized projects that have not been started or completed, new project and study authorizations should focus on those most likely to provide high economic or environmental returns to the Nation, and to those most likely to address a significant risk to public safety within the three main mission areas of the Army Civil Works program: flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration.

A key priority for the administration is encouraging stronger partnerships between the Federal Government and non-Federal stakeholders. Stronger partnerships will help leverage a broader range of financial resources for infrastructure investment, encourage more non-Federal leadership, and remove barriers that can impede the ability of non-Federal partners to move forward with investments in water resources infrastructure they deem as their priorities.

The administration has proposed several reforms to help accomplish this goal, some of which I will outline.

Extending section 1043(b) of WRRDA 2014, as amended. This authority allows us to transform how we implement projects by transferring Federal appropriations to non-Federal sponsors to construct projects on their own. This is an important reform to help accelerate projects and create efficiencies.

Divesting the Washington Aqueduct. The Washington Aqueduct is the only local water supply system in this Nation owned and operated by the Corps. Divesting the aqueduct would encourage a more efficient allocation of economic resources, and mitigate risk to taxpayers.

Establishing an inland waterways user fee. Establishing a user fee would help finance anticipated capital investments on the inland waterways system, and a portion of the cost of operating and maintaining them to support transportation of goods along them. The current diesel fuel tax is insufficient to support the users' share of these costs.

Streamlining permit processes and eliminating duplicative reviews. We have streamlined permissions for modifications to completed Corps projects that has eliminated weeks of review and reduced pending permissions by as much as 50 percent in many districts. I am very proud of the Corps of Engineers, and how they have managed to do that.

I appreciate the opportunity to appear before you here today. The rest of my testimony has been submitted for the record. And I thank you again.

[Hon. James' and Lieutenant General Semonite's prepared joint statement follows the general's opening remarks.]

Mrs. NAPOLITANO. Thank you, sir.

Proceed, General Semonite.

General SEMONITE. Chairwoman Napolitano, Ranking Member Westerman, and distinguished members of this subcommittee, thank you for the opportunity to testify today. I am pleased to be here with Secretary James, and appreciate his leadership of the Army's Civil Works team, as we continue to work together to address water resources and infrastructure challenges across this great Nation.

I have been in command for the Corps for 3½ years now. And to answer your question, ma'am, it is a 4-year tour, and my tour is expected to end in May of 2020.

I have been very, very challenged and very excited to be able to revolutionize the Corps of Engineers and how we do business. This does not imply that the Corps is not a world-class organization, but rather it demands that we anticipate and respond to changing requirements and externalities like all world-class organizations.

Successful Civil Works project delivery supports the Nation's current and future infrastructure priorities. The Corps' credibility is measured in our ability to deliver results that are on time, on budget, and of exceptional quality. To that end, the Corps has been taking bold action to improve performance to continue to engineer solutions for the Nation's toughest challenges.

We are able to do this because we have a world-class workforce of talented and dedicated professionals who are passionate about what we do. However, none of our work can be done alone. It is done with full participation and collaboration with many others like yourselves.

We embrace the authorities provided by this committee to focus on current mission areas and to serve as a guide to implement the Civil Works program with a strategic vision, taking pioneering steps to remain relevant and ready for the challenges of tomorrow.

Since the last Water Resources Development Act, I have signed 17 Chief's Reports representing over \$9 billion worth of proposed investments in the Nation's water resources. I have got a list here, and I am going to sign 20 more by the end of May 2020, and we are going to do another 15 by the end of December 2020. All of this represents the hard work accomplished in partnership with this committee to develop solutions to meet the Nation's water resources needs.

Our organization continues to grow by learning from our experiences, addressing significant challenges including aging infrastructure, increased demands of our navigation systems, and shifting weather patterns which result in more frequent and, unfortunately, devastating natural disasters. This committee continues to support these efforts by refocusing pertinent authorities and focusing flexibilities to allow the Corps to adapt and respond.

While we certainly can't predict the next crisis, enabling the Corps to be positioned as ready, reliable, and responsive to routine demands provides the necessary bandwidth for increasing the unscheduled.

For example, I applaud the bold steps that the committee has taken toward unlocking available resources to address the significant harbor maintenance requirements across the Nation. While making available additional dollars in the Harbor Maintenance Trust Fund, and enabling future predictability of resources, the Corps could implement a more strategic plan to maintain ports and waterways to full widths and depths, driving economic development and national prosperity.

The flooding disasters which devastated the Nation's heartland along the Missouri, Mississippi, and Ohio River Basins this past year took a significant toll on many of your communities. Due to the magnitude of the precipitation events, we say the wettest year in the last 124 years took place this spring. It is unlikely that even the most robust flood risk management infrastructure would have completely prevented significant damage.

However, the ability of local communities to appropriately plan for more extreme weather events by rebuilding existing structures and enhancing resiliency is critically important, and the Corps stands ready to assist through authorities made available by the committee.

To this point, the Corps appreciates the flexibility provided by the authorization of WIFIA, which can enable local investment in non-Federal projects, enhancing resilience to flooding, as well as providing environmental and economic benefits through low-interest, long-term loans. In partnership with the EPA, the Corps has leveraged existing best practices to ensure efficient program development. We look forward to the continued advancement of the program through congressional support, and look forward to the opportunity to begin issuing loans.

I appreciate, value, and depend upon the support of the Congress, the administration, and all of our partners to succeed in our mission.

I am very proud of the work that the Corps accomplishes, but I am equally aware that the organization could continue to improve. I have been and I am committed to making institutional lasting changes to the Corps' delivery process in order to become a more efficient and effective organization.

The Corps continues to work on policy and administrative reforms to improve delivery. Over the past 3 years my general officers, my senior executives, and my senior leaders have looked internally at our organization authorities, policies, regulations, and procedures in order to identify opportunities for increased efficiency and effectiveness. Actions like these are realized through modernizing the traditional delivery of the annual Civil Works program with innovative tools, streamlined internal processes, and exploring alternative financing approaches.

The Corps continues to pursue the implementation of cutting-edge research and technology that could modernize operations and inform best management practices of our projects. Concepts like the forecast-informed reservoir operations utilize modern observation and prediction technology, which improves water management and could lead to more lead time to selectively retain and release water from reservoirs, based on long-term forecasts.

Similarly, exploration of ways to combat or attenuate harmful algae blooms could enhance recreation opportunities, further enhance efforts to restore aquatic ecosystems, and provide ancillary benefits to public health.

The Corps strives to be value-added, to deliver solutions to the Nation's engineers. We cannot conduct these reforms in isolation. We need the help of OMB and Congress to unleash the power of the Corps by actions on our numerous work plan and budget recommendations.

For more than 244 years, the Corps has adapted to meet the challenges of the day. Today is no exception. Our current efforts to revolutionize the Corps simply represent the next chapter in this remarkable journey.

Thank you, Madam Chairwoman and members of the subcommittee. I look forward to answering any questions you may have.

[Hon. James' and Lieutenant General Semonite's prepared joint statement follows:]

Prepared Joint Statement of Hon. R.D. James, Assistant Secretary of the Army for Civil Works, Office of the Assistant Secretary of the Army (Civil Works) and Lieutenant General Todd T. Semonite, Chief of Engineers, U.S. Army Corps of Engineers

Mr. Chairman and Members of the Subcommittee:

We are honored to testify before your committee today at this hearing on proposals for a Water Resources Development Act (WRDA) of 2020.

Thank you for allowing us the time to address the committee.

The U.S. Army Civil Works Program is the Nation's largest water resources program. It is a program that has three main missions: flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration. The water resources infrastructure that the Corps has constructed has contributed towards the Nation's economy, helped communities to reduce their flood risks, supports commercial navigation, and has contributed to the restoration of several significant aquatic ecosystems.

I would like to provide some overarching comments as the committee is considering next steps on WRDA. WRDA provides an opportunity to improve how the Nation invests in water resources, including actions to enable stronger partnerships with non-Federal interests. This Administration believes that this can be achieved by focusing future authorizations of Federal activities to those that are most warranted while encouraging more non-Federal leadership, and removing barriers that can impede the ability of non-Federal parties to move forward on their own with investments in water resources infrastructure they deem priorities.

Given the large number of authorized projects that have not been started or completed, new project and study authorizations should focus on those most likely to provide high economic or environmental returns to the Nation and to those most likely to address a significant risk to public safety within the three main mission areas of the Army Civil Works Program: flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration.

A key priority for the Administration is encouraging stronger partnerships between the Federal Government and non-Federal stakeholders. Stronger partnerships will help to leverage a broader range of financial resources for infrastructure investment, encourage more non-Federal leadership, and remove barriers that can impede the ability of non-Federal parties to move forward with investments in those water resources infrastructure they deem priorities. The Administration has proposed several reforms to help accomplish this goal, some of which are outlined below:

- Extending Section 1043b of WRRDA 2014, as amended. This authority would allow us to transform how we implement projects by transferring federal appropriations to non-federal sponsors to construct projects on their own. This is an important reform to help accelerate projects and create efficiencies.

- Divesting the Washington Aqueduct. The Washington Aqueduct is the only local water supply system in the Nation owned and operated by the Corps. Divesting the aqueduct would encourage a more efficient allocation of economic resources and mitigate risk to taxpayers.
- Establishing an Inland Waterways User Fee. Establishing a user fee would help finance anticipated capital investments on the inland waterways and a portion of the cost of operating and maintaining them to support the transportation of goods along them. The current diesel fuel tax is insufficient to support the users' share of these costs.
- Streamlining permit processes and eliminating duplicative reviews. We have streamlined permissions for modifications to completed Corps projects that has eliminated weeks of review time and reduced pending permissions by as much as 50 percent in many Districts.

We would like to provide a brief update on the next Report to Congress on Future Water Resources Development under Section 7001 of the Water Resources Reform and Development Act (WRRDA) of 2014. The Corps published a notice in the Federal Register on April 29, 2019, requesting proposals by non-federal interests for proposed feasibility studies and proposed modifications to authorized water resources development projects, and accepted these proposals through August 27, 2019. The Corps received 52 proposals and is working to complete the 2020 report.

This will be the sixth annual report the Corps has done in accordance with Section 7001 of WRRDA 2014. Based on our experience these last few years, we continue to look for ways to improve the future water resources development process. This includes better public notification and education regarding the information required for a proposal. It also involves improving the timeliness of the review of the proposals and ensuring that proposals are properly identified in the main report and the report appendix, consistent with the requirements of Section 7001.

Our testimony will now list the projects proposed in Chief's Reports and Post-Authorization Change Reports since the enactment of WRDA 2018.

Since the enactment of WRDA 2018, 17 Chief's Reports have been signed. Most of these reports are currently under review to determine the Administration's position:

1. Little Colorado River Winslow, Arizona
2. Sacramento-San Joaquin, Delta Islands and Levees, California
3. Pawcatuck River, Rhode Island Coastal
4. Anacostia Watershed Restoration, Prince George's County, Maryland
5. City of Norfolk, Virginia
6. Souris River Basin, North Dakota
7. Great Lakes and Mississippi River Interbasin Study—Brandon Road, Will County, Illinois
8. Yuba River Fish Passage (Englebright and Daguerre Point Dams), California
9. Adams and Denver Counties, Colorado
10. Rio Grande, Sandia Pueblo to Isleta Pueblo, New Mexico
11. East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York
12. Jefferson County Shore Protection, Texas
13. Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Lock, Texas
14. St. Louis Mississippi Riverfront, Missouri
15. Matagorda Ship Channel Improvement, Texas
16. Hashamomuck Cove, New York
17. Willamette River Basin Review, Oregon

On May 22, 2019, Army submitted the report regarding flood risk management for Winslow, Arizona to the Congress. The recommended plan consists of 22,570 feet of new and reconstructed levees within and near the city. The plan also includes a flood warning system and improving conveyance through channelization and removal of saltcedar under the Burlington Northern Santa Fe Railway bridge. Based upon the October 2019 price levels, the total first cost for this project is \$80.7 million, with the federal share \$52.5 million and the non-federal share \$28.2 million.

Since the enactment of WRDA 2018, nine Post-Authorization Change Reports have been signed:

1. Dry Creek (Warm Springs) Restoration, California
2. Kenai River Bluffs Erosion, Alaska
3. Mount Saint Helens Sediment Control, Washington
4. Albeni Falls Dam, Idaho
5. Willamette Falls Locks, Oregon
6. Passaic Main Stem (Tidal Protection Area), New Jersey
7. Passaic Main Stem (Floodway Buyout), New Jersey

8. Barrow Coastal Storm Damage Reduction, Alaska
9. Pajaro River at Watsonville, California

Mr. Chairman, this concludes our statement. We appreciate the opportunity to testify today. Thank you.

Mrs. NAPOLITANO. Thank you very much. Thank you to both our witnesses.

We will now have questions for the witnesses. Again, we will use the timer for 5 minutes of questions for each Member. If there are additional questions, we might have a second round, if necessary.

And beginning the questioning with Mr. James, in many parts of our country we are experiencing more extreme weather events: the Midwest floods last year, and in previous years the West has been in an extreme drought. How will the President's proposal to eliminate the consideration of climate change in infrastructure project development affect the Corps planning process?

And there was a news article Al Roker was showing. I don't know if anybody saw it, but the different catastrophes to other States, and the billions of dollars it is costing. So what do we do with that?

Mr. JAMES. Ma'am, we are still learning, I think, along with many other things that we have to engineer in our country.

We do engineer our projects, and try to protect people based on the science of what the climate is doing.

As I say, we are still learning, and I think that is because the scientific community is still learning. I had a discussion with NOAA, I guess maybe a month ago now, and they were trying to explain to me how they are improving their scientific forecast, their analysis of climate change. And we use a lot of their data and expertise in what we do, as far as climate change and the scientific-based weather.

Mrs. NAPOLITANO. Well, the President's proposal to eliminate the consideration of climate change, how will that affect the Corps' work?

Mr. JAMES. I am sorry, ma'am?

Mrs. NAPOLITANO. The President's proposal to eliminate the consideration of climate change in infrastructure project development, how will it affect the Corps' planning process?

Mr. JAMES. I am not sure how to answer that because, regardless, unless ordered not to do so, we will continue to follow the science and address and build the projects for this country the way we have been doing it, and it is based on science.

Mrs. NAPOLITANO. Thank you very much.

General Semonite, the WRDA 2018 reauthorized the Corps dam safety program, an important program for the Nation and also my district. How is the Corps ensuring the safety of its dams across the country?

As you know, the Whittier Narrows Dam in my district is classified Dam Safety Action Classification 1, the highest. We are pleased to see the plus-up for the Dam Safety Program in 2020, and look forward to working with you on that.

General SEMONITE. Madam Chairwoman, again, we have been very, very impressed with the amount of dedication and money that the Congress has given us to be able to augment the President's budget. And we want to make sure that that money goes

against those most critical priorities. Dam safety is one of the highest ones we have.

As you know, we rank all of our dams, and those that are most dangerous. Whittier Narrows is one of the most important ones we are focusing on. I can walk you through the mechanics, but we have got full approval of that. We have got contracts that are on board. We have got about \$11 million coming in 2020, more money coming in 2020 for utility reposition. We are absolutely committed to continue to bring down any risk at Whittier Narrows to be able to make sure that we can make that dam safe for the people that are affected by that area.

Mrs. NAPOLITANO. Thank you very much. General Semonite, we have received 17 Chief's Reports since WRDA 2018. Can you talk about the Corps' process in assessing and completing Chief's Reports, including environmental and feasibility reviews?

General SEMONITE. So Chief's Reports are very important. As you know, we used to have a very, very long process to go through this study phase to be able to culminate in a Chief's Report. And some of those went on. I know one that went on 17 years. We can't work like that, as a Nation.

So we had a goal to be able to figure out how to streamline that. And we coined this 3x3x3, 3 years, \$3 million. The bottom line is that we thought that should apply to most projects. There are going to be some that are going to be harder than that.

So the Secretary and I have a very, very aggressive and, basically, a ruthless system. We ask all studies to be done within 3 years, but then we ask people to come back, if they really need a waiver, for more money or more time. Then we give it to them. We are very, very hard. They have got to come in front of almost like a murder board and prove to us they need more time.

Right now we are very aggressive on getting them done, the numbers I gave you. We are going to continue to stay on track. But it means that we have got to be willing to take two decimal points instead of seven decimal points. We have got to be able to be able to apply some degree of risk, not with life safety, but with process. And if you need 22 people to approve something, I bet you 3 or 4 could probably do it faster.

That is our whole goal, is to streamline and give Congress the good-enough solution so you could make an informed decision for things like WRDA without having to take so much time to come to the 100-percent perfect solution before you have even gone into planning and design.

Mrs. NAPOLITANO. Thank you. Can you talk about the Corps' role in forecast-informed reservoir operations and improving water conservation to the Corps dams in order to adapt to current conditions and meet the water supply needs of local communities?

General SEMONITE. So we are excited about this. And in case there are some Members that might not be fully informed, there were reservoirs that we actually built to be able to handle flood control. And they are dry all year long. So when there is a big storm, it can handle that load.

We have found that sometimes, even in some of the worst storms, those reservoirs don't even come over 50 percent. So is there the possibility of putting more water in an already-designed

reservoir to handle some of the other very, very critical needs that you have assets to take care of? Aquatic system restoration, habitat, water supply, water quality? So we are working very, very carefully. Secretary James continues to reinforce—he is very, very worried about flood control.

But this goes back to the ability where there are some areas of the country where we are able to predict 3 or 4 or 5 days out that a storm is coming, we are able to release some more water so the capacity in that dam could be used for other things. That is what FIRO really goes through. We are still working our way through it, but we see some great areas like in California, where we see merit of using an already-existing structure to be able to provide more water for this country.

Mrs. NAPOLITANO. Thank you, sir.

Mr. Westerman, you are recognized.

Mr. WESTERMAN. Thank you, Madam Chair. And again, thank you, Secretary James and General Semonite, for your testimony.

I know that, working in conjunction with the administration's initiative, that the Corps has implemented the Revolutionize the USACE Civil Works initiative, hopefully to save taxpayer dollars and complete projects sooner.

Secretary, can you tell us how the Corps is working to further enhance this initiative, and maybe what kind of real-time dollars have been saved and you anticipate seeing saved under this initiative?

Mr. JAMES. I don't think we have analyzed the real-time dollars as yet. But, as General Semonite just alluded to, he and I both are working very hard to streamline the Corps processes.

Over time, when you go from the 1950s to the 2020s, say, and laws, and rules, and regulations are put on these people that actually do the work in the Corps. And then they get more sensitive all the time, as time marches on, to those laws, rules, and regulations.

Therefore, they—just what the general said—try to take something out to .999, rather than stopping at .2, and passing it up the stream. We are working very hard to do that.

For another example, we have initiated the fact that if you need a section 408 permit and, oh, by the way, in the project you are looking at you need a section 404 permit, those applications can be made and processed by the Corps at the same time. It was not that way prior to, I think, last year.

And there are many, many other technical aspects of what we do that we are trying to streamline and revolutionize.

Mr. WESTERMAN. General, would you like to add anything to that?

General SEMONITE. Sir, I think the way to really sum this up, this is not about necessarily making some minor changes to the law and policy and procedures. This is about building a culture of aggressive delivery, of understanding where Congress wants us to go, and then how do we try to meet that intent and get it done faster?

We don't actually have dollar savings. What we are trying to do is to find out, of the dollars you give us, how can we spend those

dollars better. And we are actually able to roll those savings back into other programs.

And it is not just Civil Works. It is how do we hire people? How do we cut contracting? How do we make our legal systems go faster? How do we do better across the board?

So it has got to be a culture of delivery across the entire Corps.

Mr. WESTERMAN. And what more can we do to help you improve that—

General SEMONITE. So General Spellmon, sitting behind me, has a list, over 100 different things where we want some degree of—we want to work with you to say, if you untie my hands in a couple areas here—WIFIA might be a great example—I could do so much more to be able to deliver. So we continue to share with the staffers on the committees those initiatives where more than—we are working with OMB, we are working with the administration.

But sometimes, if you take some of the harnesses off, you will find that organizations will run better.

Mr. WESTERMAN. So, General, you talked about the historic flooding that happened last year. That happened also along the Arkansas River in my district and in my State. We had considerable damage there, and there are still gaps in levees, some uncertainty with farmers on, you know, how they are going to proceed forward with planting this spring. It is not uncommon to other parts of the country.

I mean, when you look at flood control, it is an issue of how do you get the water back out to the gulf when you are talking about the Mississippi River system, which is, obviously, our largest river system in the country.

I know right now the level on the Mississippi River is higher than it was at this point last year. I have talked about what happened in Arkansas, but I know in Mississippi they had hundreds of thousands of acres that flooded because the Mississippi River was too high for the tributaries to drain into it. And I know there are projects that are being looked at on how to put more levees in and more pumping stations.

But at the end of the day, how do you get more water through that channel and back out to the gulf?

And we had a hearing on natural infrastructure. You know, we saw huge amounts of water diverted through Lake Pontchartrain last year. Are there any long-term visions or plans on how we increase the size of the flood plain and give that water more opportunity to get back into the gulf?

General SEMONITE. So, sir, it really is a systems approach. There are people that want to be able to raise a levee on the left side of the river, the right side, and take a very, very tactical approach.

Most of what we are talking about, and what we have learned in the last couple years, is it really is this watershed approach. It goes all the way to, you know, how do you monitor the snowpack way ahead of it? How do we make sure we understand the capacity? How do we build that capacity in?

And then, how do you let the river have a little bit of room to grow? What is the right way of doing that?

But it is always going to be life safety that is number one. I think in these last couple of storms there has been some confusion

that the Corps tries to balance across all the variables in the river. We have different authorities you have given us, and you don't necessarily prioritize those authorities. But what we always want to do is be able to make sure we are taking care of humans, and the quality of life, and making sure we are keeping people alive.

So how do you do that and continue to try to find systemic ways of being able to accommodate some of these very, very large storms we have seen in the last couple years?

Mr. WESTERMAN. I yield back, Madam Chair.

Mrs. NAPOLITANO. Thank you. The Chair now recognizes Chairman DeFazio.

Mr. DEFAZIO. Thanks, Madam Chair. I appreciate your leadership on this issue.

General, I understand—unfortunately, I couldn't be here for your opening remarks, but you did mention the attempts to unlock the Harbor Maintenance Trust Fund in a salutary way. I appreciate that. I have been working on it since—where is he—Bud Shuster was chair of the committee right there [indicating portrait]. Twenty-three years ago we started working on that, and we finally got it through the House. We are hoping on the Senate.

So—but absent that, Congress did come close to spending and fully allocating the income for the coming year. And so there was an increase of \$665 million over and above the President's budget for the Corps. Yet the President did not propose in my State any funding for repairs for the north jetty at Coos Bay, Oregon, which was scheduled for 2020.

I understand now you are working on the work plan for 2020. How will Coos Bay figure into that? Can you tell me?

General SEMONITE. So, sir, actually, because of the timing of when we got the actual appropriations, my guys took a couple days off over Christmas, but I worked them over New Year's. And in the last 2 or 3 days—I got a briefing yesterday on the construction account and the investigations account. I got 50 guys back at the office right now that are doing the O&M account. I will know more on O&M by when I get back tonight. I have got to submit it to Mr. James by tomorrow night.

Mr. DEFAZIO. Right.

General SEMONITE. So all of these requirements out there, there are a lot of very, very valid requirements. They will compete well.

And I have got to admit to everybody here, regardless of what we got in the President's budget, Congress went above and beyond—\$2.6 billion—to be able to pay some of this risk down. And that allows us in the work plan, with some of the rules that we don't normally have in the normal process to allocate those work plan dollars along these very, very critical projects that need to be done.

So we will know much, much more. Some are going to compete very well. On some of them they might not be able to get within that \$2.6 billion. But if there is a work plan next year, we will continue to be able to champion those throughout. I don't know the details, but if you want we can certainly—after Mr. James approves it, and it gets through the system, we will come and give you a briefing on where that one is.

Mr. DEFAZIO. I appreciate that. We are losing about 20 feet a year. The harbor entrance is becoming less and less tenable. And ultimately, the jetty is going to go to total failure, which would be a much more expensive project, as you know, rather than going in and repairing it now.

There is another issue—I have to be a little parochial here—the Willamette River Basin review/reallocation study. And we just got the Chief's Report. The problem is that the Chief's Report omits recommendations from the district engineer regarding endangered fish species in the Willamette Basin.

And there had been a very extensive consultation between the Portland District, National Marine Fisheries Service, stakeholder groups, and they had come to an agreement on how to go forward with this. And, absent some recognition in the Chief's Report, we are looking at litigation yet again. And I hate to go down that path, so I am hoping that your office will work with mine and other interested Members of the Oregon delegation, and the stakeholders, and the Portland District to amend that Chief's Report, because I am not going to include it in WRDA as it is.

General SEMONITE. And sir, we certainly want to try to work through all these issues.

What you will find is—some of you are going to ask me questions about this today—is that everybody comes to the table with their absolute must-haves. These are all of our red lines we have got to do. And there is no engineering solution that can necessarily solve those.

So then what happens is we say we will continue to study it, and they drag on and on and on. So at some point we have got to find what is the best optimal solution we can do to try to get to where everybody gets a B-plus solution. We are working with NMFS very closely on this one to try to resolve it. We are aware of that challenge.

I would like to think we can work through it, and we will certainly work with your office to try to get there.

Mr. DEFAZIO. That would be great. My time is about to expire, and I don't want to belabor things, but I would also—and then I had discussed with you previously the Pebble Mine and my concerns that the EIS was found by the Trump administration, agencies, to be totally lacking in terms of an environmental impact statement.

So I am hoping that—and I understand that there has been some delay, and there is some reconsideration and consultation going on.

General SEMONITE. Sir, I would say not a delay. I would say that we understand, based on the magnitude of the comments and our due diligence to do this right, we need at least 90 more days. So we have pushed one of those milestones back. Right now everybody is very supportive of that extra time. It is better to do this one right than do it fast.

Mr. DEFAZIO. OK. Thank you.

Thank you, Madam Chair.

Mrs. NAPOLITANO. Thank you. The Chair now recognizes Mr. Garret Graves.

Mr. GRAVES OF LOUISIANA. Thank you, Madam Chair. I appreciate it.

Mr. Secretary, General, thank you very much for being here today. You do have a tough mission. And the chair, subcommittee chair, noted that all these disaster costs that are occurring, you are basically the offense. You are the proactive entity to get out there and to prevent these things from happening. You have got a \$100 billion backlog. While Congress has provided record funding in recent years for the Corps of Engineers, we are still not on a trajectory to truly solve these problems. And we want to continue working with you to do just that.

I have been one of the most vocal critics of the Corps of Engineers over the last several years, certainly up there in the top five. But I want to tell you, General, you and I have had some very candid conversations. Mr. Secretary, you and I have, as well. Over the past couple of years I have seen a clear change, and I want to thank you for that. We have a long way to go, but we have seen much more of figuring out how to get to yes, as opposed to the default no. And I can't overemphasize we have a long way to go, but thank you for your work.

And General, I wish you the best of luck.

In regard to some of the challenges we have before us, we have some QFRs we have been waiting on from the Corps from a hearing dating back to, I think, June or July that we haven't received. It is tough for us to do our job and to be able to prepare WRDA 2020 without that information. I understand there has been some back and forth with OMB, but I want to re-urge that that information get to us so we can make informed decisions moving forward.

Also, in regard to implementation of WRDA 2018, there are a number of provisions that haven't been implemented, or have been implemented in a questionable way. One of them I want to flag has to do with your land acquisition policies.

We did make a change in WRDA 2018 to land acquisitions that would—section 1115. And what the Corps of Engineers did in your implementation guidance is you basically reaffirmed your 1998 guidance. We changed the law. We changed the law. I don't know how you reaffirm a 1998 guidance when we changed the law. What we did is going to make it less contentious. It is going to save money, more cooperation with landowners, and allow these projects to move forward, again, cheaper and faster. And I urge you to please take a fresh look at that and get it resolved as quickly as possible, if you could.

Mr. JAMES. Yes, sir. I commit to you that—when you brought that up to me, I was unaware that we had done this on the guidance. And I am going to get with the Chief and the Corps and see where we are and where we should be.

Mr. GRAVES OF LOUISIANA. Great, thank you. Basically, what we did, General, is we said that you don't have to do fee title for all property. You are allowed to have the lowest form of acquisition. If it is an easement, a construction easement, a temporary easement, whatever it is, you get better cooperation with landowners, you save money on project cost. And I would appreciate you all taking a fresh look at that.

General SEMONITE. And sir, we are all in support of that.

And back to your question on QFRs, the bottom line is I tell my guys, "You have 14 days to get it up to Mr. James." And sometimes

we miss that. I think the longest one we had in July was 17 days. We have got to find a different way of solving that problem, because somehow you are asking good questions, we are answering them, and we are having a problem getting you the answers.

Mr. GRAVES OF LOUISIANA. Thank you, and I am happy to work with you to find a better way of doing it.

Another important priority in section 1111 of WRDA 2018, we did a pilot program allowing you to do long-term dredging contracts. Title 1 of the omnibus appropriations bill which recently became law in December effectively implements and funds that program through the regional dredge demonstration program, it provides substantial funding. It is the same concept.

How do we take advantage of economies of scale, of doing perhaps construction and O&M work at the same time? You have dredges there, perhaps combining channels, if you have channels that are adjacent to one another, instead of continuing to pay these very high mob and demob costs for the limited dredge capacity we have around the country.

I would like a commitment from you all. Mississippi River, it has authorized deepening, we have had trouble with draft restrictions on the river multiple years recently. I would appreciate a commitment from both of you that you would take a look at the Mississippi River's eligibility from that program. The river does provide maritime commerce for 31 States.

Mr. JAMES. Sir, from what I can tell, the Mississippi River is eligible. The program makes one deep draft project eligible from each State, and that goes from Louisiana to Texas. So that includes the Mississippi River and Gulf Outlet.

And that is the one that we struggle with every year. You know that.

Mr. GRAVES OF LOUISIANA. Yes, sir.

Mr. JAMES. You live down there.

Mr. GRAVES OF LOUISIANA. I certainly appreciate you all's efforts to take a look at that.

Look, the last thing I have got, I want to thank you for your efforts on the ACAR and the Morganza to the gulf. I think it is an innovative approach. It is the way we are going to get these projects built and done in a more efficient manner. So I want to thank you for your efforts there. I am looking forward to continuing to work with you.

Chief's Reports have been submitted on Baptiste Collette and Houma Navigation Canal. I ask you to please expedite those.

And lastly, there is a section 203 that should be coming back to you on Port Fourchon deepening. And I just want to put it on your radar, as well.

So thank you all for——

General SEMONITE. We are definitely tracking that 203, sir.

Mr. GRAVES OF LOUISIANA. Great, thank you.

Mrs. NAPOLITANO. Thank you very much, Mr. Graves. The Chair recognizes Ms. Mucarsel-Powell.

Ms. MUCARSEL-POWELL. Thank you, Madam Chair. Thank you, Assistant Secretary James, for being here this morning.

As you know, I represent one of the most beautiful districts in the country, parts of Miami-Dade County and the Florida Keys.

And in 2001, Congress authorized \$100 million for the Florida Keys water quality improvement program to help transition the Keys from the septic system to a proper sewage system. And this transition has been critical for the public health of our community, to protect our environment, for our economy, and the health of our delicate and essential natural environment, including the Florida Keys National Marine Sanctuary, home to the third largest barrier reef in the world, and also the only living coral reef in the continental United States.

Over the past 18 years the Corps has paid out \$61 million for the project. And the Keys are still waiting for \$39 million to be paid out.

Right before the holiday break I worked with my colleagues on both sides of the aisle, and we sent you a letter—I don't know if you have had a chance to review it—really asking for the increased funding in your fiscal year 2020 work plan to include the funding for this essential program.

The bill that Congress passed and was signed into law last month included a \$20 million increase over the previous year's funding. That is a 25-percent increase, and I am very proud of that, because I worked very closely with the Appropriations Committee pushing for that increase.

I don't really have a question right now, as it relates to this. I just want to reiterate how important and critical it is for us to receive that funding, and if we can get that \$30 million extra. It has been 19 years, and the Florida Keys has really been a leader in showing the Army Corps that they have completed the project in the timeline that was provided to them, and submitted all the reports.

Mr. JAMES. Thank you, ma'am. I am familiar with that situation down there in south Florida. We will be watching for that work plan, and make sure that it competes with the other projects that we have to look at.

This is not a new one, so we will be looking at it.

Ms. MUCARSEL-POWELL. Yes, it has been 19 years. And I am excited to hear Lieutenant General Semonite and how he wants to speed up the process in providing the funding for these projects. So I just urge that you keep that in mind in the 2020 work plan.

I also wanted to highlight another initiative within the south Florida delegation, which is to use the supplemental appropriations funds to reevaluate the central and the south Florida flood control project to take into account the sea-level rise that we are facing, more intense rainfall events and increasing populations.

As you know, this was approved 70 years ago, taking into account only 2 million residents at the time. Now we are looking somewhere between 11 and 15 million residents. So we really need to take a look at what was appropriated back in that time of the project that was approved.

And I also sent you a letter in November; you have also been receiving communications from some of my other Florida colleagues.

So do you know where we are at in those deliberations at this moment, Secretary James?

Mr. JAMES. No, ma'am, I do not. I do not know—

Ms. MUCARSEL-POWELL. Has there been any discussion on re-evaluating the flood control program?

Mr. JAMES. It has not—

Ms. MUCARSEL-POWELL. Or—

Mr. JAMES [continuing]. Come to me. No, ma'am. But it is—

Ms. MUCARSEL-POWELL. South Florida?

Mr. JAMES. It is probably very definitely over in the Corps, and—

Ms. MUCARSEL-POWELL. I will give you a copy of the letter. Maybe we can have a meeting and follow up on that.

Mr. JAMES. That—

Ms. MUCARSEL-POWELL. This is critical for us.

Mr. JAMES. That would be great. I am open to that. And it is your call.

General SEMONITE. Ma'am, let me go better than that. We will have somebody in your office either tomorrow or next week—

Ms. MUCARSEL-POWELL. Thank you.

General SEMONITE [continuing]. To find out exactly—I have not seen that particular letter. And there are a lot of projects I am prepared to talk about today, but I am not necessarily aware of where we are at on that. So we owe you a better answer to follow up.

Ms. MUCARSEL-POWELL. Yes, thank you. And I will give you a copy of this letter. This was sent back in November of 2019.

Finally, I just want to get your opinion on the New Start requirements for construction of Corps projects that are already authorized. As you know, the Central Everglades Planning Project was designed to be a comprehensive set of complementary projects that would restore the Everglades. Unfortunately, due to the New Start requirement, we need separate new appropriations for each individual project for the program to start.

And I wanted to ask you if you can just explain a little bit to us what effects this requirement has on the progression of Everglades restoration, both in terms of the timeline and additional costs that this would impact for the project.

Mr. JAMES. Ma'am, it has the same effect on the Everglades as it has on all the other authorized projects in this country trying to get funding appropriated to be built.

How it affects the Everglades, it makes the Everglades compete for construction with all the other construction projects in this country. And there is, historically, recently, only one.

So, yes, it affects it. Basically, that New Start is an administration call, and we have to respond to the New Start program.

Ms. MUCARSEL-POWELL. I think it is something that needs to be studied and looked into, and maybe we can discuss it when we have our meeting with the Army Corps in my office. Thank you so much.

Mr. JAMES. Yes, ma'am.

Mrs. NAPOLITANO. Thank you, ma'am.

Mr. Babin, you are recognized.

Dr. BABIN. Yes, ma'am. Thank you, Madam Chair and Ranking Member, as well, for convening this important meeting and hearing.

I would like to thank our witnesses, as well, for testifying, for your leadership during and after Hurricane Harvey in our district

in southeast Texas. I commend you for the numerous trips made to my congressional district to ensure recovery remains on schedule, and that people living in the greater Houston and coastal region have the necessary level of protection from catastrophic natural disasters.

Unfortunately, we were hit again by Tropical Storm Imelda this past September.

My district is home to several critical Civil Works projects of great economic benefit to the country: number one, a project to widen and deepen the Houston Ship Channel currently undergoing review by the Corps; number two, a federally funded project to deepen and widen the Cedar Bayou Navigation Channel in Baytown, Texas; and number three, a federally funded project to deepen and widen the Sabine-Neches Waterway in Beaumont, and Port Arthur.

As you know, the Houston Ship Channel in my district is the busiest deepwater, deep draft waterway in the Nation, and it supports the Port of Houston, which is the country's number-one export region, and the epicenter of our national energy security, where a majority of U.S. gasoline and aviation fuels are produced. This activity sustains millions of U.S. jobs and generates billions in economic impact and tax revenues each year.

Given recent increases in global energy consumption, the Port of Houston, in coordination with the Corps of Engineers, must widen and make other necessary improvements to the ship channel in order to meet demands in the global marketplace and provide a safer, more reliable vessel transit for each vessel.

And General Semonite, I look forward to the transmission of your final report to Congress, as well as your subsequent policy recommendation to Secretary James.

Secondly, we have the Cedar Bayou Navigation Channel, where several companies have planned major expansions in anticipation of a projected completed project. Although authorized in 2007, this project finally received Federal money to begin construction in November of 2019. I encourage both of you to please prioritize completing this project when making your annual work plan and budgetary considerations.

And lastly, again, we have the Sabine-Neches Waterway, which is home to the largest strategic military port in the country, at Beaumont, holding 55 percent of the Nation's oil reserves, as well. This ongoing deepening and widening project will increase jobs, our annual GDP, and provide billions in increased tax revenues. Again, please give this project your full faith consideration when making discretionary and budgetary decisions.

And General Semonite, I have a question here. Thank you for your service to our Nation. We are indebted to your sacrifices that you and your family have made in defense of our freedoms.

With respect to the Houston Ship Channel, for the edification of this committee, when do you expect to transmit your final report to Congress, so that we can include an authorization in WRDA 2020? Or do you anticipate any delays in this transmission?

General SEMONITE. So, Congressman, I am going to hit all these in 1 minute.

The bottom line is, on Houston ship, the goal is to sign in April. We are seeing that we can push these about at least a month earlier. We know exactly when your cut-off is, and right now, officially, it is the end of May. But we have had times when in June, July, and August I have signed Chief's Reports and sent them over, and we have done them in conference. That is harder. But we expect to have this to Mr. James, and I expect a rapid turnaround. So that should be here by the end of May. And that is on track. We don't see any big problem.

Dr. BABIN. Excellent.

General SEMONITE. Sabine Pass is going very well. You know that we have signed the PPA on District 7. We are still working with the other non-Federal sponsors. That is a green. I label all my projects by red, green, amber. We think that is postured by success. We just got to continue to work through the other two phases of that.

And then the last one is Cedar Bayou. Again, we think that that is postured well. You got new construction start funding in 2019. I think it will continue to compete very well. We are tracking all three of those projects.

Dr. BABIN. That sounds like a good deal to me.

Mr. Secretary, I am grateful for the attention that you have shown to my district in coastal Texas. As you make funding decisions for the fiscal year 2020 work plan, I would like for you and your staff to give full faith consideration to the projects that I have mentioned this morning, so that we can finish them and help lower the Corps construction backlog.

Mr. JAMES. I will be committed to that, sir.

Dr. BABIN. Amen. Thank you so very much. I appreciate it, and I yield back, Madam Chair.

Mrs. NAPOLITANO. Thank you, sir. The Chair now recognizes Mr. Garamendi.

Mr. GARAMENDI. Thank you so very much, Secretary James and General Semonite.

You have been talking about floods and deluges. And so we are adding to the deluge of requests. First, an apology for adding to that flood of requests or demands from us. A couple of things. Yes, we do represent districts, and, therefore, here we go.

The Yuba River Ecosystem Restoration Study, it has been underway. We thank you for moving it along. The delay of the feasibility study, the completion of the timelines—anyway, put it on your agenda, along with the other demands that we are placing on you today.

I did notice, Secretary James, aquatic restoration is one of the three goals that you have in mind. Thank you. Very important, obviously, to my colleagues from Florida.

But also this place called Clearlake, in California, a project instituted by the Corps of Engineers four decades ago to eliminate an aquatic system. Guess what? We are trying to rebuild it now. It is on the agenda. This would be a restoration, having made a bad decision four decades ago. Let's go back and clean up and try to restore an aquatic system at Clearlake. That is called the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project. A kind of a nice thing to do.

And then there is a little project in Calaveras County at Copper Cove having to deal with a sanitation system, and that is the Copper Cove Wastewater Treatment and Reclamation Facility, Calaveras County Water District.

One final thing, Secretary James. I want to draw your attention to an issue that we put into law, and that is to allow the local sponsor to do the work, and not rely only on the Corps of Engineers. The Feather River West Program has been 39 miles of restoration or improvement of a levee on the Feather River. This is the West Levee Project. The final 5 miles could have been done by the local sponsors, as were the previous 39 miles. For reasons that are not at all clear, the Corps decided to do it itself, actually created a higher expense and more delay.

I am just bringing to your attention what happens, what could happen. Several Members have already brought to your attention local—not only participation, but the local sponsor doing the project. It didn't happen in the last 5 miles. Unfortunately, a little longer, a little more expensive, because the Corps decided they would do it themselves.

So turn it over where possible, where feasible, and where desired by the local agencies. Turn it over. Let the local sponsor do the work.

This one, hopefully, will be completed in the near term. I think it is probably one more year, one more flood year we have to go through, then it will be done. So I bring this to your attention. It is not only an issue in my district, but I suspect it is throughout the region.

I see Mr. LaMalfa here. The first several miles were in his district. Most of it in my district. But it is going to get done. So thank you.

We can go on and on. I just want to end here in my last 1 minute and 32 seconds with a big thank you. You have an enormous challenge, not only the projects that need to be done around the Nation, but around the world.

And also, there really is the thing called climate change. It is there. It is real. And I noticed you used other words to come to the same issue. Thank you for being aware and working hard on it. Thank you very much.

Mrs. NAPOLITANO. The Chair now recognizes Mr. Mast.

Mr. MAST. General, Secretary, a sincere thank you to you and your staffs for the increased effectiveness that you undertook in this last year. Your superb management of the central and southern Florida waters in this past year, it was outstanding. We overcame a lot. I need your help to do it again.

I want to play a quick video about where we have been and how we overcame this, just to refresh people on this. What you are going to see, you are going to see EPA Secretary Wheeler talk about a standard the EPA created, eight parts per billion.

Humans don't come in contact with microcystin and cyanobacteria. Right? To put it in perspective, we have had toxic algal bloom discharges of 495 parts per billion.

You are going to see General Spellmon speak a little bit about what has occurred historically, that there have, in fact, been toxic discharges.

You are going to hear Colonel Kelly from Jacksonville speak about how they overcame this in 2019, just as a refresher from everybody.

So if they could play that video a moment, that would be great. [Video shown.]

Mr. MAST. So I thank you all for watching that. I want to give you a chance to answer something that I think I know the answer to already. But very simply, does the Corps of Engineers want to have toxic discharges?

General SEMONITE. So, sir, I will take the first lead. Absolutely not. We want to be able to continue to work within all of the Federal standards and exceed them, if nothing else.

You have been a champion, along with the Governor, of continuing to try to figure out how to solve this problem. And I am afraid—and this is where the whole issue will revolutionize—we can't sit behind our paperwork and say, "Hey, we know how to do it, we have been doing it for 50 years."

So this whole idea of what is the schedule—it used to be—now we are looking at redoing it—what is the right balance of trying to keep enough water in the lake for our recreation or for habitat, while at the same time making sure we don't have these kind of, you know, discharges out there.

We have seen great success last year going down certainly to 12 into the point where you were mentioning 10.5. We are going to continue to look at that, but we are taking on this study to try to figure out—instead of us trying to wing it year by year, what is the long-term approach? Not just for when there is a lot of water, but when there is drought.

So we are committed to doing the right thing here.

Mr. MAST. You guys killed it last year. I couldn't give enough accolades about what you did. Is it right now the stated goal, the stated mission, to prevent toxic discharges out of Lake Okeechobee? Is that a stated mission?

General SEMONITE. It is definitely a stated mission.

Mr. MAST. OK. Now I want to talk about moving this forward. I think we have three emergencies that you know you have to deal with. There can be an emergency for the integrity of the Herbert Hoover dike, right? Dike safety. That occurs because of too high of water on the lake.

There can be an emergency because of toxic water discharge out to epicenters of population, poisoning those populations and people that are out in those waters. That also occurs because of too high of water.

And there could be an emergency because there is not enough water supply. I acknowledge those are very, very difficult to balance.

Now, in this last year, when you did it so successfully, were there any examples of any populations—anybody not getting this water supply that they needed?

General SEMONITE. There was not. But you know that we got very, very close when we went down low. And we started to see a lot of pushback, mainly on some of the Native Americans and some of the recreation on the actual—inside the lake. And if you have seen the graph—and I have got it, I will give you a copy after-

ward—but we then started pulling that line back up off of the minimum releases. So we brought it up a little bit, another couple of feet higher.

It is—where is that balance point? And there is no science, but it has got to be—how do we do adaptive management to continue to flex, based on what Mother Nature is doing?

Mr. MAST. So we have got to find that line, General. I want to have your help in working on this as we move into this year.

Twelve feet, the stated goal for this year. It is too high. If we would have been at 12 feet last year moving into hurricane season, we would have had those toxic discharges. Your dike would have been at serious risk of failing with a category 5 hurricane headed our way. I would love to have your assistance in working back towards 11 feet, where everybody got their water, we didn't have toxic discharges, the dike wasn't put at risk, and everything was able to be accomplished. I want your help in working towards this as we move into 2020 here.

General SEMONITE. Sir, this is one of our biggest priorities, to find the right place to do it. I am not going to commit to a number, but I am telling you, it is definitely a lot more like what we did last year than what it was several years ago.

Mr. MAST. Let's get to work. I yield back.

Mrs. NAPOLITANO. Thank you, Mr. Mast. The Chair now recognizes Mr. Lowenthal.

Mr. LOWENTHAL. Thank you. First, I am pleased that we are beginning our work on the 2020 in one of the most critical things that we do, the Water Resources Development Act. And we are beginning this.

WRDA is essential in my district, from the harbors of San Pedro Bay, to flood protection in Orange County, and ecosystem restoration along my coast, which is all being undertaken now.

And I am glad for the Army Corps' diligent work on project studies like the channel improvements in the Port of Long Beach, which is in my district, and critical flood protection in Westminster and East Garden Grove, which impacts both my district and Congressman Rouda's. And I hope that we are going to be able to authorize these projects in WRDA 2020.

But I would like to turn a little bit to Secretary James, to some of the policy issues, rather than the specific projects. In July, Major General Spellmon spoke with us about the Corps' efforts to update its evaluations of natural and nature-based infrastructure. And the Corps previously stated that it is going to issue new guidance to incorporate nonmonetarized benefits by the end of 2019. As far as I know, this guidance has not yet been published.

So I have a two-part question. The first part is when can we expect the Corps to issue the guidance on accounting for social and environmental benefits of nature-based infrastructure?

The second part is at a November 19th hearing of the Subcommittee on Water Resources and Environment, a representative from the National Wildlife Federation, the NWF, stated that the Corps has not consulted with that organization to help develop this guidance.

So my question, the second part, is what nongovernmental stakeholder organizations has the Corps consulted with on this guidance? And what was the nature of that consultation?

Mr. JAMES. Yes, sir. You directed that to me as a—

Mr. LOWENTHAL. Yes, I did.

Mr. JAMES. As a policy guidance—

Mr. LOWENTHAL. And where is the status of the guidance now, and—

Mr. JAMES. I have no idea. I will be happy to get with the Corps and get you an answer by the first of the week on your questions.

And don't take it as—that—jump back because I said I don't know, and because I said policy guidance. That is often the case. The Corps helps develop that guidance. It comes to our office at the Civil Works Office, and my team works it, and then we issue the guidance. And I have not received that guidance.

Mr. LOWENTHAL. I am just saying that this follows up, we have already discussed that guidance. It is critically important for us, as we look at restoration, how we are going to really evaluate. And I think the Corps has really stepped up and said they are going to look at that.

How are we going to evaluate and give them a fair chance to compete?

Mr. JAMES. Yes, sir. Yes, sir. Understood.

Mr. LOWENTHAL. Thank you, and I yield back.

Mrs. NAPOLITANO. Thank you. The Chair now recognizes Mr. Massie.

Mr. MASSIE. Thank you, Madam Chair. My question is for Mr. James or Lieutenant General Semonite.

We have 280 miles of the Ohio River in my congressional district, three locks and dams, and very much appreciate the maintenance that is going to take place in the next year. All we need to know is when it is going to happen, so that we can plan around it. Lots of freight from all over the country going up and down through those locks and dams.

When can we expect the work plan for the Ohio River and Great Lakes Division that will let us plan around those maintenance features?

Mr. JAMES. Well, sir, we are working in my office at this time on the work plan, the appropriations from the Congress. And I can't answer your question yet as to when those locks and dams will be addressed. I can give you my general answer.

Mr. MASSIE. General is fine. I didn't mean to be too parochial, I just wanted to explain my particular interest.

Mr. JAMES. No, sir, I understand, and I don't blame you for that. I have got you.

But my general answer is I wish we were repairing every lock and dam in this country, starting this year. But the fact of the matter is that we are not funded to the levels to do that.

And I have even become concerned that some of the locks and dams that have been historically for agricultural exports down both the Mississippi and the Ohio River systems are being severely overlooked because they are just agriculture.

But as far as yours, we will be looking at those in the work plan, I am sure.

Mr. MASSIE. OK. And I am not as concerned about which lock and dam gets the maintenance at which point in time, because I trust that you all will do the worst first, or the ones in most need. I am just looking for the timeline for when that maintenance will happen, so we can plan the freight for those delays.

Lieutenant General Semonite—

General SEMONITE. So, Congressman Massie, it is an understanding right now that the fiscal year 2020 work plan will be rolled out probably the same day as the fiscal year 2021 budget, which I think is around 11 February. And so it—once we know what the Secretary—approving a work plan, we will have that all back—done in the back rooms.

And we always want to make sure we are talking with industry, everybody else. Our goal is to be able to make sure there are minimum impacts. So whatever that is—

Mr. MASSIE. Yes.

General SEMONITE [continuing]. Because of timing here—we are very aware of any challenges to construction based on flow. So we are very aggressive. And I will commit to be able to make sure we minimize any destruction to commercial traffic or even recreational stuff with any of those outages.

Mr. MASSIE. I appreciate your answers very much. I am going to yield back the balance of my time.

Ms. MUCARSEL-POWELL [presiding]. Thank you. I recognize now my good friend, Representative Carbajal from the great State of California.

Mr. CARBAJAL. Thank you, Chairwoman Mucarsel-Powell.

Secretary James and Lieutenant General Semonite, thank you for the incredible work that you do and the Army Corps performs throughout our Nation.

As you now know from our meetings, Secretary James, I represent the central coast of California, which is becoming one of the epicenters for the impacts of the climate crisis. From increased wildfires, prolonged droughts, more severe flooding, and devastating debris flows, the central coast is all too familiar with this new reality. Coincidentally, exactly 2 years ago today a debris flow killed 23 people in my district during a severe rainstorm in the aftermath of the Thomas fire.

Currently we have Corps projects that might bring some relief to my constituents as we deal with these new risks that you, Secretary James, and I have discussed in the past. And I would like to follow up on those.

During World War II, a wild running river was diverted when the Army built the Salinas Dam to provide drinking water for soldiers training at Camp San Luis Obispo. Today local residents need access to that same water to combat the impacts of drought. And the county is asking to take possession of that dam.

My understanding is that the Corps is working on a disposition study. Can you provide an update on where the Corps is in that process?

Mr. JAMES. No, sir, I can't. But the Chief may be able to.

General SEMONITE. Congressman, we come prepared to talk about 200 to 250 projects. That is one of them I am not smart on today. So we will find out and get you an answer. I will either have

the district commander report to your office, and we will run this to ground and find out what is going on.

And if there is a good reason to be able to have access, we certainly don't see any reason why we couldn't be able to support that.

Mr. CARBAJAL. Thank you. Well, secondly, the Lower Mission Creek Flood Control Project began as a partnership between the County of Santa Barbara and the Corps in the 1960s. While I am glad to see the Corps is working with the county on a Post-Authorization Change Report to account for the post-fire hazards, increased property valuations, and construction already completed by the county, I am concerned that the Corps is not accounting for environmental benefits.

Is the Corps looking at updating its guidance on how they calculate benefit-cost ratios, BCRs, to consider environmental benefits?

Mr. JAMES. You are probably correct on that, on the BCR ratio. We are not including environmental benefits or, if I find I am wrong in that statement, I would be surprised.

The thing about the BCR is that, in a lot of areas, not only the environmental benefits, but we are not capturing other benefits that should be captured, particularly in rural areas of this country, like regional benefits.

So I will yield to the Chief here and see what he says about those benefits which you are speaking about, but that is something that I would like to discuss with the committee at a later time, in general.

General SEMONITE. So, sir—

Mr. CARBAJAL. Thank you.

General SEMONITE. The Secretary and I both feel very, very strongly that, when we talk about revolutionizing stuff, I do think that there are some smart things we can do with benefit-cost ratio, both how we calculate that, how that is configured through the budgeting process, and we have made some recommendations to those effects to try to be able to accommodate some of those other things that are out there.

A good example, the one you are talking about, Lower Mission Creek. The benefit-cost ratio is .33. The way that that is designed, we will have a hard time ever getting that through. And to be honest with you, that is a project that could very easily be deauthorized, only because it has been several years before we have been able to do money.

So we have got to come back in and try to figure out how can we reformulate it. We are looking at what is called a general re-evaluation report right now on Lower Mission Creek. But if we can't somehow change the rules to BCR, there are going to be projects like the Lower Mission Creek that will have a hard time ever getting through the authorization stage.

Mr. CARBAJAL. Well, I am looking for that new report that is going to take into consideration new criteria that I think would allow for that BCR to come up and wait.

Secretary James, I also want to bring to your attention additional needs at the Morro Bay Harbor Express. I shared a copy of that letter with you again today that I sent you last week. They are requesting additional support of \$250,000 for the fiscal year

2020 work plan that would augment the millions of dollars that they have already received for their dredging effort.

What is the timeline expected to finalize that work plan?

Mr. JAMES. The work plan will probably be finished about the same time of the fiscal year 2021 budget, and that would be within the next month to 5 weeks. So not very long.

Mr. CARBAJAL. Thank you very much.

Madam Chair, I yield back.

Ms. MUCARSEL-POWELL. Thank you. I now yield to Mr. LaMalfa from the State of California for 5 minutes.

Mr. LAMALFA. Thank you, Madam Chairman. And gentlemen, thank you for appearing here today and for your previous help on issues that we have worked on together. Thank you for that.

So I will get right into it here. A couple things, a really important one in northern California. We have had issues again out of the Sacramento Division. Under the Clean Water Act, which provides clear exemptions for agricultural activity, WOTUS was used, combined previous with EPA and Army Corps, to basically trigger penalties against farmers for plowing, for changing crops to things—normal farming, such as vineyards and orchards, like that. And you used WOTUS in the Clean Water Act as, basically, a weapon to stop those things from happening.

WOTUS has been repealed, and several times in court upheld as not proper. So is the Army Corps going to finish reimplementing the 2007 provisions and get the Sacramento Division to quit enforcing in this manner?

Mr. JAMES. Sir, that depends on what State it is in. The step 1 of the current WOTUS process was supposed to eliminate the 2015 rule. There were suits brought against that.

There are now 22 States operating under the 2015 rule, and the rest of the country is not. I know this is a mess, but I didn't do it.

And what we are shooting for is the step 2 rule, which has already been out for comment, the comments have been received and are being analyzed as we speak. The step 2 WOTUS should be probably rolled out, I don't know, I would say within the next 2 months. And it will address the kind of things that you are talking about, things that were in the combination of rules prior to this one that were infringing upon, actually, the rights of citizens, home-builders, farmers, et cetera, et cetera.

So I guess the answer is hang on a little bit.

Mr. LAMALFA. Well, I appreciate that, but we have people currently in litigation that are being charged at—you know, their life is in limbo right now. And if this is a Federal action, can't the Federal entities take control of the situation, even though you say 22 States feel like, I guess, they wish to continue enforcing under old WOTUS guidelines?

Mr. JAMES. Those separations were done in the litigation against the step 1 and the applicability rule. And that is—I really can't go any further than that explaining to you the 22 States—

Mr. LAMALFA. But is the State—

Mr. JAMES [continuing]. Because I don't know.

Mr. LAMALFA. Is this the 22 States continue to wish pursuing as if WOTUS was in place, these—

Mr. JAMES. No, no, I don't think so. I don't think so. It was a technical—

Mr. LAMALFA. Are they seeking relief from that? Is that what you are—

Mr. JAMES. Well, it was a technicality, the way the suits went.

Mr. LAMALFA. Yes, OK. Let me shift gears real quick on that, too.

We have had some really good work done in northern California, on the levee projects that me and Mr. Garamendi—actually, two different ones we share in the Hamilton City area and the Sutter Buttes area that he mentioned. But we had problems on the Sutter Buttes area, where a lot of that area has been Native American burial grounds underneath some of those levees for many, many years.

And so the agreement was worked out with the local Tribes who are the monitors of that to have respectful handling whenever remains were, basically, disturbed in the process. They bent over backwards to be helpful on doing needed flood control levee repairs on that, only asking that they have respect for what happens on their ancestral lands.

So what had happened is that the Army Corps was not communicating well much of the time with the Tribe when the work was actually being done. And then we have had to intervene to get the Army Corps to continue to have the conversations, then have respectful handling of the remains when they are found.

Have we heard similar complaints from outside the Sacramento Division about this across the country with regard to those types of—

General SEMONITE. So, Congressman, we are certainly aware of the United Auburn Indian Community proposal. This is some of the deals with more expansive rules on the burials. We have not necessarily seen a lot of other problems in other areas.

I think right now we are trying to figure out what does the law say we have to do. It is great to follow what you have to do, but then what should we be doing, as well, and how much flexibility do we have to do things that probably are a little bit more than what the requirement is, but certainly in keeping with what the Native Americans would want to do.

So I think that is something that we have got to continue to find out. It could come at additional cost if, in fact, that burial requirement means to go to more remote areas. And we are trying to figure out do we have any limitations from Congress on how much we can spend, and that kind of stuff. So we have got to continue to work our way through that.

Mr. LAMALFA. Well, if the Tribe is included on that, I am sure they would be happy to help find solutions.

General SEMONITE. And there is no excuse for not having 100 percent consultation. So if there is ever a time that you hear or anybody in the room hears that, then I will call our team up and say, "You have got to do a better job of getting out there and making sure that we are listening as much as we can."

Mr. LAMALFA. Yes, I appreciate that. Thank you for that.

Ms. MUCARSEL-POWELL. Thank you, the time is up.

Mr. LAMALFA. Because, indeed, a lot of this issue seems to be coming from that Sacramento Division on these two issues I spoke of.

Ms. MUCARSEL-POWELL. Thank you, Mr. LaMalfa.

Mr. LAMALFA. Thank you.

Ms. MUCARSEL-POWELL. I now yield 5 minutes to Ms. Craig.

Ms. CRAIG. Thank you, Madam Chair. As you may know, I represent a district with a relatively active Army Corps footprint, with dredging and operation of multiple locks and dams on the upper Mississippi, as well as operations and maintenance on the Minnesota River, which is one of the tributaries.

One of my goals for WRDA 2020 is to formally incorporate the Minnesota River channel maintenance in the authorization for the Mississippi River Project. You might be aware that the Minnesota River Project has received a very small appropriation, around \$260,000, in recent fiscal years to conduct important maintenance, dredging activities, within the channel near Savage.

The Minnesota River is a major agricultural tributary that transports approximately one-fourth of the 16 million tons annually shipped in and out of the State of Minnesota. The Minnesota Department of Transportation has indicated that this has an annual economic value in excess of \$362 million. Unfortunately, the funding for this project was not included in the Army Corps full-year 2020 budget, and no money was appropriated in the recent spending package enacted by Congress.

So my question is, with the importance of this tributary in mind, I was hoping one of you could help me better understand why this project, with a clear return on investment, was cut from the budget.

Mr. JAMES. No, ma'am. Sadly, I can't tell you why it was, other than the other priorities that were in the budget. I will commit to you that I will look at the work plan we are now striving to finish, and then I also commit to you that I would visit you at your call to get more details on the Minnesota River in order to elevate its status for budget considerations. But—

Ms. CRAIG. Thank you.

Mr. JAMES [continuing]. At this point that is all I would know to do.

General SEMONITE. So Congresswoman, we are very, very aware of this. This is a critical river. It has been dredged 15 of the last 20 years, but it has not got adequate funding, without a doubt. And it really, unfortunately, falls into the rack and stack of all the rivers that should be dredged. But there is going to be a line somewhere, and this one just is hard to be able to get it above the line.

We are very aware of what the capability we could do this year. My guys today are trying to figure out the work plan for dredging on O&M. So we will have a better understanding. It is going to be right on the line, though. So we will try to do the best we can to get it there, but this is one that—just because of it is a smaller river, it is a little harder to pull across the line.

Ms. CRAIG. Thank you. I appreciate it. It is really important to the State of Minnesota.

I know this project has been funded in the past as non-Harbor Maintenance Trust Fund operations and maintenance. The Corps

most recently included it in the Harbor Maintenance Trust Fund section of the 2019 O&M budget, which limited its reprogramming abilities. Can you explain a little bit and help me understand why the Corps took that action to shift it into harbor maintenance?

Mr. JAMES. No, ma'am. I will have to submit to the Chief on that.

General SEMONITE. And I don't know, either—

Mr. JAMES. I do not know—

General SEMONITE. I would envision we probably thought that, because we could have more flexibility in our Harbor Maintenance Trust Fund, maybe it would compete better there. But let us get back with you and find out.

Most of the time the reason we would move something is to get it better visibility and, perhaps, a bigger funding pot.

Ms. CRAIG. Thank you.

Mr. JAMES. I don't even see how we could do that. I don't think it is eligible for the Harbor Maintenance Trust Fund. I mean there are some inland ports that are, but I didn't think they were in Minnesota. So I would be interested in knowing the answer to that, myself.

Ms. CRAIG. Well, I appreciate very much your commitment to look into it. This is incredibly important to the agricultural community in my district and throughout the State of Minnesota. Thank you.

Madam Chair, I yield the remainder of my time.

Mrs. NAPOLITANO [presiding]. Thank you, Madam.

Mr. Palmer, you are recognized.

Mr. PALMER. Thank you, Madam Chairman.

This is for both of you, particularly Mr. James, though. During a March 2018 oversight hearing I requested a list of outstanding feasibility studies, including the duration and cost. And I got a list of 97 studies. And looking at the list that you provided in your written testimony—the written testimony indicated it is from both of you—there were 17 Chief's Reports that have been signed.

I checked this list against the studies conducted by the Corps and found that the studies ranged in length from 18 months to 142 months. And cumulatively, the Corps spent over \$47 million on these studies. And I appreciate the fact that there appears to be an effort here to bring these to a conclusion, but my question is why does it take so long to study these projects and bring them to completion?

Mr. JAMES. I will submit to the Chief on that, because I am not the one that does those studies.

General SEMONITE. Sir, a lot of this is some of these get to be trying to find an optimal way of balancing, whether it is flood risk management, water supply, ecosystem restoration, a lot of different players that want to be able to try to get their perfect solutions.

I said a couple of minutes ago it is hard to be able to figure out where that sweet spot is of finding a project that can be authorized. So, unfortunately, sometimes my guys go out to try to make everybody happy and try to solve all those different challenges, and we go overboard to try to appease that. But sometimes it is just hard to be able to integrate all those different desires back in.

So this is why, at some point, we snap a chalk line at 3 years and say, "What is the best we got that we can give Congress," let Congress make the decision on this. But we have got to be faster.

Mr. PALMER. Well, in the list of studies that are still ongoing, apparently are ongoing, 13 of them were over 200 months. One of them is over 300 months. And I—to give you a little bit about my background, I ran a think tank for 25 years. Prior to that I worked for two international engineering companies. So I am kind of linear and analytical in my thinking. And it seems to me that if we have a project that justifies a study, that at some point we ought to build it.

And my question is how do you prioritize this?

Now, I listened to my colleagues from Florida and other places, and clearly they have got projects that require immediate attention. But Mobile Harbor here is—the study has been going on now for close to 80 months. As of March of 2018 it spent \$5.7 million on that.

At some point, just from an engineering perspective, you have to reach a conclusion. Either the project is a low priority and shouldn't be done, or it is a high priority and it should be done. I mean there has got to be some way to prioritize these and actually start putting the money into the ground, or into the water.

General SEMONITE. So, sir, the ones that are the real long ones are really those outliers, where it is almost too hard to find an acceptable solution.

The other thing a lot of times, the non-Federal sponsor might not necessarily be willing to sign the document. We have got a couple studies right now, where we are ready to go forward, but we don't necessarily—the other side will go ready. Sometimes we have certain agencies that have BiOps, they have different opinions. So it just gets very confusing to figure out how to expedite them all.

But we do it. We run all these down through a list, and we are trying to work the worst ones. And if we can't get them done, we will come back and say it ought to be deauthorized.

Mr. PALMER. Now, this is before you guys came along, and I want to echo my colleagues, you guys have really improved things, and I appreciate that. I appreciate your service.

But you had a study that went on for over 30 years of building a diversion canal from the Comite River to the Lilly Basin in Louisiana, and the locals—everybody, as far as I can tell—wanted to do that in anticipation of a major flood, which occurred, cost us several billion dollars, a number of people lost their lives. The Corps is now building the diversion canal.

So—and I want this to be taken in a positive light, that I would like to see the Corps prioritize these projects. I would like for you to report back to me on this list of studies that are ongoing, how long they have been going on, how much they cost, and what the priorities are. I think that is a reasonable expectation from the Corps.

General SEMONITE. Sir, we both have the same desire. We want to get rid of the backlog, continue to reduce timelines, and continue to expedite, put the priorities on the most important things.

Mr. PALMER. I thank the Madam Chairman, and I yield back.

Mrs. NAPOLITANO. The Chair recognizes Mr. Malinowski.

Mr. MALINOWSKI. Thank you, Madam Chair.

General Semonite, I wanted to raise with you a project and a problem that is very, very pressing for folks in my district in New Jersey.

As you know, the Rahway River in New Jersey floods whenever there is a major storm. During Hurricane Irene, flooding in the town of Cranford in my district affected thousands of homes. It happened before, it will happen again. And there has been a lot of work done looking at this over the years, a lot of complicated issues that the Corps and local stakeholders have been struggling with. But I was disappointed to learn that the Corps has determined that it would terminate the Rahway River flood risk study.

Now, I understand that when this project was transferred from the New York District to the New England District, you made a commitment to Senators Booker and Menendez that you would continue to work to find a solution that is suitable to all parties.

And so, recognizing the complexities, what I am hoping to hear from you is whether this commitment still exists, and whether the Corps is willing to stay engaged as the local stakeholders continue their efforts to forge a consensus on a way forward.

General SEMONITE. So, Congressman, I travel 3 days a week. When there are the real thorny projects, I fly in and I find out what is going on. I did talk to both of the Senators personally. I said we were going to try to find a way of facilitating a solution on this one. So I have been to Orange Reservoir several times, I have been walking around those.

This is exactly back to Congressman Palmer's question of, when you have something that is going on for a long time, and you can't get everybody to align to the good-enough solution, at what point do we say, "Too hard"? The benefit-cost ratio has to be over 1, by law, for me to sign a Chief's Report. I can't get over 1 right now, unless I have more flexibility.

So we ask for an additional pond down below, which—there is land. Locals didn't want to have an additional pond. We asked to be able to raise the dam above. The locals didn't want to have that happen. So this is where everybody held to the red line. And at the end of the day, it is not that there is not an engineering solution; there is not an acceptable solution that all of the stakeholders can agree to.

So then I owe it back to people like Congressman Palmer to say, "Probably too hard. This one has got to find a different out-of-the-box solution." Or, if not, sir, then all we do is we keep expectations out there that something is going to happen, when we can't find a way of feasibly giving you an acceptable project—

Mr. MALINOWSKI. I would say that the expectations are quite realistic, and everybody understands the difficulties that you have just outlined. On the other hand, we have got to find a solution, because human beings are involved. And so—

General SEMONITE. We stay committed to trying to find an acceptable solution.

Mr. MALINOWSKI. OK. Are there options to keep the study in a pending status, rather than terminating it at this stage, in order to basically keep that process alive while we search for that local solution that you need?

General SEMONITE. Sir, we have already gone down this road 2 years ago. We can certainly look at it again, and maybe Mr. James and I can put our heads together.

But I think what we would need to see is some significant different change in some of the stakeholders' positions on ability to find an alternative—

Mr. MALINOWSKI. If that consensus is reached, can you walk me through the next steps from the Corps' perspective?

General SEMONITE. So then we would continue to be—it is a benefit-cost ratio. So I either got to bring costs down, or I got to make benefits higher. We don't want to in any way fudge numbers, so the bottom line is I can't really do much with the benefits.

So how can the local stakeholders find a way—a good example is land. If we get land free, instead of having to buy land, that comes off the cost. If there are ways that I could figure out how to—if there are other benefits, how can we continue to work the equation so that I can give in the WRDA an over 1 BCR, and then you could make a decision whether to fund it or not.

Mr. MALINOWSKI. Understood. Shifting gears a little bit, I did want to come back to you, Assistant Secretary James, on the issue of NEPA and the proposed rules that Congresswoman Napolitano asked you about.

Our understanding of one of the potential impacts of the proposed rules is that there would no longer be a requirement, for example, to understand how or whether a road or bridge in a coastal area would be threatened by sea-level rise. If that is true, does that strike you as sensible, that we would not need to take those factors into account under those circumstances?

Mr. JAMES. No, sir, that wouldn't be sensible.

Mr. MALINOWSKI. Thank you. I yield back.

[Pause.]

Mrs. NAPOLITANO. I was distracted somewhat. Mr. Rouzer, you are recognized.

Mr. ROUZER. Thank you, Madam Chairman. I want to thank, too, the very distinguished gentlemen for being here today.

And before I get into two particular projects in my district, I want to thank you for your help, and not just your help, for the approval of the no-wake zone there in Southport. This is an issue that we had dealt with for some time. And, as they say, all is well that ends well. So I really appreciate your help and attention to that.

Two issues. One, the Port of Wilmington is currently finalizing a section 203 study that I know you all are aware of. I understand the NEPA review process has begun in concurrence with that study. And I know there has been some conversation in terms of how the Corps may fund that NEPA process. And I am just wondering if you all have identified your source of funds for that at this point.

Mr. JAMES. If it is up to me to answer you, I will have to get back with you, sir, because—

Mr. ROUZER. Well, that is OK. Let me add that I understand there are some previously appropriated funds available from a 2006 study resolution for the Cape Fear River which might be used. That is a closed project, as I understand it. I may not have

quite your terminology, but that might be an avenue, if you are searching.

General SEMONITE. So, sir, we will certainly follow up on that. There are times we can come back in and ask permission to take on and use funds and transfer them back over.

The Port of Wilmington is like many other major ports. We see significant benefits in those port deepening projects. The section 203 does go directly to the Secretary, so then he will make the decision as to what is going to happen. We are committed to continue to support that.

I think the challenge is that when a 203 comes in, who puts the thumbprint on it to say it is actually a constructable project? And right now, some of the work that has been done with the contractor for the Port of Wilmington, we want to make sure that is quality work that we can stand behind.

So there is a little bit of a challenge there, I just want to be honest with you. We are working our way through that. But we want to make sure Mr. James gets that report, that he has enough information to make an informed decision on.

Mr. ROUZER. Sure. Well, of course, the port there at Wilmington is a crucial component to commerce in North Carolina, and we have got great management down there, the best we have ever had, in my opinion, that are really doing a superb job. And we really, really appreciate you working closely with them to make this work. And let me know how I can be helpful in that process, as well.

Second, the Surf City, North Topsail Beach Coastal Storm Damage Reduction Project, I know this is one that we have discussed in the past. And to put this in context, Surf City, North Topsail Beach is right where Hurricane Florence came through. The northern part of the storm hit that area really, really hard. Of course, it hit the whole southeastern corner of the State really, really hard.

Those beaches that have good storm damage reduction projects in place, they fared pretty well. You had a lot less casualty, in terms of structures, et cetera. Infrastructure, too. That North Topsail area, which we have been, you know, trying to get this approved and in place for some time, suffered major damages, in large part because there hasn't been a robust storm damage reduction project there.

So it is one of those things where a little investment up front saves a lot of taxpayer money on the back end. And I just really encourage and hope that you all will go to bat, and would love to see this in the work plan, if in fact it doesn't get approved with a supplemental.

General SEMONITE. So, Representative, you are exactly right. There are two different venues of where this could happen. When I was the division commander I went to Surf City many times, talked to the mayor down there. I am very aware of the criticality of that particular project.

The supplemental hasn't been released, you are aware of that. We are considering it very, very closely in the work plan. Hopefully, it will compete well. So we owe it to you to be able to figure out how do we somehow find a way of taking care of this disaster and the risk that is out there.

Mr. ROUZER. Thank you very much. That is all I can ask. And just let us know how we can be helpful to you.

Thank you both for your service. I would not want your job, and particularly dealing with all of us here. So thank you.

Mrs. NAPOLITANO. Ditto. Thank you, Mr. Rouzer.

Mr. Espailat, you are recognized.

Mr. ESPAILLAT. Thank you, Madam Chair, and thank you both, Assistant Secretary James and Chief Semonite, for being here today.

At our last hearing in November on resiliency, I recall some of the havoc brought by the information and the question regarding Superstorm Sandy and the impact that it had on New York City. The storm didn't just cause flooding in predictable low-lying areas, like the Rockaways, or the South Shore, Staten Island, it also brought seawater into downtown Manhattan in the financial district. I could never forget the photo of the southern half of Manhattan in darkness, while the upper half, which is higher land, with electricity.

My district, however, in the northern part, East Harlem, a comparatively low-lying area, saw severe flooding the likes of which residents have not experienced in a generation. It is clear that climate change contributed to the storm's unprecedented impacts, and that future storms may be even worse.

As part of the response to Sandy, the Corps undertook a North Atlantic Coast comprehensive study, which, in your own words, is designed to help local communities better understand flood risks associated with climate change, and to provide tools to help those communities better prepare for future flood risks. I repeat, future flood risk associated with climate change.

However, as some of my colleagues have recently pointed out, the Trump administration is putting forward a rule that essentially ignores climate change impacts when determining how to approach infrastructure. Given how important climate change is when undertaking water infrastructure and flood risk mitigation projects, how do you think the Corps will be affected by such a policy?

How could you reconcile the administration's inability to recognize climate change as a contributing factor of these superstorms that impact infrastructure? And particularly as it pertains to the North Atlantic study. Any one of you.

General SEMONITE. So, sir, first of all, I will talk from the science and engineering perspective. You know, we actually did do nine different focus areas coming out of that study you mentioned. East Harlem is at significant risk, there is no doubt about it. We agree with what you are saying there.

We did an interim report in February of last year, we have got a bunch of numerous different outreach events we have done. And right now our goal this month is to finish what is called the tentatively selected plan as to how to go forward on that.

We have got to deal in what is happening on the ground. So we look at what is out there, what is the risk on the ground over time, and how do we make sure we are building to address that risk—

Mr. ESPAILLAT. But will you consider climate change as a factor? Would you still consider that as a major factor in determining what you are going to do with infrastructure?

If you redo infrastructure and you don't consider the climate change as a factor, as a risk factor, then obviously you aren't going to do it right. Will you consider climate change?

General SEMONITE. We have definitely got to consider things that are happening in the world and the effects they are having on the ground. We have got to put that into our calculus, or we could build something that 50 years down the road doesn't work.

Mr. ESPAILLAT. But this is what this conversation is about. If we don't recognize climate change as a factor, then whatever you do is going to be flawed and inefficient.

And so, what I am asking is has the Army Corps abandoned the concept that climate change is an important factor in building infrastructure?

Mr. JAMES. No, the Corps hasn't abandoned it, because it never used it—

Mr. ESPAILLAT. Thank you, that is—

Mr. JAMES. It never used that to begin with.

Mr. ESPAILLAT. Well—

Mr. JAMES. We use scientific technology to look forward. You call it climate change, or whatever you want to call it. But we look forward. If we are getting sea-level rises, they are recorded and we use that when we are building something.

Mr. ESPAILLAT. But, you know, to some degree the administration drives this train. And if they are unwilling to recognize climate change and, therefore, as a result, you are not taking that into consideration—although science does, right—then you are going to be caught up in this predicament.

And all I want to know is that you will continue to look to science, although there will be different interpretations that what this administration may have regarding the impact of climate change. Will you continue to look at science?

Mr. JAMES. We are going to continue to look at science, just the way we always have.

Mr. ESPAILLAT. Thank you so much. Thank you so much. I yield back, Madam Chair.

Mrs. NAPOLITANO. Mr. Webster, you are recognized.

Mr. WEBSTER. Thank you, Madam Chair.

Secretary and General, I am not sure who to ask this question to, but I will just throw it out there. I think it would be the general, maybe, but—in Florida the largest port that is a cargo port is Tampa Bay. And it provides over \$17 billion in economic impact, and employs indirectly or directly about 85,000 people. And the growth there has been substantial, a dynamic growth over the last several years, adding in some direct Asian lines and some of the major shippers in the world.

And because of that, the channel is at 43 feet, and it needs to be more. We would like to deepen that. And so there is a possibility of dredging it to 44 plus 1, and that is what I guess my first question is. That is a near action, that is not the real action, that is not what is going to solve the problem forever. However, doing that would be very important. We think the overall is to sort of reinitiate and resume the Tampa Harbor General Reevaluation Report. But that is something, maybe, for a later date.

And so my first question is, are you supportive of the request to use the existing authority—which we believe you have—to dredge the channel to a depth of 44 plus 1?

Mr. JAMES. Yes, sir. As far as I am concerned, if we have that authority, I am for that. I have been all up and down the east coast and the west coast of Florida, including Tampa Bay. And it is unbelievable, the growth at all of those, the economic development that is coming from that growth of shipping—and as a Nation. Yes sir, I support that.

Mr. WEBSTER. Great. Yes, because it—there are 300 destinations there along I-4 and I-75 which are very close to the port, and they are all major distribution. And so that is why it has attracted all these new shippers, and part of major shipping lanes.

My second question is, though, in—that is the short term. The long-term answer is the needs of the port to resume the GRR for Tampa Bay. Would that be also something that would be possible?

Mr. JAMES. I am sorry, sir. What was it?

Mr. WEBSTER. It is the—just resumption of the Tampa Harbor General Reevaluation Report to evaluate the future needs of the port with regards to the Corps.

Mr. JAMES. Yes, I don't know where the Corps is on that.

General SEMONITE. So, sir, we see great merit in all these ports. We are a big believer that you can energize the economy and still do it in a manner that protects the environment and the habitat. Tampa Bay is one of the ones—I mean we are involved in, I think, about 15 in the Southeast right now.

So I don't know exactly the status, but the challenge would be is how do they compete when it comes to port deepening. That would be the problem that is probably financial. Most of the time we can work through the mechanics of the benefit-cost ratio, but it comes back to what is timing, and when do we get that money that we could apportion to it?

So if you want, I am more than willing to have my district commander report to you and to be able to give you a laydown on both the first question you have, as well as the GRR.

Mr. WEBSTER. That would be awesome. Thank you for appearing today. I yield back.

Mrs. NAPOLITANO. Thank you, Mr. Webster.

Mr. Stanton, please, you are recognized.

Mr. STANTON. Thank you very much, Madam Chair.

General Semonite, we have had the opportunity to discuss the importance of the assistance for environmental infrastructure. In the last 6 years, \$351 million has been allocated for environmental infrastructure, and approximately 38 percent of those funds have gone to just six States. Arizona is the only State in the Southwest without an environmental infrastructure authority. And I have introduced legislation to change this to make sure Arizona can access these resources to address our aging water and wastewater systems.

In WRDA 2016 and 2018 the section 7001 process for the Corps' annual report to Congress was expanded to include modifications to environmental infrastructure assistance authorities. Working with stakeholders across Arizona, we have submitted an environmental infrastructure authority modification through this process.

This is a priority for myself and for communities and leaders throughout Arizona.

Can you talk briefly about the benefits of this type of authority in other States?

General SEMONITE. So, Congressman, we definitely have seen significant benefits in those other six States. The Corps would personally endorse whatever we can add. I would defer to Mr. James on whether that will work its way through the administration or not.

But again, the more tools that we can provide so that States have the ability to lean on all those tools in the long run is going to give them more capability.

Mr. STANTON. I appreciate the work the Corps has done to advance flood protection in Winslow, Arizona, and portions of Navajo County. Approximately 1,600 structures, including almost all of the community's critical public facilities—hospitals, schools, nursing homes, and utilities, along with 2,700 properties—are currently in the 100-year flood plain.

The proposed Federal flood control project, which is now ready for authorization, consists of new and reconstructed levees to protect the community and parts of the county from the Little Colorado River. In order to begin advancing this critical project, the L.A. District has requested design funds for fiscal year 2020. Will you support the district's funding request for design funds in the fiscal year 2020 work plan?

General SEMONITE. I certainly will, sir. I don't know exactly where that one falls on the rack and stack, but I would think that that would compete well.

Mr. STANTON. I really appreciate that. We have also talked at length about Tres Rios, which is an effort to restore and revitalize over 50 miles of the Salt and Gila River corridors. The project is partially complete. But, as you know, we have reached the section 902 limit. To complete this project, this limit must be adjusted in the WRDA.

I was disappointed to receive your December letter indicating that the validation report necessary for this adjustment will not be completed before the end of fiscal year 2021. This timeline is very frustrating, because it means that we will yet again miss the opportunity to adjust the limit in WRDA, putting our next opportunity to do so in 2022, 2 years from now.

What assurances can you give me that this validation report will receive priority within the Corps?

General SEMONITE. So, sir, again, this is where we are going to push hard. I told you we have got 17 down, we have got 20 more we are going to get in. I got 15 more by the end of December. The question is how long can you really, really go until they cut off of WRDA. We are saying September 20 right now is when we are going to, hopefully, get this done. I would love to push it to the left, but there is a day that there is going to be someone that is still a week out.

So we are going to try to push every one of these to get into the latest possible day we can get them to them. It is just we want to also make sure that the mechanics are right, so the 902 gets raised.

Mr. STANTON. Yes—

General SEMONITE. We definitely understand this, and we are committed to being as fast as we can on this.

Mr. STANTON. Thank you, General. Do you have the resources necessary to do the report?

General SEMONITE. We definitely do.

Mr. STANTON. What can be done better to expedite the timeline you have outlined in your letter?

General SEMONITE. I think it goes back to probably that question of can we take some well-informed risk with respect to process. Are there some areas that I don't necessarily need to do a deep dive to be able to make sure—not necessarily that hard, it has already been an approved project, we are just trying to raise the limit. There is inflation. So how can we somehow be able to lower the bar of how much actually needs to be provided, and to be able to get it in, so we can make it happen?

I am even willing to take the risk to say get it in regardless and, if we do have a problem, then Congress can tell us that we should have done more on that one, and kick it back to us.

Mr. STANTON. Thank you for taking that risk.

Finally, I want to thank you for your continued commitment to the Rio de Flag flood control project in Flagstaff. This project has been Flagstaff's top priority for the last 20 years, and it is a high priority for me and the entire Arizona delegation in a bipartisan way.

And I ask unanimous consent to include in the record a copy of the letter the Arizona delegation sent to the Corps requesting \$52 million for the project in the fiscal year 2020 work plan.

General Semonite, it is my hope the work plan will include these funds to complete this critical project.

General SEMONITE. So Senator McCain asked me to go personally out there, and to be able to look at this within about a week of when I took over. And I flew out right away. I have been there a couple of times. This project has to be done.

The challenge is that we got—I think—going to be complete here in September of 2020. This should compete, I would think, but we have got to continue to find a way of making this happen.

It might not be done all at once, it might be a section at a time. And you are aware there are incremental sections here. We can build, you know, 15 percent at a time and get it done over a period of several years.

Mr. STANTON. Thank you very much. I did ask unanimous consent, and I didn't complete, and I apologize.

Mrs. NAPOLITANO. That is all right. We will accept it, and it will be part of the record.

[The information follows:]



Letter of December 19, 2019, from Hon. Tom O'Halleran, a Representative in Congress from the State of Arizona et al., Submitted for the Record by Hon. Greg Stanton

DECEMBER 19, 2019.

Hon. R.D. JAMES,
*Assistant Secretary for the Army (Civil Works),
Washington, DC.*

Lt. General TODD SEMONITE,
*Chief, Army Corps of Engineers,
Washington, DC.*

RE: Rio de Flag Flood Control Project (Flagstaff, Arizona)

DEAR ASSISTANT SECRETARY JAMES AND LIEUTENANT GENERAL SEMONITE:

We are writing to express our strong support for \$52 million in the Fiscal Year 2020 work plan to complete the Rio de Flag flood control project in Flagstaff, Arizona. Its completion is critical to the public safety, health and protection of lives and property as well as the economic viability of the City of Flagstaff.

A significant flood event would directly affect more than half of Flagstaff's population of approximately 75,000 residents and would result in damages to approximately 1,500 structures valued at over \$916,000,000 (from an analysis conducted in 2008). For the last 30 years, the City of Flagstaff's top priority has been to mitigate potential flood damage caused by the Rio de Flag. Since FY 2002, the Rio de Flag flood control project has received more than \$30 million in federal appropriations for various phases of the project. With these resources, the United States Army Corps of Engineers (USACE) has conducted the reconnaissance and feasibility studies, completed the pre-construction engineering and design (PED), and begun the construction phase.

Because of this funding, 100 percent design on the project is expected to be completed in May 2020. Completion of the 100 percent plans will ensure a design certain that will result in lowering contingencies, increasing the benefit-to-cost ratio (BCR), finalizing property acquisition, design of utility relocations and bridge design in partnership with BNSF Railroad. More importantly, 100 percent design completion will allow the Rio de Flag project to complete the remaining \$52 million in construction.

As you know, the House Energy and Water Appropriations bill contains \$2.34 billion for Corps construction, which is a \$154 million increase over FY 2019 enacted levels. The Senate bill increases the construction line-item by \$612 million over last year's levels. In other words, there is likely to be a significant increase in Corps construction funding in FY 2020. We respectfully ask that you use a small portion of this funding to complete the Rio de Flag project.

The federal government and the City of Flagstaff have already invested nearly \$45 million in this project. Delaying it would be irresponsible and a waste of taxpayer dollars already expended that could result in huge losses of property and increase the risk of the loss of life and creation of public health and safety issues. That is why we strongly support \$52 million in FY 2020 funding to complete the remaining portions of this project to ensure that downtown Flagstaff, Northern Arizona University, BNSF Railroad, and the historic Southside community are permanently protected from a catastrophic flood that continue to hamper northern Arizona's largest city.

As always, we ask that this matter is handled in strict accordance with all agency, rules, regulations and ethical guidelines. Please do not hesitate to contact our offices with questions, or if we can be of further assistance.

Sincerely,

TOM O'HALLERAN,
Member of Congress.

ANN KIRKPATRICK,
Member of Congress.

RAÚL M. GRIJALVA,
Member of Congress.

PAUL A. GOSAR,
Member of Congress.

ANDY BIGGS,
Member of Congress.

DAVID SCHWEIKERT,
Member of Congress.

RUBEN GALLEGOS,
Member of Congress.

GREG STANTON,
Member of Congress.

Mr. STANTON. Thank you, Madam Chair.
Mrs. NAPOLITANO. Thank you.
Mrs. Fletcher?

Mrs. FLETCHER. Thank you, Chairwoman Napolitano, and thanks also to Ranking Member Westerman for holding this hearing.

Thank you, Secretary James, and thank you, General Semonite, both for being here today and for your continued leadership on critical projects in the greater Houston area that I represent, including the flood risk management plan project and the Buffalo bioresilience study, and, of course, the project to deepen and widen the Houston Ship Channel. It is really important for us to address these critical needs as quickly as possible, and we are very grateful for your work and your leadership.

I cannot overstate the importance of your work in my district and in our area. My district, as you may know, contains the Addicks and Barker Reservoirs, and that is essential to us and to the entire region.

I do want to follow up, with the limited time we have today, and may have some questions to submit for the record on these projects. But I wanted to comment on the conversation about the Houston Ship Channel. I appreciate your prior testimony on that, and wanted to note that in your written testimony and your oral testimony this morning you mentioned several priorities for projects that I think this project really exemplifies: strong partnership between the Federal Government and non-Federal stakeholders. I think we have seen that this exemplifies and is the kind of project you could use, really, as a model for projects across the country.

And there is an incredibly high economic value that we have to take into consideration in getting this project moving. The Houston Ship Channel is not just a local or regional asset, it is a national asset. It is critical for U.S. exports, it is critical for our national energy security, and it is critical for domestic manufacturing.

As my neighbor, Mr. Babin, already noted, it is the busiest port. And this waterway sustains more than 1.3 million jobs and \$339 billion of economic value in Texas. And beyond Texas, the channel impacts 3 million U.S. jobs and provides \$802 billion in economic value.

So I appreciate your commitment to complete the Chief's Report by April, and to help us meet our May deadline. I want to reiterate the critical importance of getting this project authorized and moving, and look forward to working with my colleagues in hopefully incorporating it into WRDA 2020.

I would ask you to please keep us apprised of your progress, and if you run into any challenges or potential delays, to let us know as quickly as possible.

I also want to urge you to pay critical attention to a project that is not slated for a Chief's Report at this moment, but is in the appendix. And that is the Metropolitan Houston Flood Risk Management and Resilience Project. And what I would like to do with the time we have left is just ask for you to explain a little bit about where we are, and what we can expect.

I am certain that you know the importance not only to my district, but to the entire region, of addressing the flooding management. And certainly the impacts of Harvey are well known to you both in Addicks and Barker, as well as throughout the region. My constituents are very anxious to make sure that these projects

move quickly. I know the Buffalo bioresiliency study is underway, and slated to be completed in 2021.

But, if you could, walk us through the status, the project, the timeline, what we can expect and, basically, what can I tell my constituents about what the Army Corps is doing there.

General SEMONITE. So, ma'am, you know, we lost at least 14 people in Harris County due to some of these floods down there. And what you have got is you have got 22 different watersheds. They are all competing, trying to figure out how to get the water down to where it needs to go. We have got to have an integrated plan.

That is what this study does, is it takes a look at instead of doing tactical-level work, how do we put this into a system to make it happen?

Right now the study is ongoing, it is on plan. We don't see any problem. As opposed to a Chief's Report, we call this a Director's Report. Mr. James and I have delegated some stuff down to our senior SESs, so they will sign that. We expect it to be done in July of 2021, which is basically the plan we have got.

And then, once we know the results of that, how does that matriculate back into projects to be able to actually support the other four or five critical studies you talked about? And they all are going hand in hand, and they are all kind of interwoven. But right now the supplemental did a phenomenal job of giving us the funds to do it.

So there is no significant challenge with either funding or—if anything, it is probably just to be able to make sure we can get all the stakeholders aligned to be able to make sure that we have got an integrated outcome.

Mrs. FLETCHER. And so, with that information, I can take it that you don't expect any delays in getting the report and the study completed by 2021?

General SEMONITE. It is exactly the opposite. How can I go faster? Do I really need to wait until July 2021 to be able to get this done?

Again, there is a balance between, you know, if you want it bad, you get it bad, and how do you continue to be able to make sure you do due diligence? And so we are trying to err on that side that says let's give a good-enough solution in, so Congress can make a decision on these.

Mrs. FLETCHER. I appreciate that. I have gone over my time, but I very much appreciate your help, and I yield back.

Mrs. NAPOLITANO. Thank you, Mrs. Fletcher.

Mr. Rouda, you are recognized.

Mr. ROUDA. Thank you very much. I represent California's 48th Congressional District. And the Army Corps studies and critical infrastructure projects, obviously, enhance the safety and provides tidal and flood protection for residences, businesses, and the millions of people who live and work in Orange County. I would like to highlight a few of these priority projects.

The first one is the Surfside-Sunset Coastal Storm Damage Protection Project. It extends along 17 miles of the Orange County coastline. As a result of both flood control measures and various other shore protection and harbor works, Anaheim Bay and Newport Bay no longer receive a natural supply of sand. Historically,

the beach renourishment cycle for this project is called a 5-year cycle. However, it has now been 10 years since the last renourishment.

Stage 12 of this project was completed in October of 2009. My hope is that the Corps will complete the long-overdue stage 13 of this project in a meaningful way to make the Surfside community whole. General, given that 10 years has passed since stage 12 was completed, do you agree that it makes sense for the Corps to prioritize stage 13 of the Surfside-Sunset project?

General SEMONITE. Congressman, I do. And, like you said, this has been long overdue. We actually had carryover money from some of the other earlier years, so the design is actually done. If the funds come available, you can pull the trigger and make this thing go into the ground.

The challenge is going to be, again, where does it rack and stack. Unfortunately, it didn't qualify for the supplementals. And right now it has got to compete in the work plan. It is going to be a heavy lift, because I think the number right now that—the capability could be up to \$10 million, and that is a lot to push in. But that is what we are trying to figure out.

I talked to my leadership this morning on this particular project to see is there a chance to get it in. And it goes back to—if some of you weren't here earlier, it goes back to reiterate the more that you are able to give us in that work plan funding, we are doing so much more this year than we were doing 3 years ago. We got next to nothing, and the Congress has done a phenomenal job of plussing this up. So that is where we want to use that extra money on critical projects like this. I can't commit today, though, to whether it is actually going to get it.

Mr. ROUDA. And along the same lines, let's move to the next project in my district. That is Newport Harbor. It is the largest small-craft harbor in the Western United States. And while Newport Harbor does not require annual Corps maintenance, the last significant dredging effort was in 2012. The time has come for removal of material that has accumulated above federally authorized design depths.

Within Newport Harbor's channels, shoaling and high spots currently impede navigation and create unnecessary risks that affect security, commercial, and recreational activities. The Corps must include this much-needed maintenance dredging in its fiscal year 2020 work plan.

Again, General, can you talk about the plans for the removal of the 1.2 million cubic yards of material above federally authorized design depths that would, obviously, provide greater security and commerciality?

General SEMONITE. So, sir, I talked to the head of my O&M yesterday. We have got a whole team thrashing through it right now. Where can we allocate those work plan funds?

As much as we got a bunch of money, some of that came in different bins. And our ability to put some of that into O&M dredging is not as much as I would like it to have.

So we are definitely looking at it, and I am very, very aware of the project. We just got to figure out whether it can compete or not.

Mr. ROUDA. And I would just emphasize that the economic impact that this harbor provides for not just Orange County, but well beyond, is extremely significant. So your help in that matter would be greatly appreciated.

The next project—and let me check on my time. Good. The Santa Ana River Mainstem Project is designed to provide flood protections for residences, businesses, and more than 3 million people across multiple counties, including Orange County. Construction of the Seven Oaks Dam and raising of the Prado Dam will increase reservoir storage capacity for the region and provide enhanced flood protection.

I ask that the Corps continue to appropriate funding in order to complete the project in its entirety, as authorized in 1986. Significant progress has been made on the project, and it is nearing completion. Thus, appropriate funding levels should be maintained.

The next project, the East Garden Grove/Westminster Channel Study is another key project that would reduce flood risk for nearly a half million people in 11 cities, including portions of Huntington Beach, Westminster, Santa Ana, Fountain Valley, and Garden Grove.

I ask my Democratic and Republican colleagues on this committee to reauthorize this project in WRDA 2020, upon completion of the Chief's Report.

And I would like to emphasize the importance of section 1043(b) of WRRDA 2014, in which Congress authorized a pilot program to evaluate the effectiveness and project delivery efficiency of allowing non-Federal interests to carry out authorized flood and storm management projects. The authority for this program lapsed last year.

Orange County Public Works and other non-Federal entities have demonstrated a record of completing regional projects. General, do you agree that the Corps benefits from opportunities to work with and share costs with local partners to meet project delivery timelines and goals efficiently and effectively?

General SEMONITE. I do, sir. On section 1043 there is a place for them. There are some that don't apply to that. So it goes back to not all tools apply to all projects.

I just want to hit the other two real quick. We are closely tracking Westminster East. We will have a Chief's Report in for this committee to consider for WRDA 2020, and this is a good example. You always ask, "Do you have enough capacity?" That particular project is being designed by the Chicago District. I have got enough work to be able to have Chicago do that now. So we will get that in and not have a problem.

Santa Ana is a challenge. I will tell you that. We want to be able to do that. It got a lot of money in the supplemental. We have had three major problems that have impacted: cost of market conditions in California have gone up, which—we see this across the board; we have got a bunch more environmental mitigation we have got to do; and we have got a challenge with a railroad bridge.

So this is where we are looking very carefully. How can we cover those additional costs that we—I mean we got a phenomenal package from you on \$17.4 billion to take care of these projects. But some of those projects are—because they weren't fully designed,

now we are seeing there is some growth. So we are right in the middle of trying to figure out how to take care of Santa Ana.

Mr. ROUDA. Well, I thank you for your cooperation and commitment, and I yield back. Thank you.

Mrs. NAPOLITANO. Thank you, Mr. Rouda.

Ms. Finkenauer, you are recognized.

Ms. FINKENAUER. Thank you, Madam Chair. And it is so great to have you all with us today, and so good to see you again, Lieutenant General Semonite. I know the last time I saw you, I believe, was actually in my district, in Cedar Rapids, when we did the groundbreaking for the Cedar Rapids—

General SEMONITE. Right.

Ms. FINKENAUER [continuing]. Or the Cedar River Flood Control System Project. So we are really grateful that we have got this started.

But, as you know, I mean, obviously, the Cedar River runs through the city of Cedar Rapids. And Federal funding was only awarded for the flood control project on the east side of the Cedar River, leaving the community on the west side with less protection. I know it came down to the benefit-cost ratio, the formula that the Army Corps uses to decide which projects receive funding. But how can Congress change this formula to make sure that projects in working-class neighborhoods like the west side of Cedar Rapids can better take advantage of this funding, and make sure that we have this complete?

Mr. JAMES. We are actually—the Chief and I are actually looking at the benefits analysis and BCR ratios now, particularly in rural areas like the—everything between the coasts, basically. And—because we are not counting everything that I feel should be eligible—

Ms. FINKENAUER. Yes.

Mr. JAMES [continuing]. In a benefit-cost ratio. And it is very important, because you have to have that to get a project done. And we are looking at that.

And you said how can the Congress help. I would be happy to talk at any time about the benefits that we should be or should not be looking at. And then I will work with OMB on that, and we will see what we can do.

General SEMONITE. Congresswoman, I will just add that—and the Secretary is exactly right. There is a big difference in my mind between a benefit-cost ratio of deepening a harbor, which is important, but we are just trying to make a good thing better, to an area where somebody is going to die, or somebody is going to have loss of quality of life.

So how do those projects, flood control projects, they should have a higher factor, somehow, in that calculus. You can't just look at them the same. And this is where Cedar Rapids had a hard time ever getting through the system, and the only way it got it through was Congress passed a supplemental, where you didn't have to have the benefit-cost ratio at the level it is.

Ms. FINKENAUER. Yes. Thank you again.

And now, for Assistant Secretary James, thank you again for being here. And in your testimony I know you stated the need to focus on projects that provide also the economic and environmental

returns. And last month, obviously, Congress passed a bipartisan spending bill that we are all very grateful for that directs the Corps to commit funding for multipurpose projects in the preconstruction, engineering, and design phase. And something that I am very eager to see in the preconstruction phase is NESP. This is some—and making sure that we get that funding to it.

You know, being from Iowa's First Congressional District, right on the Mississippi, I know just how important this is for our farmers, in particular, and for the state of trade in our country, as well. If, God forbid, one of our locks and dams go down, and we don't get these things updated, we are looking at a world of hurt here, and an added cost that we just can't afford right now. And getting these updated and widened to the width that we should and in the right way is just—you get it, it is incredibly important.

So can you agree to work with me to make sure that we get that funding, and get that in the work plan for NESP?

Mr. JAMES. Absolutely. I think it is critical to our Nation. There again, we are out in middle America.

Ms. FINKENAUER. Yes.

Mr. JAMES. And, you know, the people say, well, we don't have container barges going in and out of those locks and dams and blah, blah, blah. But those locks and dams ship 20—no, 60 percent of the corn and soybeans—

Ms. FINKENAUER. Absolutely.

Mr. JAMES [continuing]. Of this Nation.

Ms. FINKENAUER. Absolutely.

Mr. JAMES. And, I mean, that is critical.

Ms. FINKENAUER. Yes.

Mr. JAMES. Because our agriculture has been the only venue that has had a constant addition to our balance of trade in both good times and in bad times.

I will absolutely be happy to work with you. I have got some ideas on this. I ran them by the Congress when I first got here. My ideas weren't well accepted. But I think we could talk about it again, and maybe there are even better ideas that we could discuss. But it is very important.

Ms. FINKENAUER. It is incredibly important, and I am glad to see that you understand that, as well. Thank you.

And thanks for—you both, for being here today. And with that I yield back.

Mrs. NAPOLITANO. Thank you, Ms. Finkenauer.

Mr. Huffman, you are recognized.

Mr. HUFFMAN. Thank you, Madam Chair. And thank you, General and Mr. Assistant Secretary.

Before I get into my top priority for our conversation today I want to just mention how encouraged I was to hear your discussion about forecast-informed reservoir operations. As you know, a lot of the leading-edge work on this new operating philosophy is taking place in my district, in northern California. We are very proud of that work.

But I think, from my own observations and from what I have heard from you gentlemen today, that it is time now to acknowledge that we are past the piloting phase, we are past the conceptual phase. The annual deviations that we have been able to suc-

cessfully do have really proven themselves, not just in stretching water supplies to do the many things that you mentioned, General, but in actually operating for flood protection, as well. This is just a better way, and a safer way, and a more accurate way to operate many of our western dams. And it is time to make that a permanent, every-year part of the Corps' operations. So I hope I can work with you in this upcoming WRDA to try to get us to that point.

Now, when we discuss the Corps' responsibility for maintaining our Nation's harbors, you know, sometimes we hear terms like "small harbors," or "emerging harbors." But representing a number of Federal channels that are supposed to be the Corps' responsibility in my district that require shallow draft dredging, I think we should just be honest and call them "abandoned harbors," or "forgotten harbors," because when you look at projects like the Petaluma River in my district, you have got a channel there that was once dredged every 3 to 4 years to maintain depths so it could be navigable. It has not been dredged since 2003, and major portions of it not since 1998.

I have been writing to the Corps of Engineers since I came to Congress, so starting back in 2014. Mr. Assistant Secretary, I have had phone calls with you about this over the past year. We have been begging and pleading with the Corps to address this problem. Chairman DeFazio has joined me in writing to the Corps about this urgent problem. It spans certainly two different administrations, and it showcases the neglect of the Army Corps of Engineers of not only this project in my district, but I am sure many other shallow draft dredging projects around the country.

Last fall I took Lieutenant Colonel John Cunningham on a tour of the river. I have done that with every lieutenant colonel that we have had on command in the San Francisco District, and we shared a petition of nearly 3,700 signatures from the local community urging action.

A few months later, for the second year in a row, the annual holiday lighted boat parade in Petaluma had to be canceled because you just can't get boats through the channel. It is not navigable.

So my hope is that we can still get this done. Two years ago the Corps invested money necessary to complete the preliminary work and environmental analysis that lays the groundwork for dredging. We are ready to go. But we have been left out of recent work plans, and my worry is now that we have got this preliminary work done and it is on the shelf, waiting. If we miss another cycle, it is going to grow stale, and we will have to start all over again.

So this really is do or die time for the Petaluma River. And the President signed the final fiscal year 2020 appropriations package last month. You all clearly now have the money to do more in this area. And so I want to ask when can we expect the work plan, and can we expect good news for projects like the Petaluma River?

Mr. JAMES. The work plan should be available within a month, 5 weeks, something like that. It should be available before any WRDA will be.

Mr. HUFFMAN. My understanding, Mr. Assistant Secretary, is the final date that you have would be up to February 18th. That happens to fall on my birthday. And, you know, I don't ask a lot of the Corps, but it would be a great birthday surprise for me and for the

people I represent if we could finally get this project included in the work plan. I just want to put that out there for your consideration.

I want to also mention that, in passing the appropriations omnibus this year, the joint report language from the House and Senate reinforced that their explanatory statement does not negate language from both the House and Senate reports passed earlier in the year.

So I know you are busy, rushing to get the work plan done right now. I want to just help you in that regard by pointing you to the House report language, which states that the Appropriations Committee is “aware that the last full dredging of the Petaluma River was in 2003.” It states that, prior to 2003, the channel was dredged every 3 to 4 years to maintain depths. Shoaling in the upper river is impacting commercial traffic, as barge companies curtail operations and capacity at barges.

You get the point; we have mentioned this over and over in appropriations language, and we have tried to make it clear that Congress wants you to address this. I just want to make it clear that our message is received, and ask if you could please respond.

Mr. JAMES. The message is received. I have been looking at this project, but it—again, like the general has said many times today, you know, we have to take them all, and they have to compete. And, I mean, it is a sad situation. I don’t like it, but that is what we have to do.

Mr. HUFFMAN. I can’t imagine—

General SEMONITE. Congressman, I will just jump in.

Mr. HUFFMAN. Sir?

General SEMONITE. So I have gotten several letters. John has told me about your trip out there, and we are—it is very unfortunate that we don’t have enough funds to go all the way down the list.

On the other hand, just because something might not compete one year, we have got to look at the cumulative effects of not dredging for several years. Because what happens then, industry will start drying up, you will start having other ramifications. So some of these, while we might want to be able to do it on whatever the recurring cycle is, we have got to understand that if we don’t at least touch every now and then, then we are going to have a lot more significant second- and third-order effects.

So we are looking at this river, right now in my headquarters, to see what will it do in the work plan. It might not get everything, it might not get all the places, but we would think that this would continue to compete well, at least in the 2020 work plan.

Mr. HUFFMAN. Thank you. The chair has been very generous with my time. Let me just close—

Mrs. NAPOLITANO. Thank you.

Mr. HUFFMAN [continuing]. And yield by noting that the San Rafael Canal is also mentioned in the Senate report language, a similarly dire situation—

Mrs. NAPOLITANO. Thank you, Mr. Huffman.

Mr. HUFFMAN. I thank you, and yield back.

Mrs. NAPOLITANO. Mr. Lamb is recognized.

Mr. LAMB. Thank you, Madam Chairwoman, for allowing me to be here today, and gentlemen, thank you for sticking it out throughout this hearing.

I want to thank General Spellmon, as well, for coming up to our district late last year, I guess in the fall. We had Chairwoman Marcy Kaptur from the Energy and Water Development Subcommittee over on the Appropriations Committee come up and look at the declining state of our locks and dams.

So we have a set of locks and dams on the upper Ohio that were built in the 1920s and 1930s, and are really being patched together every which-way that your engineers can think of at this point. I mean they are doing a heck of a job, given the few tools that they have to work with. And it is a dire situation.

I know that you have heard from everybody today about their priorities, and you keep talking about how things need to compete, and maybe next year, if they don't compete this year. I totally understand.

What I would ask each of you to do, though, is convey to folks in the administration that—the reminder, I suppose—that the President has come to our district multiple times. He has come to the Pittsburgh area multiple times to basically take credit for the healthy state of the natural gas and related economy in western Pennsylvania, which was confusing to some at first, because he was not in office in 2010 or so, when the deal for the Shell cracker plant was struck.

But regardless, he never hesitates to take credit for the economic circumstances there. Yet, the only reason that the Shell cracker plant is located in western Pennsylvania today—and it is one of the largest construction sites in the entire country—is because of our inland waterway system, and the excellent work that you all have done over the years to maintain that. It allows them to get the construction equipment that they need to that site.

There are some pieces of this plant which, basically, takes ethane, the byproduct of natural gas drilling, and cracks it into industrial-use plastic. There are some pieces needed to build that that are so large there is no other way to get them to the site, other than by floating them on the river.

And last summer, as I am sure you gentlemen are aware, Shell had to seek a special permit, basically, to get some of that equipment through when the lock was otherwise going to be closed for some of the maintenance that is required because it is so old and has never been fixed. If we could just fix it and replace it, we wouldn't continue having these problems.

And so now, by your own forecasts, the Montgomery lock has a 50-percent chance of failure in the next few years, which could shut down this construction site entirely.

There are 6,500 people working in construction jobs on this site at this moment. The county in which that project is located, Beaver County, saw 6 percent economic growth last year because of this project, far outpacing any other county in western Pennsylvania. It is one of the greatest economic developments we have had in quite some time, and it is all at risk because we can't update locks that are nearly 100 years old at this point, and which everyone agrees need to be fixed.

Somehow, these projects did not make it into OMB's budget this year. I can't understand why, if you are considering economic development benefits, or economic benefits of any kind, one of the largest construction sites in the country that has produced 6 percent economic growth in its home county and created 6,500 jobs, would not have enough of an economic benefit to qualify. But that—you know, there are reasons for that that go beyond me.

I just want you to convey to folks in the administration that these two positions are inconsistent. It is inconsistent to come to our area and take credit for the economic growth when you refuse to take action on one of the ingredients that is essential to the economic growth both now and going forward. There are other companies that want to build similar plants right along the river. There are manufacturing companies that want to take advantage of the plastic industrial feedstock to make things. And they will hesitate to do so if our infrastructure is not fixed. So please do convey that.

The question that I have for you in my remaining time is that we have been told that—I believe it was the Olmsted project—when it was done, in order to complete it quickly and efficiently, they adjusted the percentages of the Inland Waterway Trust Fund cost share to have a lower percentage and a higher percentage from general Government spending. Am I correct about that, that they might have adjusted it to 85/15?

Mr. JAMES. Yes, you are correct.

Mr. LAMB. Would a similar change be possible for the upper Ohio project when its turn comes around, given the importance of it, and how long we have waited to get it done quickly and efficiently?

Mr. JAMES. You know, I really can't say yes or no, but I will say that the reason Olmsted got that reduction in cost share is that it had drained this country long enough. We were trying to get it finished. And that was the main reason. I mean 20-plus years to build a lock dam is a little ridiculous, when we built 17 in the upper Mississippi River in 10 years in the 1920s and 1930s. So that was the main reason on that one.

I think we are going to have challenges with our inland lock and dam systems because of the funding stream. I do think we are going to run into that.

Mr. LAMB. I appreciate that, and I am over my time. I just want to say, by way of yielding, that we have increased all of the relevant accounts in the past year, and yet this project still was not included. So the ball is very much in the administration's court, and I hope you will convey that.

Thank you very much, and thank you, Madam Chair.

Mrs. NAPOLITANO. Thank you, Mr. Lamb.

Ms. E.B. Johnson, you are recognized.

Ms. JOHNSON OF TEXAS. Thank you very much, Ms. Chairman, and I thank all of you for being here and staying so patiently. I sat here this time because I represent the most important part of the planet, Texas. And I represent north Texas. I am a native. So you know we were taught from birth that Texas is the most important part of this planet.

And I want to thank you for the cooperation we have had, and make a plea to continue to work with us. We are really focused on

prevention, as well, as we know the value of looking at predictions and the scientific projections of what we face.

On the southern end of Texas we have almost too much water. On the northern end of Texas we have to build our own. But we still worry about both supply, as well as flooding. So I am hoping—and I am a native of Waco, Texas, and they have never given me up, even though I spent most of my life away from there—and so I know, on behalf of Waco, it is my understanding that multiple communities across Texas and the country would use some adjustments and clarifications, and you have that information, I hope, that you understand what that importance is.

Would you like to comment on that?

Mr. JAMES. No, ma'am. But it is important, it is particularly important to Texas, but also the rest of this country.

Ms. JOHNSON OF TEXAS. OK, thank you.

Mr. JAMES. I understand that.

Ms. JOHNSON OF TEXAS. You just made a first star with me. Now, do you think that we need to put any more changes or authorities within the bill to bring any attention to new projects?

I know that in Dallas it is ongoing in that area, and we appreciate that cooperation. But we don't have near as much influence from Waco, so they lean on me to make sure that I get that message across. And I didn't—and we have had some help in Waco, as well. But we appreciate the work and the cooperation we have had out of the Fort Worth office and all, and so we thank you for that.

But if you have any comments on any changes we need to be looking at, I would appreciate it.

Mr. JAMES. I really don't at this time. I think that will be one of the considerations this committee, I hope, will be looking at, as we approach the WRDA deadlines. And I make myself available at any time to discuss Civil Works with the committee.

General SEMONITE. Congresswoman, I would just add that there is definitely a balance. And we have inherited a lot of projects that we are just trying to get done that have been there for a long time.

We want to start new projects and take them on. Right now I think that the WRDA that gives us so many new starts is not necessarily way out of balance. If we got so many new starts, and didn't actually expand the amount of money, all that is going to do is take the amount of money and continue to start more, and keep those older projects longer and longer.

So we are all into finishing what has been on the books for a while, get us caught up. And the last 2 to 3 years has been phenomenal. But then how do we propel forward to be able to take on some of these new challenges?

Ms. JOHNSON OF TEXAS. Well, thank you. I can appreciate that. Just remember, Texas is the most important State. I thank you. I yield back.

Mrs. NAPOLITANO. Besides California, E.B.

I am going to be submitting some questions for the record. But I wanted to give a shout out to one of my favorites, General Toy and, of course, Colonel Gibbs.

Mr. James and General Semonite, I want to reiterate to you that on March 7th, 5 o'clock to 7 o'clock, we are planning a roundtable

in Los Angeles, and I extended an invitation to you, Mr. James, but not to Mr. Semonite. I wanted to be sure to include you.

The committee will be touring the projects during the roundtable, and we hope that you can join us, if you will.

If I don't have anything else, I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing, and unanimous consent that the record remain open 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing.

And, without objection, so ordered.

I would like to thank my cochair, Mr. Westerman, and to you again, both witnesses, thank you very much for being with us and spending so much time with us, and for your testimony.

And if no other Members have anything to add, the subcommittee stands adjourned.

[Whereupon, at 12:31 p.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Prepared Statement of Hon. Peter A. DeFazio, a Representative in Congress from the State of Oregon, and Chairman, Committee on Transportation and Infrastructure

While we may have disagreed on certain policy matters, during his tenure, I am proud to have worked with Chairman Shuster in returning this Committee to the tradition of moving a water resources development act every Congress. Since 2014, this Committee has been successful in enacting three consecutive, bipartisan WRDA bills, and today, we take another step in continuing that tradition for the 116th Congress.

This Committee plans to consider a new WRDA for 2020 in the spring. I have already spoken with Ranking Member Graves on the scope of this bill, and under your leadership, Madam Chair, and with the Subcommittee Ranking Member, Mr. Westerman, we will continue to make biennial consideration of WRDA legislation the regular order of this Committee.

Enacting WRDAs on a predictable timeline is good for non-federal sponsors as they work with the Corps in developing projects.

It provides strong oversight on the critical role of the U.S. Army Corps of Engineers in the management of our water resources.

It also allows for Congress' timely consideration of important water infrastructure projects across the nation.

Biennial consideration of WRDAs also allows for Congress to continue to address lingering policy concerns with implementation of Corps' projects.

I look forward to continuing this bipartisan tradition in 2020, and to providing funding to finally complete the work Congress has authorized.

For the past three Congresses, I have been working with Members on both sides of the aisle to finally unlock Federal investment in for our nation's ports and harbors.

The American Society of Civil Engineers estimates that ports are responsible for \$4.6 trillion in economic activity—or more than 26 percent of the U.S. economy. Yet, as we have shown, over-and-over, we already collect more than enough revenues from shippers to address the backlog of maintenance needs for all Federal harbors—large and small. We just need to find the political courage to spend it.

We should be investing more in our nation's ports and harbors in order to keep America competitive in the global economy.

One of my most rewarding accomplishments this Congress was overwhelming, bipartisan passage by the whole House of my Full-Utilization of the Harbor Maintenance Trust Fund legislation. I will continue to look for opportunities to work with the other body to ensure that legislation is sent to the President for his signature this year.

In addition, I want to work with the Corps on how we ensure that the infrastructure we have today is ready for the challenges of the future. As we learned at our November 2019 hearing on "Promoting Resiliency of our Nation's Water Resources Infrastructure," recent years have shown the growing challenges our communities are facing in light of climate change.

Yet, that hearing also highlighted a growing, bipartisan commitment to ensuring the Corps and our communities have the tools necessary to address current and future threats from extreme weather events. This is an area I look forward to addressing more fully in this year's WRDA legislation.

I want to thank Secretary James and General Semonite for joining us today. I look forward to an engaging dialogue with you and my colleagues on this important piece of legislation.

**Prepared Statement of Hon. Sam Graves, a Representative in Congress
from the State of Missouri, and Ranking Member, Committee on Trans-
portation and Infrastructure**

This hearing will help us review water resources development projects and related policies as this Committee begins its work on another WRDA bill. Effective and reliable water infrastructure is vital to America's global competitiveness—it supports economic development and creates jobs.

Even more critical, this infrastructure protects American homes, businesses, and lives.

The unprecedented levels of flooding last year in the Missouri River Basin and Mississippi River Valley inundated hundreds of thousands of acres across Northern Missouri.

Nearly every levee in my district overtopped or breached along our rivers, leaving families little time to gather belongings before fleeing their homes, and leaving farmers helpless to move livestock, grain, and machinery ahead of advancing floodwaters. As a result, nearly 1.4 million acres of Missouri farmland went unplanted in 2019—devastating to the farmers and families who depend on that land for a living.

Even 10 months after the first levee breaches in my district, some of those areas are still underwater.

There needs to be an adjustment made in how the Corps considers the protection of people's lives and property. I can assure you this will be a top priority of mine throughout the development of the WRDA bill, and I look forward to hearing how the Corps is preparing itself for the 2020 flood season.

I also want to assure you, Secretary James and General Semonite, that I will continue to focus on the continued construction of IRCs—interception-rearing complexes—that is nothing more than a multi-million dollar science experiment paid for by taxpayers. Even the Corps has admitted that they are unsure if these structures will help the recovery of the pallid sturgeon in the Missouri River.

It is absolutely critical that we determine whether these unproven IRC structures even work AND that they don't negatively impact navigation and flood control before even considering the construction of more of them.

APPENDIX

QUESTIONS FROM HON. GRACE F. NAPOLITANO TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Repetitive loss information

Question 1. WRDA 2014 required the Corps to submit a report on expenditures on flood control structure repairs under the P.L. 84-99 program for the previous five years and to submit successive reports every two years.

Question 1.a. What is the status of these reports to Congress as required by WRDA 2014?

ANSWER. The Corps is working on this report.

Question 1.b. Does the Corps track data related to repetitively damaged flood control infrastructure including historic expenses and cumulative costs of repairing flood damage? Is that data publicly available via the National Levee Database?

ANSWER. The Corps is working to collect and organize certain data (primarily failure modes) from the available historic records of our district offices. However, the scope of this ongoing effort does not include tracking the data or an evaluation of historic expenses or cumulative costs. The National Levee Database does not contain financial data.

Question 1.c. Can you provide Congress and the public with data on flood control structures suffering repetitive losses?

ANSWER. The Corps may be able to identify the flood and storm damage reduction projects that it has repaired multiple times under the Public Law 84-99 program.

Sec. 203 Study Process

Question 2. Section 203 of the Water Resources Development Act of 1986, as amended, authorizes a non-Federal interest to undertake a federally authorized feasibility study for a proposed water resources development project, and to submit that study to the Secretary for further review and potential recommendations or conditions required for the project to proceed to construction, once authorized by Congress. To date, Congress has authorized only one project study developed under section 203 to proceed to construction; however, several additional studies developed under section 203 have been submitted by the Secretary to Congress for authorization. However, because this process is still relatively new, several questions on transparency and public engagement on studies developed by non-Federal interests have arisen.

Question 2.a. Under the development of a traditional feasibility study by the Corps, how does the Corps engage with the public (other than the non-Federal interest) in terms of potential project alternatives, including through its analysis under the National Environmental Policy Act (NEPA)? How is this process similar or different with public engagement for a study developed by the non-Federal interest under section 203? When the Corps undertakes its NEPA review of a section 203 study, how is the array of potential project alternatives the same or different to a study developed by the Corps (i.e., timing of NEPA review when compared to the selection of preferred alternative)?

ANSWER. Depending upon the complexity of a Corps' feasibility study, the Corps may conduct scoping meetings at the start of the study process with interested parties to include the federal cooperating agencies, non-federal interest, and other interested stakeholders including the public. There is engagement with interested stakeholders via calls, meetings, and public meetings during study development. As

the level of analysis reaches a point where a tentatively selected plan has been developed, the Corps will release a draft Environmental Assessment (EA) or Environmental Impact Statement (EIS) for a public comment period. Depending upon the complexity of the study, the Corps may hold public meetings during the public comment period. The completed final integrated feasibility study is made available on the appropriate Corps district website for public awareness.

Pursuant to Section 203, as amended, a non-Federal interest is undertaking a feasibility study on its own. Each non-federal interest will determine how to execute its study, including the array of alternatives considered, as well as the level of public engagement. Completion of Federal environmental compliance requirements inherently is a Federal governmental function, and the non-Federal interest cannot complete these requirements. Pursuant to section 203, as amended, and upon submittal of the report to the ASA(CW), the Army will review the non-Federal interest's study and provide the results of this review to Congress. The Army is unable to complete many of the statutory requirements that federal studies must satisfy such as the National Environmental Policy Act, Endangered Species Act, etc. within the statutory 180 days. In accordance with Section 203 the ASA(CW) makes a feasibility determination and identifies additional concerns and conditions that remain to be addressed.

Question 2.b. Is there any difference in the judicial review of a study developed by the Corps as compared to a study developed by the non-Federal interest under section 203?

ANSWER. There have been no court challenges to the Congressional authorization of projects where the study was carried out by a non-Federal interest.

Question 2.c. What other differences between standard Corps project studies and Sec. 203 studies have arisen, and where do you expect further variances from Corps' practice to occur?

ANSWER. There is no requirement that the non-federal interest comply with the statutory and regulatory requirements that Federal studies must follow in order to be authorized for construction. For example, in addition to the discussion in the previous response regarding inherently Federal government functions, a Section 203 study undertaken by a non-Federal interest is not required to follow Corps policies and procedures or to comply with the requirements in Section 1001 of WRRDA 2014, as amended (i.e., that the study be completed in 3 years, with a maximum Federal cost of \$3 million, and that the study undergo three levels of review).

QUESTIONS FROM HON. ADRIANO ESPAILLAT TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. Lieutenant General Semonite, please clarify the status of the 1986 authorization of federal maintenance of the Y-shaped portion of the Eastchester Creek, NY navigation project. The Corps' fact sheet for Eastchester Creek states that federal maintenance of the Y was de-authorized due to a separate provision in the 1986 WRDA. Under the authority of section 7001 of WRRDA 2014, Westchester County, NY submitted a proposal that the Corps assume maintenance of the Y. The Corps' 2019 Section 7001 report to Congress includes a notation by the entry for the Westchester County proposal that federal maintenance of the Y is currently authorized.

Question 1.a. Please clarify whether the Corps is or is not currently authorized to maintain the Y and explain the Corps' interpretation of its authority for this purpose.

ANSWER. The Corps is currently authorized to maintain the Y portion of Eastchester Creek pursuant to Section 866 of WRDA 1986.

Question 1.b. If the Corps is authorized to maintain the Y, please tell me when the Corps will request funding to dredge the Y. Since the Corps left the Y out of the 2010 maintenance contract for Eastchester Creek, the Y needs dredging as soon as possible.

ANSWER. Future funding to maintain the Y portion of Eastchester Creek will be considered along with other programs, projects, and activities across the Nation competing for the available Federal resources.

QUESTIONS FROM HON. LIZZIE FLETCHER TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. In 2002, the Federal Highway Administration (FHWA) published a report on the cost of corrosion in the United States. Among other things, the report measured corrosion's financial impact on the U.S. economy and explored preventative strategies for federal agencies to consider. Overall, corrosion directly costs the U.S. economy \$276 billion annually (2002) or roughly 3.1% of national GDP. The report notes that corrosion costs our waterway and ports approximately \$0.3 billion annually; however, this number may be low due to a lack of formal tracking, and the estimate did not include corrosion costs for harbor and other marine structures. The report estimates that between 25 and 30% of these costs can be saved by using optimum corrosion management practices. To help reduce this cost, extend the useful life of assets, and increase public safety, the Congress required the U.S. Army Corps of Engineers (Corps) to utilize corrosion best practices and the use of qualified personnel in the Water Resources Reform and Development Act of 2014.

Question 1.a. How has the Corps employed the 2014 directive from Congress?

ANSWER. The Corps employs a wide array of best practices and standards for corrosion prevention to include: providing design guidance and requirements that support determining appropriate protective coatings, determining cathodic protection systems and use of non-corrosive materials; development and use of comprehensive construction guide specifications; compliance with environmental and safety regulations; providing requirements for design engineer, contractor and inspector qualifications and certifications; and promoting research and development associated with new materials and corrosion prevention methods.

Question 1.b. How does the Corps track costs of corrosion?

ANSWER. These costs are not tracked at a level granular enough to correlate expenditures to the multiple causes of degradation, including corrosion.

Question 1.c. What corrosion management principles does the Corps utilize?

ANSWER. One principle utilized by the Corps is continued investment in research & development to improve corrosion management capabilities. Results of ongoing work will include acceptable coatings as alternatives to the existing vinyl and coal-tar epoxy systems, real-time monitoring systems to assure proper functionality of active corrosion protection systems, and application of new and advanced composite materials to reduce corrosion susceptibility.

The Corps is planning to include identification of defect types, to include corrosion along with condition data for our hydraulic steel structures (structures that control or regulate water), i.e. gates, valves, and bulkheads. This additional granularity of data will allow for better tracking and prediction of the impact of corrosion on an asset's condition.

Finally, the Corps' budget development guidance for the operation and maintenance program places emphasis on cost-effective maintenance, including for corrosion prevention methods.

Question 1.d. What policies can Congress consider to improve asset integrity?

ANSWER. No changes have been identified.

Question 1.e. Does Corps utilize trained professionals to plan for and inspect for corrosion?

ANSWER. Yes, the Corps utilizes in-house personnel and contractors with industry certifications and appropriate experience to plan and design appropriate structures and to inspect for corrosion at completed projects.

QUESTIONS FROM HON. BRUCE WESTERMAN TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. Congress has amended the P.L. 84-99 program (or the Emergency Readiness and Response program) multiple times since WRRDA 2014. The intention with these changes was to "build it back better," including using natural infrastructure techniques, like levee setbacks or realignments, to reduce the risks to people and property and to ensure federal funds are not used to repair the same projects over and over again. However, current P.L. 84-99 policy does not allow for project modifications that would increase a project's level of protection, extend protection to a larger area, or correct deficiencies in the project. Recent natural disasters, such as the Midwest Floods of 2019, show that current flood control works have repeat-

edly failed and simply repairing these projects only sets them up for failure down the road.

Question 1.a. How can the Corps better use its authorities to enhance flood control works to prevent against repetitive natural disasters?

ANSWER. The Corps views the PL 84–99 authority as a way to assist in the immediate short-term recovery, while longer-term flood risk management solutions are discussed, analyzed, and achieved pursuant to other programs. However, during the PL 84–99 repair eligibility determination process, repair alternatives are sometimes considered. The Corps also will undertake a limited levee realignment around breach scour holes, where that is the least costly solution.

Question 1.b. How can Congress best change the Corps' emergency response authorities to truly prevent the same projects from failing time and time again?

ANSWER. I would not recommend a change in our authorities at this time. However, I appreciate the concern with a levee system that has experienced repetitive damages, particularly where the consequences of a failure are more widespread. The current approach emphasizes the repair or rehabilitation of the existing levee.

Question 2. With the understanding Congress and the Administration prioritize project completions in the annual budget process, what is the Corps of Engineers doing to ensure new work that provides national benefits to all States, like the Norfolk Harbor deepening and widening authorized in America's Water Infrastructure Act of 2018, are treated equitably in the budgeting process?

ANSWER. All projects authorized for construction are evaluated for funding based upon the economic, environmental, and safety return to the Nation that the project will provide.

Question 3. The Calaveras County Water District in California is requesting assistance through its existing Section 219 Water Resources Development Act (WRDA) authorization from WRDA 2007 to make critical improvements to its wastewater treatment and water reclamation facilities serving the community of Copperopolis near Lake Tulloch in Calaveras County, CA. Specifically, the District is seeking to amend the authorization to increase the authorization from \$3 million to \$13,280,000 in WRDA 2020.

The District is concerned about the existing wastewater facility's ability to continue to serve the community, protect public health, and prevent degradation to receiving waters. In wet years with significant annual rainfall, wet weather flows inundate the facilities. The existing tertiary filter and UV disinfection system does not have capacity for peak flows. Therefore, the filter and UV system are shut down during winter months and disinfected secondary effluent is diverted to storage. Also, the wet weather flows quickly fill the storage reservoir to maximum level. Staff often block the reservoir's spillway with sandbags to prevent discharging effluent into the creek. In 2015, due to excessive winter storms, the District discharged partially treated wastewater into the creek in violation of its permit. Improvements are needed urgently to mitigate these risks.

The proposed improvements would significantly upgrade the entire wastewater treatment plant and water reclamation facility in order to comply with stringent discharge limits necessary to obtain a National Pollutant Discharge Elimination System permit for a seasonal winter discharge into the nearest receiving waters, Little John Creek. To achieve this objective, the District's 2018 Copper Cove Wastewater System Master Plan identifies \$13.28 million of critical improvements to accomplish this work.

Calaveras County needs to rehabilitate its Copper Cove Water Reclamation facility to address serious health and safety issues in the area. To that end the District is requesting an increase in Calaveras County's existing Section 219 authorization to \$13,280,000 in WRDA 2020. Does the Corps support this request and, if so, would the Corps be willing to express a need for the \$13,280,000 to the Committee?

ANSWER. Once authorized, the Corps will consider funding for the Calaveras County Water District project pursuant to the WRDA 2007 authorization along with other programs, projects, and activities across the Nation competing for the available resources. However, environmental infrastructure is not a primary mission area for the Corps.

QUESTIONS FROM HON. PAUL MITCHELL TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. What is the current status of the Preconstruction Engineering and Design (PED) work for the Great Lakes and Mississippi River Interbasin Study—Brandon Road, Will County, Illinois project? What PED work has USACE done so far on this matter? What PED work will the Corps pursue next?

ANSWER. The Corps has not yet initiated preconstruction engineering and design for the Brandon Road fish barrier project. The next step will be for the Corps and the non-Federal sponsor, the Illinois Department of Natural Resources, to execute a Design Agreement.

Question 2. What is the Corps' intent for the FY2020 Work Plan on the Brandon Road project? What about for the FY2021 Budget Request?

ANSWER. Funding to initiate preconstruction engineering and design for the Brandon Road fish barrier project will be considered in development of the FY 2020 Work Plan and the FY 2021 Budget along with other programs, projects, and activities across the Nation competing for the available resources.

Question 3. What is the Corps' planned next steps for the Brandon Road project? What else, besides the Brandon Road authorization in the 2020 WRDA, can the T&I Committee and Congress can do for the Corps to advance this project?

ANSWER. The Corps' next step is to sign the Design Agreement with the Illinois Department of Natural Resources.

Question 4. In 2018, the upgrades for the Soo Locks on the St. Marys River in Sault Ste. Marie, Michigan was authorized. The USACE Detroit District provides regularly quarterly updates to Congressional offices on the current construction process. How does USACE Headquarters view the long-term prospects for the project and can you comment what next steps the Corps will take on the project?

ANSWER. The next increments of work will be to complete construction of the upstream channel deepening, continue design on the new lock chamber, and initiate and complete construction of the upstream approach walls.

QUESTION FROM HON. MIKE BOST TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. The recently enacted FY 2020 Appropriations Act provides funds in the investigations account for the Navigation and Ecosystem Sustainability Program (NESP). The NESP locks are the next locks to begin construction on the inland waterways system, as indicated by a joint Corps and towing industry effort to prioritize lock and dam construction. It's supported by agriculture, the towing and shipping industries, manufacturers, the energy industry, organized labor, conservation organizations—as well as the 5 states surrounding the Upper Basin. It also has strong legislative branch support. There is concern that if the Corps and stakeholders do not start preparing these locks for construction, they will not be ready for construction when funding comes available. Does the Corps intend to ensure NESP receives funding in the upcoming Work Plan?

ANSWER. The Navigation and Ecosystem Sustainability Program will be considered for funding in the FY 2020 Work Plan along with other programs, projects, and activities across the Nation competing for the available resources.

QUESTIONS FROM HON. JENNIFFER GONZÁLEZ-COLÓN TO HON. R.D. JAMES, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) AND LIEUTENANT GENERAL TODD T. SEMONITE, CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS

Question 1. In general, have requirements for cost sharing by the non-Federal project sponsor been a factor in delaying either the studies and reports or the actual New Starts?

ANSWER. No.

Question 2. In project evaluations, there is study of not just economic but also social and environmental impacts. How much do they factor in the decisions? Should there be a greater weight given there?

ANSWER. Economic, social, and environmental effects are considered for every study and the anticipated impact of those effects varies. For example, environmental

justice may be a significant factor for consideration where a project could affect a minority or low income community, but for a study where there are no such communities, environmental justice would not require further analysis.

Question 3. In many cases, the Continuing Authority Programs have cost limits or cost/benefit requirements that in the years it takes to start the project may be overrun by inflation or other opportunity cost; and there is concern that this is too narrowly focused on things like property values. Should we change this or provide a way to take the cost of delay into consideration? How?

ANSWER. The intent of the Continuing Authorities Program is to provide the Corps with an authority to study, design, and construct projects that are small in scale, as defined by the applicable statutory total project cost thresholds. Changing the funding limits on the CAP will not resolve the issue you are raising.

Question 4. What Chief's Reports for projects in Puerto Rico are due during the rest of 2020?

ANSWER. Under the current schedules, the following Chief's Reports are expected during the remainder of calendar year 2020 for projects in Puerto Rico:

- Rio Culebrinas
- Rio Grande de Manati (Ciales)

Question 5. Has the matter of land acquisitions (LERRD) by the Puerto Rico Department of Natural and Environmental Resources (DNER) been a challenge with the projects? Have they been responsive about a way to find alternatives to deliver this?

ANSWER. Yes and the Puerto Rico DNER has been very responsive to these issues.

Question 6. We are aware of the fiscal crisis in Puerto Rico. Does the fact that public-sector nonfederal partners may be lacking in resources or credit present an added problem? Is there a way to address this in Congress?

ANSWER. Yes. The non-federal sponsor, the Governor of Puerto Rico, and the Corps have been collaborating on potential solutions that can be resolved outside of Congressional action. For example, DNER has requested and received approval from the Puerto Rico Fiscal Oversight Management Board for the use of \$15 million as a revolving fund to be used for acquisition of lands for Federal projects funded under the Bipartisan Budget Act of 2018.

Question 7. The Corps signed the Chief's Report for the San Juan Harbor Improvement Project in on August 23, 2018. The study was completed under budget (~\$2.7M) and ahead of schedule. This project was authorized for construction in WRDA 2018, and is awaiting a FY21 construction contract award—pending a Construction “New Start” Approval. What is the status of “New Start” authority and funding for this project? Will it require future budgeting?

ANSWER. The San Juan Harbor Improvement project was fully funded for Pre-construction Engineering and Design (PED) in the FY 2019 Work Plan. PED is scheduled for completion in May 2021. The project will be considered for future construction funding along with other programs, projects, and activities across the Nation competing for the available Federal resources.

Question 8. Related to MAYAGUEZ/ARECIBO HARBORS: Can we now be certain that these projects will begin during the first half of the year 2020?

ANSWER. On September 25, 2019, the Corps announced both Arecibo Harbor and Mayaguez Harbor would receive operation and maintenance funding provided in the Additional Supplemental Appropriations Disaster Relief Act, 2019. Per the Corps, those funds, in conjunction with the supplemental appropriations provided in the Bipartisan Budget Act of 2018 will be sufficient to satisfy the dredging needs at both projects. The contract for Arecibo Harbor is currently scheduled for award in January 2020.

Question 9. Related to RIO PUERTO NUEVO: Some specific bridges and channels in Río Puerto Nuevo tributaries exhibit more severe deterioration and will shortly need repair and replacement. Yet in some residential areas there are not expected to be awards until 2026/2027 and the work not finished until the 2030s. The constituents wonder if they will need to bear with the flooding issues another 12 years. Is there a way for specific projects that may become critical to be given prior attention?

ANSWER. The Río Puerto Nuevo (RPN) project includes relocation/replacement of 28 bridges. The project sequence of construction will proceed from downstream to upstream in order to accommodate improved hydraulic capacity of the channel as the construction progresses. If the construction of the channel is not done in the right sequence, the downstream reach will be flooded.

Question 10. Related to RIO LA PLATA PROJECT: Are all responsible agencies dealing with archaeological heritage issues on the same page? Have the preservation and research plans been deemed acceptable by all the parties?

ANSWER. The federal requirement for cultural resources coordination is with the State Historic Preservation Office (SHPO). The mitigation plan for current work at Rio de la Plata has been coordinated with the SHPO in accordance with a Memorandum of Agreement executed in May 2019.

Question 11. Related to CAÑO MARTIN PEÑA: It was expected a MOA to document terms will be executed this year. P&S would be completed for FY20 construction contract award to Execute Project Partnership Agreement by September 30, 2020—Pending a Construction New Start. What is the outlook for that New Start? An expansion in the number of new starts for Ecosystem Restoration was incorporated into this year's budget agreement. I strongly urge that Caño Martín Peña be considered under this provision.

ANSWER. The Cano Martin Pena project will be considered for future funding along with other programs, projects, and activities across the Nation competing for the available Federal resources.

Question 12. The Coastal Flood Risk management studies funded by the Bipartisan Budget Act of 2018 covers the areas of San Juan Harbor, Condado and Cataño as "Metropolitan" and Carolina and Rincón for the rest of the Island. What is the outlook for a possibility of a truly island wide study?

ANSWER. The entire island of Puerto Rico is included in the South Atlantic Coastal Study (SACS), which will document risk and vulnerability and may also recommend future actions.

Question 13. Related to LOIZA COASTAL PROTECTION (PARCELAS SUAREZ); FLOOD/EROSION PROTECTION, SALUD CREEK, SAN GERMAN: Construction of these projects was due to start today 9 January 2020. Has this been delayed due to the recent earthquakes?

ANSWER. No. Construction contracts for both the Parcelas Suarez, Loiza and Salud Creek at San German Streambank Stabilization projects (Section 14 of the Continuing Authorities Program) were awarded in September 2019.

Question 14. Related to RIO DESCALABRADO (Santa Isabel): The original budget for this project was \$9.25 million. Now with revisions it will exceed the Continuing Authority Project Section 205 limit of \$10 million. It may need to be converted from a Continuing Authority Project to a specifically authorized project under the Investigations account. Will this affect the funds already allocated? Will this impede the start of the project until additional funds are identified?

ANSWER. Yes, if the project is converted from a Continuing Authorities Program project to a project requiring specific authorization, any unused CAP funds must be returned to the CAP account for re-use elsewhere in the CAP program. In addition, a feasibility study would need to be completed, which would be funded in the Investigations account and would serve as the basis for a future authorization.

Question 14.a. Several other locations have had their projects stopped or dropped because of either the 205 limit or the Benefit/Cost factor; for example with the OROCOVIS, AIBONITO, NARANJITO project, could there be steps taken to assist these locations so they can at least be assured they are not on their own?

ANSWER. Projects funded under the Section 205, Continuing Authorities Program cannot exceed \$10 million and must be economically justified (i.e. have a benefit-cost ratio of at least unity), environmentally sound, and technically feasible. Should flood and storm damage reduction projects not qualify for this funding, the Corps can provide technical assistance through the Planning Assistance to States and/or Flood Plain Management Services programs.

Question 14.b. Should Congress amend the CAP Section 205 federal participation limits and other dollar limits, and the Cost/Benefit requirement criteria?

ANSWER. The intent of the Continuing Authorities Program is to provide the Corps with an authority to study, design, and construct projects that are small in scale, as defined by the applicable statutory total project cost thresholds. Changing the funding limits on the CAP will not resolve the issue you are raising.

Question 15. Projects under the BBA 2018 Supplemental with future additional funding need:

a. RIO GRANDE DE LOIZA—CAGUAS/GURABO/CARRAIZO—Current assigned BBA 2018 funding is \$250M vs draft estimated cost of \$981.6M.

- b. RIO NIGUA (SALINAS)—Current assigned BBA 2018 funding is \$60M vs draft estimated cost of \$48M.
- c. RIO GUANAJIBO (MAYAGUEZ/HORMIGUEROS)—Current assigned BBA 2018 funding is \$60M vs draft estimated cost of \$107M

Question 15.d. Should we expect that future Corps budgetary requests will include funds for completion of the projects that the Corps has found to comply with all requirements? How can Congress ensure this happens and the projects are not halted part way through?

ANSWER. It is too early in the construction process to know what funding changes may be needed to address the questions you are raising.

