

**PROPOSALS FOR A WATER RESOURCES DEVELOPMENT ACT OF 2020: MEMBERS' DAY HEARING**

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(116-55)

**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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FEBRUARY 27, 2020  
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Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

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Chairman

Katherine W. Dedrick, Staff Director

Sam Graves  
Ranking Member

Paul J. Sans, Republican Staff Director

FEBRUARY 21, 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: Members’ Day Hearing”

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**PURPOSE**

The Subcommittee on Water Resources and Environment will meet on Thursday, February 27, 2020, at 10:00 a.m. in 2167 Rayburn House Office Building to receive testimony related to the U.S. Army Corps of Engineers Water Resources Development Act Members’ Day. The purpose of this hearing is to provide Members of Congress with an opportunity to testify before the Subcommittee on their priorities in relation to the U.S. Army Corps of Engineers (Corps). Testimony will help to inform the Committee’s drafting of the Water Resources Development Act (WRDA) of 2020, which the Committee expects to approve this year.

**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, the 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. To achieve its mission, the Corps plans, designs, and constructs water resources development projects.

The Water Resources Development Act is the authorizing vehicle for the Corps’ policy, studies, and construction of projects. To date, Congress has received 18 Chief’s Reports, 10 Director’s Reports, and four pending 203 studies from the Corps for projects. The Corps also submitted its 7001 Annual Report to Congress in June 2019. The 7001 Annual Report for 2020 is expected in February 2020. Access to reports submitted to Congress can be found on the Committee website.<sup>1</sup>

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<sup>1</sup> <https://transportation.house.gov/committee-activity/issue/water-resources-development-act-of-2020>.



**PROPOSALS FOR A WATER RESOURCES DEVELOPMENT ACT OF 2020: MEMBERS' DAY HEARING**

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**THURSDAY, FEBRUARY 27, 2020**

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

The subcommittee met, pursuant to notice, at 10:07 a.m. in room 2167, Rayburn House Office Building, Hon. Grace F. Napolitano (Chairwoman of the subcommittee) presiding.

Mrs. NAPOLITANO. Good morning, I would call this meeting to order.

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

And without objection, so ordered.

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

And without objection, so ordered.

Last month, we welcomed Secretary James and General Semonite of the Army Corps to testify on the Chief's Reports and other projects that have been submitted to Congress and awaiting authorization. To date we have 18 Chief's Reports and 10 Director's Reports already submitted. We expect the Corps section 7001 report shortly for 2020, and several more Chief's Reports through the spring.

Today, we welcome Members of the House who join us to present their Corps priorities that could be considered for WRDA. The Army Corps of Engineers is the largest water manager in the Nation. The scope and depth of their work impacts every part of this country. The testimony we receive today will help inform us on what matters most to our colleagues as we move forward in drafting legislation.

WRDA has become a product of its own success. Our constituents demand and expect that we move forward in developing this legislation every Congress, and I look forward to working with all of you in enacting a fourth consecutive WRDA.

Thank you to all Members who have made time to come before the committee today, and I look forward to your testimony.

[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**

Last month, we welcomed Secretary James and General Semonite to testify on the chief's reports and other projects that have been submitted to Congress and awaiting authorization. To date, we have 18 Chief's Reports and 10 Director's Reports already submitted. We expect the Corps 7001 Report for 2020 shortly, and several more Chief's Reports through the spring.

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Thank you to all Members who have made time to come before the Committee today. I look forward to your testimony.

Mrs. NAPOLITANO. And at this time, I recognize Mr. DeFazio.

Mr. DEFAZIO. Thanks, Madam Chair. Thanks for convening this.

We want to hear today from Members on the needs for their districts. Nationwide we have phenomenal needs in terms of our maritime transport, whether we are talking about inland waterways, or our coastal harbors and ports.

As you know, one of my highest priorities is to unlock the Harbor Maintenance Trust Fund. We have been collecting a tax since the Reagan era to maintain our coastal ports, and for dredging, and jetties, and other necessary work. And Congress has been diverting part of the funds over that time period.

We have about \$10 billion on deposit, and I am pleased that earlier this year, in a suspension bill, with nearly 300 bipartisan votes, we passed a bill to unlock the Harbor Maintenance Trust Fund.

Of course, as usual, there has been no activity on the Senate side. Senator Shelby engaged me in a conversation during the budget talks, and he really, really wants to do it, but he is only chair of the Appropriations Committee, so somehow he can't do it over there. So we will put that in the WRDA bill, which should move in the Senate.

And hopefully, when we bring up the WRDA bill, Republican Leader McCarthy will not oppose it because of that inclusion. He opposed unlocking the Harbor Maintenance Trust Fund for some odd reason when it was on the floor, which is not clear to me. But we roll them pretty good.

So, you know, I am pleased to be here today, and pleased to hear from Members.

And with that I yield back the balance of my time.

[Mr. DeFazio's prepared statement follows:]

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

Thank you, Chairwoman Napolitano for holding this hearing and welcome to our Colleagues who have joined us today to talk about their WRDA priorities. The Water Resources Development Act is an important component of our infrastructure discussion.

Taking action to address our infrastructure needs is not optional—letting our roads, bridges, airports, transit systems, ports, and water systems crumble is creating a national crisis. Every day that we wait to act also means the price tag to fix our infrastructure goes up. This is why House Democrats recently released a framework that outlines how we can move our Nation into a new era of transporting people and goods, provide safe, clean and affordable water and wastewater services, and combat climate change in ways we've never done before. This is also why enacting a WRDA bill every two years is important and a priority of this committee.

I am proud to have worked with former Chairman Shuster to restore this Committee's tradition of moving a water resources development act every Congress. These bipartisan efforts have resulted in this Committee enacting three consecutive WRDA bills since 2014.

Today, we take another step in continuing that tradition for the 116th Congress, with the goal of enacting the fourth consecutive WRDA.

Madam Chair, as we all know, WRDA bills provide the opportunity for communities and local sponsors to partner with the Corps for critical navigation, flood protection, and ecosystem restoration projects, as well as other civil works mission areas.

Therefore, it is important that our Congressional colleagues have the opportunity to present their local priorities and how the Corps may be able to assist their districts, their constituents, and the nation. Today's hearing is another opportunity to continue that conversation.

One of my biggest priorities for WRDA 2020 is to finally unlock Federal investment in our nation's ports and harbors. As you may know, Congress worked with the Reagan Administration to create a mechanism to recover the operation and maintenance dredging costs for commercial ports from maritime shippers—called the Harbor Maintenance Tax. This fee, directly levied on importers and domestic shippers using coastal and inland ports, was meant to provide the Corps of Engineers with sufficient annual revenues to keep our ports in a good state of repair, and sustain our local, regional, and national economies that rely on the movement of goods and services through our commercial ports.

The good news is that we are currently collecting enough revenues to adequately maintain our commercial harbors—of all sizes—as well as critical infrastructure, such as breakwaters and jetties, associated with these commercial ports.

The bad news is that we refuse to spend this money—or more accurately, we collect this money, but then use these funds to offset other expenditures in the Federal government while the needs of our commercial ports continue to grow.

The U.S. Army Corps of Engineers estimates that the full channels of the Nation's 59 busiest ports are available less than 35 percent of the time. For smaller commercial harbors, such as Coos Bay or Port Orford in my home State of Oregon, their dredging situations can be far worse.

The American Society of Civil Engineers estimates that our Nation's ports and harbors need additional investment of \$15.8 billion just to meet the demands of larger and heavier ships that use the Panama Canal. The Harbor Maintenance Tax provides ample revenues to meet these needs, but Congress has continued to siphon off these funds for other purposes.

For the past three Congresses, I have been working with Members on both sides of the aisle and I am proud to have received bipartisan support of my legislation H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act. The House passed this legislation by a vote of 296 to 109 in October of last year and, if the Senate doesn't move the legislation, I intend to include it in WRDA.

Thank you to Ranking Member Graves, Subcommittee Ranking Member Westerman, as well as Chairwoman Napolitano for your support of H.R. 2440. I ask for my colleagues continued support ensuring that full utilization of the Harbor Maintenance Trust Fund is enacted this Congress. Authorizing new projects while failing to provide the funding to build them doesn't get us anywhere. That's why fixing the Harbor Maintenance Trust Fund is so important.

Thank you again for joining us today and I look forward to working with all of you in passing WRDA.

Mrs. NAPOLITANO. Thank you, Mr. DeFazio.  
Mr. Westerman?

Mr. WESTERMAN. Thank you Chairwoman Napolitano, and good morning. I would like to welcome Members of Congress from off the committee here today to share their priorities for an upcoming Water Resources Development Act.

As you know, the foundation of WRDA bills is to authorize Army Corps Civil Works projects, and to study recommendations that have been delivered to Congress since the last WRDA was signed into law. And, as we have already heard, we know that in this case that was the 2018 WRDA law.

Each one of those projects was proposed by non-Federal interests, in cooperation and consultation with the Corps. All the reports, while tailored to meet locally developed needs, have national and regional economic and environmental benefits. But equally important are the priorities and support from both a project and policy standpoint that Members bring before the committee. That is why I am glad to see such a robust participation here today.

Since 2014, a WRDA bill has been passed every 2 years on a bipartisan basis. We expect to continue that strong tradition of bipartisanship in 2020. I look forward to working with my fellow colleagues to develop and pass this important legislation over the next several months.

[Mr. Westerman's prepared statement follows:]

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

I'd like to welcome Members of Congress from off the Committee here today to share their priorities for an upcoming Water Resources Development Act (WRDA).

The foundation of each WRDA bill is to authorize Army Corps' Civil Works project and study recommendations that have been delivered to Congress since the last WRDA was signed into law. In this case, that's the WRDA 2018 law.

Each one of those projects was proposed by non-federal interests in cooperation and consultation with the Corps. All of the reports, while tailored to meet locally developed needs, have national and regional economic and environmental benefits.

But equally important are the priorities and support—both from a project and policy standpoint—that Members bring before the Committee. That is why I am glad to see such robust participation here today.

Since 2014, a WRDA bill has been passed every two years on a bipartisan basis. We expect to continue that strong tradition of bipartisanship in 2020.

I look forward to working with my fellow colleagues to develop and pass this important legislation over the next several months.

Mr. WESTERMAN. And I yield back.

Mrs. NAPOLITANO. Thank you, sir. I appreciate that. Now the Members appearing before the subcommittee today will have 5 minutes to give their oral testimony, and their written statements will be made part of the formal hearing record.

And given the number—at last count it was 68—the number of Members appearing before the committee today, and out of consideration for our colleagues' time, I ask unanimous consent that members of this committee be given 2 minutes each if they have questions following the statements. However, if you don't use your time, thank you very much.

Without objection, so ordered.

And without objection, our witnesses' full statements will be included in the record.

Since your testimony, written testimony, has been made part of the record, the committee requests that you limit your oral testimony to 5 minutes each.

And with that, we will start with the first witness, the gentleman from Kansas, Mr. Roger Marshall.

You are on, sir.

**TESTIMONY OF HON. ROGER W. MARSHALL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KANSAS**

Mr. MARSHALL. Chairwoman Napolitano, Ranking Member Westerman, and Chairman DeFazio, as well as other members of the subcommittee, good morning and thank you. I am honored for the opportunity to highlight some of the needs facing Kansas as you consider the upcoming water resources development package.

The Water Resources Development Act represents Congress' continued investment in vital infrastructure projects across the country, ensuring that our communities have access to reliable sources of water, not just for farming or recreation, but also contributing to the health and wellness of our cities and towns.

In Kansas, the spring of 2019 was one of the wettest on record, wherein excessive flooding along the Missouri River, which forms part of the boundary, part of the border between Kansas and Missouri, resulted in a major disaster declaration for nearly half of the State of Kansas. During the spring and early summer, I managed to get to all 105 counties in Kansas. The northern third of the State was basically under water. Hundreds of thousands of acres of corn fields, soybean fields were literally in 6 to 8 feet of water, and the same could be said for southeast Kansas.

Additionally, for cities like Manhattan, which has been partnering with the U.S. Army Corps of Engineers to raise the levees north of town that excess water brought the river systems and reservoirs within an inch—literally, an inch—of breaching their banks. This threatened more than 1,600 acres of urban, industrial, commercial, public, and residential development in and around Manhattan, Kansas, highlighting the need for continued investments and progress in raising the existing levee systems.

Now, Manhattan wasn't the only community impacted by the flooding of 2019. Municipalities from Kansas City to Garden City felt the effects. As we continue to make repairs from the 2019 floods, we are also making preparations for the future. And 2020 is, unfortunately, projected to be another wet year.

It is imperative that the Army Corps make every effort to work with farmers and landowners on cleanup and future flood mitigation efforts. Most farmers and landowners know the land better than the Army Corps officials, and they would appreciate the opportunity to be part of mitigation and rebuilding efforts. Too often in my townhalls I am told that the Army Corps personnel do not consult with landowners during these processes, and their recommendations place cumbersome requirements on landowners that often prove ineffective.

Beyond encouraging greater coordination with farmers and landowners, I would also encourage collaboration between agencies. Recently the Army Corps of Engineers announced a joint commitment to water infrastructure with the Bureau of Reclamation. In addition to water quantity issues, I suggest this working group consider critical water quality issues, as well. Partnerships such as this bring together a wide array of tools aimed at improving the water

resource management and environmental protection. As we continue to utilize programs that span multiple Federal agencies, we need to encourage communication and coordination so that projects can be implemented efficiently.

While not in my district, the Port of Catoosa, located in Tulsa, Oklahoma, is essential to the flow of agriculture products in and out of Kansas. However, this port is in need of major maintenance and dredging. I encourage the committee to prioritize this important infrastructure project, ensuring that the products grown or manufactured in Kansas can make it quickly and efficiently to market.

Water infrastructure is of vital importance to my district, whether through availability of quality water sources, or upgrading the aging water towers, levees, and dams across our State. I appreciate the opportunity to highlight some of these priorities I have heard back in Kansas, and yield back the remainder of my time.

Thank you.

[Mr. Marshall's prepared statement follows:]

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**Prepared Statement of Hon. Roger W. Marshall, a Representative in  
Congress from the State of Kansas**

Chairwoman Napolitano, Ranking Member Westerman, and Members of this subcommittee,

Thank you for the opportunity to highlight some of the needs facing Kansas as you consider the upcoming water resources development package. The Water Resource Development Act represents Congress' continued investment in vital infrastructure projects across the country, ensuring that our communities have access to reliable sources of water, not just for farming or recreation, but also contributing to the health and wellness of our cities and towns.

The Spring of 2019 was one of the wettest on record, wherein excessive flooding along the Missouri River resulted in a Major Disaster Declaration for nearly half of the State of Kansas. For cities like Manhattan, which has been partnering with the US Army Corps of Engineers to raise the levees north of town, that excess water brought the river systems and reservoirs within an inch of breaching their banks. This threatened more than 1,600 acres of urban industrial, commercial, public, and residential development in and around Manhattan, highlighting the need for continued investments and progress in raising the existing levee systems.

Manhattan wasn't the only community impacted by the flooding of 2019. Municipalities from Kansas City to Garden City felt the effects. As we continue to make repairs from 2019 floods, we are also making preparations for the future, and 2020 is projected to be another wet year. It is imperative that the Army Corps make every effort to work with farmers and landowners on cleanup and future flood mitigation efforts. Most farmers and landowners know the land better than Army Corp officials, and they would appreciate the opportunity to be a part of mitigation and rebuilding efforts. Too often, Army Corps personnel do not consult with landowners during these processes, and their recommendations place cumbersome requirements on landowners that often prove ineffective.

Beyond encouraging greater coordination with farmers and landowners, I'd also like to encourage collaboration between agencies. Recently, the Army Corps of Engineers announced a joint commitment to water infrastructure with the Bureau of Reclamation. In addition to water quantity issues, I suggest that this working group consider critical water quality issues as well. Partnerships such as this bring together a wide array of tools aimed at improving water resource management and environmental protection. As we continue to utilize programs that span multiple federal agencies, we need to encourage communication and coordination so that projects can be implemented efficiently.

While not in my district, the Port of Catoosa, located in Tulsa, Oklahoma, is essential to the flow of agricultural goods in and out of Kansas. However, the port is in need of major maintenance and dredging. I encourage the committee to prioritize this important infrastructure project, ensuring that the products grown or manufactured in Kansas can make it quickly and efficiently to market.



Water infrastructure is of vital importance to my district, whether through availability of quality water sources, or upgrading the aging water towers, levees, and dams across my state. I appreciate the opportunity to highlight some of the priorities I've heard about back in Kansas and yield back the remainder of my time.

Mrs. NAPOLITANO. Thank you very much. And thank you for your patience and for your testimony.

Does any Member have any questions for him?

With that, we thank you for your testimony, and we now recognize Mr. Flores.

**TESTIMONY OF HON. BILL FLORES, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF TEXAS**

Mr. FLORES. Thank you, Chairwoman Napolitano and Republican Leader Westerman, for holding this hearing to discuss WRDA priorities for noncommittee members.

I would like to take this opportunity to discuss potential improvements to this year's WRDA that would positively impact projects located in the district I represent in central Texas.

Specifically, McLennan County, home to almost 250,000 Texans, has two projects that fall within Federal jurisdiction and the purview of WRDA. With a few changes to the statutory language, these projects would have a more streamlined, proactively managed approach to avoid potentially catastrophic mishaps. If these projects do not receive Federal attention, they may end up costing the Federal Government a substantial amount of funding in reconstruction and emergency response.

The first issue I would like to discuss is erosion and instability of Lake Shore Drive along Lake Waco, a Corps of Engineers property. This road is unstable, and presents serious risk of landslides and slope failures. These infrastructure failures would result in flood risk, devastation of local water quality, and significant reclamation costs.

Recent engineering reports done by the city of Waco confirmed that the entire embankment of Lake Waco, on which Lake Shore Drive is located, is unstable, presents landslide risk, and potential catastrophic failure. The city continues to make repairs to Lake Shore Drive, but the instability of the embankment owned by the Corps of Engineers will continue to endanger Lake Waco and public welfare.

Mitigating potential disaster on such a project would directly support the mission of the U.S. Army Corps of Engineers, which includes managing flood risk and providing environmental stewardship.

I have been working with local officials and the Corps to address this issue for over 4 years, continuing dialogue between stakeholders to reiterate the importance of Lake Shore Drive to the Greater Waco area. In this regard, I secured Appropriations Committee support language in fiscal year 2018 to highlight the importance of this project. But the project still lacks proper statutory authority for the Corps to address the embankment issue under Lake Shore Drive.

It is my understanding that the city of Waco is more than willing and able to work with the Corps to address these problems in a cost-efficient manner. To that end, I request the inclusion of a

number of cost-effective and efficient additions to the 2020 WRDA that would enhance the Corps' existing continuing authority projects, and better utilize partnerships with non-Federal entities.

Specifically, I ask support to, first, reauthorize section 1043 of the 2014 WRRDA for the non-Federal implementation pilot program, and to include language supporting Corps' ability to apply it to continuing authority projects.

Second, to amend section 13 of the 1946 Flood Control Act to allow non-Federal entities to receive in-kind credit for performing in advance of Federal funding to offset non-Federal share project costs.

And third, to extend the authority of the Corps to address issues of embankments on Federal lands.

And fourth, the inclusion of Lake Waco restoration under section 7001 of the 2014 WRRDA to clarify Corps authority in this regard.

The next issue I would like to address is arsenic levels in community drinking water systems in rural McLennan County. As the committee is aware, in 2001 the EPA lowered the safe drinking water maximum containment level standards for arsenic from 50 parts per billion to 10 parts per billion. Several groundwater systems in eastern McLennan County do not meet the EPA's revised arsenic MCL, and will soon begin receiving fines of noncompliance.

To solve this issue, the affected water systems are working with the city of Waco, Brazos River Authority, the Texas Commission on Environmental Quality, and EPA officials to find grants that are available to the State through the Texas State Drinking Water Revolving Fund.

Should the committee consider any improvements or alterations to the State Drinking Water Revolving Fund in WRDA, I would encourage you to expand the program's flexibility to address the needs of rural water systems in times of changing administrative rulemaking actions, and to consider doing so in a way that does not add considerable financial burdens that disproportionately harm smaller water systems that don't have the financial capability to deal with the changing regulatory landscape.

I do thank you for the opportunity to testify, and your consideration of these important additions to WRDA.

I yield back the balance of my time.

[Mr. Flores' prepared statement follows:

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**Prepared Statement of Hon. Bill Flores, a Representative in Congress from  
the State of Texas**

Thank you Chairwoman Napolitano and Republican Leader Westerman for holding this member day hearing to discuss WRDA priorities for off-committee members.

I would like to take this opportunity to discuss potential improvements to this year's WRDA that would positively impact projects located in the district I represent in Central Texas.

Specifically, the City of Waco, home to over 130,000 Texans, has two projects that fall within federal jurisdiction and the purview of WRDA. With a few changes to statutory language, these projects could enjoy a more streamlined, proactively managed approach to avoid potentially catastrophic mishaps. If these projects do not receive federal attention, they may end up costing the federal government a substantial amount of funding in reconstruction and emergency response.

The first issue I would like to discuss is erosion and instability of Lake Shore Drive along Lake Waco. This road is deeply unstable and presents serious risks of

deep landslides and shallow slope failures. These infrastructure failures would result in flood risk, a disruption of surrounding recreational areas, and devastation to local water quality.

In fact, recent engineering reports done by the City of Waco confirmed that “... the entire embankment of Lake Waco on which Lake Shore Drive is located is unstable and in danger of slides and potential catastrophic failure. The City can make repairs to Lake Shore Drive but the instability of the embankment (owned by the Corps) will continue to endanger Lake Waco and public welfare.”

Mitigating potential disaster on such a project would directly support the mission of the US Army Corps of Engineers, which includes managing flood risks and providing environmental stewardship.

I have been working with local officials and the Corps to address this issue for over four years, continuing dialogue between stakeholders to reiterate the importance of Lake Shore Drive to the greater Waco area. I secured appropriations committee support language in FY18 to highlight the importance of this project, but the project still lacks proper statutory authority for the Corps to fix Lake Shore Drive.

Now, it is my understanding that the City of Waco is more than willing and able to work with the Corps to address these problems in a cost-efficient manner. To that end, I request the inclusion of a number of cost-effective and efficient additions to 2020 WRDA that would enhance Corps’ existing Continuing Authority Projects and better utilize partnerships with non-federal entities.

Specifically, I ask support to—

- Reauthorize Section 1043 of 2014 WRDA for the Non-Federal Implementation Pilot Program and to include language supporting Corps’ ability to apply it to Continuing Authority Projects.
- To amend Section 13 of the 1946 Flood Control Act to allow non-federal entities to receive in-kind credit for performing in advance of federal funding to offset non-federal share of the project costs.
- To extend authority of the Corps to address issues of embankment on federal lands.
- And the inclusion of Lake Waco restoration under Section 7001 of the 2014 WRDA to clarify Corps authority.

The next issue I would like to discuss is arsenic levels in community drinking water systems in McLennan County. As the committee is aware, in 2001, the EPA lowered the safe drinking water Maximum Containment Level (MCL) standards for arsenic from 50 parts per billion to 10 ppb. These ground-water systems in McLennan County no longer meet EPA’s revised arsenic MCL and will soon begin receiving fines of non-compliance. To solve this issue, affected water systems are working with the Brazos River Authority, Texas Center on Environmental Quality, and EPA officials to find grants that are available to the state through the State Drinking Water Revolving Fund.

Should the committee consider any improvements or alterations to the State Drinking Water Revolving Fund in WRDA, I would encourage you to continue the program’s flexibility to address the needs of rural systems in times of changing administrative actions, and consider doing so in a way that does not add considerable financial burdens that disproportionately harm smaller water systems.

Thank you for the opportunity to testify and for your consideration of these important improvements.

Mrs. NAPOLITANO. Thank you, and now I will recognize our next witness, the Honorable Ed Case from Hawaii.

**TESTIMONY OF HON. ED CASE, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF HAWAII**

Mr. CASE. Madam Chair and members of the committee, thank you very much for allowing me to share my thoughts on water resources development priorities that are important to both our Nation and my home State of Hawaii.

With Hawaii’s unique reliance on ocean shipping as an island State, and the growing challenges of changing Pacific weather patterns resulting in increasing flooding and coastal erosion, Hawaii needs U.S. Army Corps of Engineers assistance more than ever.

I would like to highlight a few new studies and projects that are critical to protecting our economic lifeline to the world and vulnerable communities.

The island of Oahu, which is where 70 percent of Hawaii's population lives, and where our Nation's Indo-Pacific defense infrastructure is centered, has two critical ports.

As the main port of Hawaii, Honolulu Harbor receives and distributes all overseas cargo shipments, constituting over 80 percent of all imports into the State, supports fishing operations and cruise ships, and handles Federal maritime activity, including the U.S. Coast Guard's 14th District. The harbor, though, is in need of critical improvements. These modifications will improve transportation efficiency and lessen the impact of cross-channel currents, and we ask for your support.

Kalaeloa Barbers Point Harbor is equally important to Hawaii, as it specializes in dry-bulk and liquid-bulk cargoes, and provides space for ship maintenance and repair services that cannot fit in Honolulu Harbor. With increased congestion causing berthing conflicts between dry- and liquid-bulk shipments, the harbor facilities must be expanded, and we ask for your support.

My State is also experiencing increased flooding from severe storms that place lives and property at extreme risk. For example, in April 2018, the islands of Oahu and Kauai were struck by heavy rains and wind. Kauai, in fact, received some 50 inches of rain in a single day, causing massive flooding with related landslides, and leaving victims stranded, damaged or destroyed hundreds of houses, and caused millions of dollars in damage. These risks will likely continue to increase as we see increased hurricane activity in the Pacific and other weather changes.

In this area I am seeking your support for the Wailupe Flood Risk Management Study, a New Start, critical to protecting the particularly exposed Aina Haina community in eastern Honolulu from flooding of Wailupe Stream. A 100-year flood of that stream would not only risk lives and widespread residential and commercial property damage, but would sever Kalaniana'ole Highway, which is the main and only artery around the island.

Finally, accelerating coastal erosion is taking a mounting toll on our economy and infrastructure in Hawaii and other coastal States. In addition to widespread property destruction, Hawaii's economy relies heavily on tourism and beaches. And so shoreline erosion is additionally a direct threat to our main livelihood.

There is a critical need overall for new studies and projects to mitigate these risks not only in Hawaii, but across our country.

Thank you very much for your time and your full consideration of these proposed studies and projects to address critical Hawaii concerns as this committee authorizes the Water Resources Development Act.

I thank you and yield back.

[Mr. Case's prepared statement follows.]

**Prepared Statement of Hon. Ed Case, a Representative in Congress from  
the State of Hawaii**

Chairman DeFazio, Ranking Member Graves, distinguished Members of the Committee:

Thank you for allowing me to share my thoughts with the Committee on water resources activities and programs that are important to both our nation and my home state of Hawai'i.

With its unique reliance on ocean shipping as an island state and the growing challenges climate change is causing through coastal erosion and flooding, Hawai'i needs our assistance now more than ever. The State of Hawai'i needs the vision and technical assistance only the U.S. Army Corps of Engineers can provide. We must start new studies and implement new construction projects to protect vulnerable communities and my state's economic lifeline to the world.

The Island of O'ahu has two critical ports that need your support. As the main port of Hawai'i, Honolulu Harbor receives and distributes all overseas cargo shipments for the state, supports fishing operations and cruise ships and handles government activity, such as the work done by the National Oceanic and Atmospheric Administration. With roughly 80% of our goods imported via shipping, the harbor is our lifeline to the outside world, which is why Honolulu Harbor needs critical improvements. These modifications will improve transportation efficiency and lessen the impact of cross channel currents. Kalaeloa Barbers Point Harbor is equally important to Hawai'i as it specializes in dry-bulk and liquid-bulk cargos and provides space for ship maintenance and repair services that cannot fit in Honolulu Harbor. With increase congestion causing berthing conflicts between dry- and liquid-bulk shipments, the harbor facilities must be expanded.

My state is also dealing with increased flooding from severe rains, especially from hurricanes, as part of climate change. It places lives and property at extreme risk. For example, in April 2018, the Island of Kaua'i received nearly 50 inches of rain, causing flooding and setting a new national record for the most rainfall within the span of 24 hours. This massive flooding and related landslides left flood victims stranded, damaged or destroyed hundreds of houses and caused millions of dollars in damage. My state expects this problem to continue in the years to come, with an increasing number of hurricanes in our region of the Pacific. This is why I am seeking your support for the Wailupe Flood Risk Management Study, a "new start" important to my constituents living in 'Aina Haina. If a 100-year flood of Wailupe Stream were to occur, it would wash out the Kalaniana'ole Highway, strand thousands of motorists, flood more than 819 homes in the valley and affect twenty-eight commercial buildings. With your support we have the power to directly mitigate these risks and potentially save lives.

Finally, accelerating coastal erosions is leaving the economy and infrastructure of Hawai'i and other coastal states at risk. In addition to houses and businesses that may be overtaken by the ocean, Hawaii's economy relies heavily on beaches, so shoreline erosion is a direct threat to our economic future. For example, researchers with the University of Hawai'i found that within the next 25-30 years Hawaii's shores could lose 100 feet of beachfront. The critical need for new studies and projects to mitigate these risks cannot be overstated.

If Hawai'i does not see these new start projects and studies in the three areas I have discussed today, my state will face growing physical, economic, environmental and social challenges. We need to act now to ensure sufficient, reliable funding for critical water infrastructure programs.

Thank you for your time, and I appreciate your consideration of these concerns from Hawai'i as the committee reauthorizes the Water Resources Development Act.

Mrs. NAPOLITANO. Thank you for your testimony. Does any Member wish to question Mr. Case?

Hearing none, thank you, Mr. Case. I would now like to recognize the next witness, the gentleman, Mr. Steube from Florida, for 5 minutes.

**TESTIMONY OF HON. W. GREGORY STEUBE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. STEUBE. Thank you, Madam Chair and Ranking Member Westerman. Thank you for the opportunity to speak today about the importance of the Water Resources Development Act, and how this bill can most effectively address challenges in my district, the 17th district of Florida.

I would like to start by applauding your efforts to develop and pass a new WRDA bill in the 116th Congress. As you know from my Florida colleagues on the committee, the Army Corps of Engineers is critical to our State. From restoration of the Everglades, to management of Lake Okeechobee, to port maintenance and development and beach restoration, the Army Corps is involved in many critical public work projects in our State.

One area in which the Corps currently has less involvement in Florida is their environmental infrastructure program. This program could be an important tool to help improve the environment of Florida and maintain our economy. Therefore, I ask for the committee's support in continuing to fund this program.

As many of you know, one of the greatest challenges for Florida's water quality is our aging septic tanks. These aging tanks are leaking into our water supply, and severely compromising our water quality. To help mitigate this problem, I ask that we work together to amend an existing congressional authorization to support the ongoing efforts of Charlotte County to help transition the community from older, often failing septic systems to central sewer.

The authorization amendment would help eliminate approximately 2,600 existing failing septic systems that are negatively affecting water quality in Charlotte Harbor National Estuary and the Gulf of Mexico, and is part of a much larger, \$400 million county project. This water quality initiative is a priority of mine, and I look forward to working with you on this, while also trying more broadly to accelerate septic-to-sewer conversions throughout Florida.

The amended Charlotte County authorization was included in the Senate version of WRDA 2018, before I came to Congress, but was unfortunately dropped in conference. I ask that you support this provision in the House version of WRDA 2020, and work to keep it in the final bill until it becomes law.

Thank you for your efforts to develop and pass WRDA 2020, and for working with me and my office on this important septic-to-sewer initiative for Charlotte County. Water quality is a top priority of mine, and incredibly important to my district and the State of Florida. I look forward to working with my colleagues to get the final Water Resources Development Act passed.

I thank you for your time, and I yield back.

[Mr. Steube's prepared statement follows:]

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**Prepared Statement of Hon. W. Gregory Steube, a Representative in Congress from the State of Florida**

Chairman DeFazio and Ranking Member Graves, thank you for the opportunity to speak today about the importance of the Water Resources Development Act and

how this bill can most effectively address challenges in my district, the 17th Congressional District of Florida.

I would like to start by applauding your efforts to develop and pass a new WRDA bill in the 116th Congress. As you know from my Florida colleagues on the Committee, the Army Corps of Engineers is critical to our state. From restoration of the Everglades, to management of Lake Okeechobee, to port maintenance and development, and beach restoration, the Army Corps is involved in so many critical public works projects in our state.

One area in which the Corps currently has less involvement in Florida is their environmental infrastructure program. This program could be an important tool to help improve the environment of Florida and maintain our economy. Therefore, I ask for the committee's support in continuing to fund this program.

As many of you know, one of the greatest challenges for Florida's water quality is our aging septic tanks. These aging tanks are leaking into our water supply and severely compromising our water quality.

To help mitigate this problem, I ask that you please work with me to amend an existing Congressional authorization to support the ongoing efforts of Charlotte County to help transition the community from older, often failing septic systems to central sewer. The authorization amendment would help eliminate approximately 2,600 existing failing septic systems that are negatively affecting water quality in the Charlotte Harbor National Estuary and the Gulf of Mexico and is part of a much larger \$400 million county project. This water quality initiative is a priority of mine and I look forward to working with you on this while also trying more broadly to accelerate septic-to-sewer conversions throughout Florida.

The amended Charlotte County authorization was included in the Senate version of WRDA 2018 before I came to Congress, but was unfortunately dropped in conference. I ask that you support the provision in the House version of WRDA 2020 and work to keep it in the final bill until it becomes law.

Thank you for your efforts to develop and pass WRDA 2020 and for working with me and my office on this important septic-to-sewer initiative for Charlotte County. I look forward to discussing this with you further and helping to get the final WRDA bill passed by the House this year.

Mrs. NAPOLITANO. Thank you for your testimony. Does any member of the committee have a question?

No?

So thank you. I would now like to recognize our next witness, Mr. William Keating from Massachusetts, for 5 minutes.

**TESTIMONY OF HON. WILLIAM R. KEATING, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS**

Mr. KEATING. Thank you, Chairwoman Napolitano, Ranking Member Westerman.

T&I began this whole congressional process early on with their first hearing when they addressed the cost of doing nothing. And they specifically addressed the cost of doing nothing with the bridges, over 56,000 bridges that aren't functioning in our country. And I must tell you I am going to direct my remarks on what I think is exhibit A of this.

And the reason we are here, too, is because, if the hearing room we are sitting in right now needed repair, whose responsibility would that be? It would be the Federal Government, because they own this building. And unlike so many other projects that we will hear, so many other needs we will hear in the next year, what is unique about this is the two bridges that connect the Peninsula of Cape Cod to the rest of the mainland are owned by the U.S. Government. They are U.S. assets. It is our responsibility to fix those, the same way it is to fix any repairs here in this room. And that amounts to the Federal bridges are probably—1 percent is a good estimate of all our bridges, our Federal—almost all of those are on

Federal land. This is uniquely the responsibility, the statutory responsibility, of the Army Corps to fix it.

Now, these were built around the WPA era, 85 years old now, and they are functionally obsolete. In fact, when they started out, it was 40,000 people, full-time population, in that Peninsula of Cape Cod. And now it is one-quarter of a million. There were 80,000 vehicle trips a month, on average, at that time. There are 3.4 million now. And what have we done to improve that? The U.S. Government has done nothing, in terms of delaying action to deal with it, and a responsibility they statutorily have themselves.

So we are looking at the options, and the day of reckoning has arrived here in terms of this U.S. asset—that we are now at a stage of saying we have to replace those bridges, or go down the road of rehabbing them and repairing them.

And what is that going to mean? Three and a half years to repair these bridges it would take. They would have to close off completely, just shut off the bridges for 10 months of that. They would have to close the lanes, at least for an additional 28 months. When we just did some repair—the cost we are not talking about is just those lane closures that—in terms of weeks, versus months, cost \$30 million, just when we did the last ones. That is in commerce that is there.

So there is really a great need to address this. If we don't replace those bridges, they are going to have to be rated, so that the truck containers that are around 46 tons, usually, they couldn't go over it. And the ferries that connect the islands couldn't get those containers at that size onto the ferries, and people wouldn't be able to do this.

And there are other U.S. assets at stake here. That is the only way that we connect to Joint Base Cape Cod and the whole east coast of the United States. The PAVE PAWS missile system detection, our radar for the whole east coast and beyond, is in that base, Joint Base Cape Cod. They track the missiles that are there. They look for the defense. They track the space launches. They track the satellite movements that are there.

The 102nd Intelligence Wing is there doing 24/7 oversight over all our troop activities and any nuclear—worldwide—located there. The National Guard that came to the Boston Marathon bombing was there, able to be mobilized in that emergency. They would be cut off. And if we get a natural disaster, which we would in such a fragile area that sticks out and is all coastal, we would be cut off without an escape route to deal with that.

So the Coast Guard is also housed in that same facility. It would be cut off. And they do about 200 search and rescue missions every year.

So this is important in so many respects for the U.S. Government's responsibility. It does make it different. We do have to act.

And, in fairness, the Army Corps—this would be such a huge part of the budget, we will have to get creative, all of us, and work together. We have been working with the State government in that regard, and they are stepping up to the plate, helping us with the U.S. asset.

I would like to put in the record, if I could, to the committee—allow the Army Corps Cape Cod Canal Bridge and the Sagamore



Bridge's official evaluation report. It is a long time in coming. The cost of not acting will cost more than the cost of acting. The cost of doing nothing is greater than the cost of doing something.

So I thank you for allowing me to speak.

Mrs. NAPOLITANO. Without objection, so ordered.

[The information follows:]

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**Report entitled, "Major Rehabilitation Evaluation Report and Environmental Assessment: Cape Cod Canal Highway Bridges, Bourne, Massachusetts," U.S. Army Corps of Engineers, New England District, March 2020, Submitted for the Record by Hon. Grace F. Napolitano**

The 146-page report is retained in committee files and is available online at <https://capecodcanalbridgesstudy.com/wp-content/uploads/2020/04/CCCB-MRER-Final-March2020.pdf>

Mr. KEATING. And I appreciate that.

[Mr. Keating's prepared statement follows:]

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**Prepared Statement of Hon. William R. Keating, a Representative in Congress from the Commonwealth of Massachusetts**

This Committee began this whole congressional process early on with its first hearing and they addressed the cost of doing nothing, and they specifically addressed the cost of doing nothing with the bridges, over 56,000 bridges that aren't functioning in our country.

I must tell you, I'm going to direct my marks on what I think is exhibit A of this and the reason we're here too is because if the hearing room we're sitting in right now needed repair, whose responsibility would that be? It would be the federal government because they own this building and unlike so many other projects that we'll hear, so many other needs we'll hear in the next year, what's unique about this is the two bridges that connect the peninsula of Cape Cod to the rest of the mainland are owned by the U.S. government.

They are U.S. assets, and it's our responsibility to fix those, the same way it is to fix any repairs here in this room, and that amounts to federal bridges that probably 1% is a good estimate of all bridges are in federal land. This is uniquely the responsibility, the statutory responsibility of the Army Corps to fix it. Now these were built around the WPA era, 85 years old now, and they're functionally obsolete. In fact, when they started out there was 40,000 people full-time population on the peninsula of Cape Cod, and now it's a quarter of a million.

There were 80,000 vehicle trips a month on average, at that time. There are 3.4 million now, and what have we done to improve that? The U.S. government has done nothing in terms of delaying action to deal with it and act on a responsibility they statutorily have themselves. So we're looking at the options and the day of reckoning has here in terms of this U.S. asset that we're now at a stage of saying we either have to replace those bridges or go down the road of rehabbing them and repairing them, and what's that going to mean?

Three and a half years to repair these bridges it would take. They would have to close off completely, just shutoff the bridges for ten months of that. They would have to close the lanes at least, for an additional 28 months when we just did some repair. The cost we're not talking about is just those lane closures in terms of weeks versus months cost 30 million dollars just when we did the last ones, that's in commerce that's there.

So, this is a really a great need to address this, if we don't replace those bridges they're going to have to be weight rated, so that the truck containers that are on 46 tons usually, they couldn't go over it, and the ferries that connect the islands couldn't get those containers at that size onto the ferries. People wouldn't be able to do this and there's other U.S. assets at stake here.

That is the only way that we connect the Joint Base Cape Cod in the whole east coast of the United States, the PAVE PAWS missile system detection. Our radar for the whole east coast and beyond is in that base, Joint Base Cape Cod, they tracked the missiles that are there. They look for the defense, they track the space

launches, they track the satellite movements that are there. They also have the 102nd Intelligence Unit, doing 24/7 oversight over all our troop activities and any nuclear activity worldwide, located there.

The National Guard that came to the Boston Marathon bombing was there, able to be mobilized in that emergency. They would be cutoff, and if we get a natural disaster, which we would in such a fragile area that sticks as all coastal, we would be cutoff without an escape route to deal with that. So, the Coast Guard is also housed in that same facility that would be cutoff, and they do about 200 search and rescue missions every year.

This is important in so many respects for the U.S. government's responsibility, it does make it different, we do have to act and in fairness to the Army Corps, this would be such a huge part of the budget, we'll have to get creative, all of us and work together. We've been working with a state government in that regard and they're stepping up to the plate helping us with the U.S. asset.

I'd like to put in, if I could to the Committee allow, the Army Corps Cape Cod Canal Highway Bridge in Bourne and the Sagamore Bridge's official evaluation report. It's a long time coming, and this will say the cost of not acting will cost more than the cost of acting. The cost of doing nothing is greater than the cost of doing something.

I thank you for allowing me to speak.

Mrs. NAPOLITANO. Thank you, sir. Thank you for your testimony. We will enter it into the record. Thank you.

Does any member of the committee wish to question?

Thank you, and I would recognize our next witness, the gentlewoman from Washington, Ms. Jayapal, for 5 minutes.

**TESTIMONY OF HON. PRAMILA JAYAPAL, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF WASHINGTON**

Ms. JAYAPAL. Thank you, Madam Chair. And thank you, members of the committee. I appreciate the opportunity to share how the 2020 Water Resources Development Act reauthorization would benefit the people and the economy of the country in the context of the Seventh Congressional District in the State of Washington.

My district is growing rapidly. It is booming with innovation, with people, and with industry. It is a trade-dependent State that I live in, the State of Washington, and so our economy depends on keeping our region's cargo gateways competitive, and building a strong maritime workforce, and protecting vital ecosystems that ensure our precious ocean species can thrive all at the same time. For that reason I come to you with two elements that I am strongly urging the committee to include in the WRDA authorization bill.

First, I represent the Port of Seattle. We believe it is time to comprehensively reform the Harbor Maintenance Tax. The HMT, as you all know, is the single largest source of Federal funding for coastal ports and waterways. But unfortunately, these funds are not going to their intended purpose. The HMT collects more revenue from shippers than Congress has appropriated to the Corps to maintain our harbors, with \$9.3 billion in revenue sitting idle in the U.S. Treasury.

I applaud this committee's efforts to ensure annual HMT revenues are fully spent through full utilization of the Harbor Maintenance Trust Fund Act, which passed the House last year.

Fully using the tax is a no-brainer. However, right now, donor ports like the Port of Seattle are contributing far more to the Harbor Maintenance Trust Fund than they receive back for maintenance. If we only ensure full use without equitably investing in donor and energy ports, while protecting emerging ports and the

Great Lakes, we do not fully address the unfair system that is endangering the long-term health of our Nation's cargo gateway infrastructure.

As an example of the current inequity, the six donor ports identified in the 2014 WRRDA bill generated 53 percent of the Harbor Maintenance Tax collections in 2017, but only received 3 percent in return—3 percent in return. That means that the Ports of Seattle and Tacoma receive only pennies for every HMT dollar generated. As a result, Puget Sound ports are losing out on cargo revenue to nearby ports in Canada, as documented by the Federal Maritime Commission.

Congress should pass comprehensive HMT reform legislation that resolves the wide range of concerns that the Nation's ports have about the HMT, and that should include dedicated funding for donor ports to ensure that we receive a fair return, and minimum floors to protect emerging ports and the Great Lakes region.

Second, I hope to work with the committee to improve the WRDA section 214 program, and further expedite reviews for mitigation bank applicants seeking to sell credits to other public entities. The section 214 program helps expedite the Corps' review process, as local public entities mitigate for impacts that their projects have on aquatic resources.

However, this expedited program is only currently available to project sponsors in situations where a bank is used exclusively by the sponsor to meet its own mitigation requirements. If the sponsor sells any of the credits that it generates to another public entity, the expedited process cannot be used. Selling mitigation credits helps fund those habitat projects, and enabling public entities to expedite the approval process for mitigation banks will lead to the creation of more habitat more quickly. These outcomes clearly serve a public purpose, and we should allow public-sector sponsors, specifically, to access that expedited process in these situations.

For example, last summer the Port of Seattle submitted an application to the Army Corps to establish a mitigation bank that would create 85 acres of new habitat that will support the recovery of Puget Sound's ESA-listed Chinook salmon and Southern Resident killer whales. The port was told that it would be 2 years before the Corps began its review of the application, and probably 6 years until the review was complete. This is too long to wait. Because it plans to sell about 25 percent of the credits the bank will generate to other public entities in order to generate review for additional habitat development, the port cannot expedite its application under section 214.

And so I am asking the committee to expand that expedited section 214 review process for projects that serve the public good.

In closing, Madam Chair, I commend the committee for continuing Congress' track record of regularly updating water legislation, and I look forward to working with you.

Thank you. I yield back.

[Ms. Jayapal's prepared statement follows:]

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**Prepared Statement of Hon. Pramila Jayapal, a Representative in Congress  
from the State of Washington**

Mr. Chairman, I appreciate the opportunity to share how the 2020 Water Resources and Development Act reauthorization will benefit the people and economy of the country in the context of my district.

Washington's 7th district is growing rapidly, booming with innovation, people and industry. In a trade dependent state like ours, our economy depends on keeping our region's cargo gateways competitive, building a strong maritime workforce and protecting vital ecosystems that ensure our precious ocean species can thrive all at the same time.

For that reason, I come to you with two elements that I strongly urge the committee to include in its WRDA reauthorization bill.

First, it is time to comprehensively reform the Harbor Maintenance Tax. The HMT is the single largest source of federal funding for coastal ports and waterways. Unfortunately, these funds are not going to their intended purpose. The HMT collects more revenue from shippers than Congress has appropriated to the Corps to maintain our harbors, with \$9.3 billion in revenue sitting idle in the U.S. Treasury. I applaud this Committee's efforts to ensure annual HMT revenues are fully spent, through the Full Utilization of the Harbor Maintenance Trust Fund Act, which passed the House last year.

Fully using the tax is a no brainer. However, right now, donor ports like Seattle are contributing far more to the Harbor Maintenance Trust Fund than they receive back for maintenance. If we only ensure full use without equitably investing in Donor and Energy Ports, while protecting emerging ports and the Great Lakes, we will not fully address the unfair system that is endangering the long-term health of our nation's cargo gateway infrastructure.

As an example of the current inequity, the six donor ports identified in the 2014 WRDA bill generated 53% of HMT collections in 2017 but received only 3% in return. That means that the ports of Seattle and Tacoma receive only pennies for every HMT dollar generated. As a result, Puget Sound ports are losing out on cargo revenue to nearby ports in Canada, as documented by the Federal Maritime Commission.

Congress should pass comprehensive HMT reform legislation that resolves the wide range of concerns the nation's ports have about the HMT. This should include dedicating funding for donor ports to ensure they receive a fair return and minimum floors to protect emerging ports and the Great Lakes region.

Second, I hope to work with the Committee to improve the WRDA Section 214 program and further expedite reviews for mitigation bank applicants seeking to sell credits to other entities. The Section 214 program helps expedite the Corps' review process as local public entities mitigate for impacts their projects have on aquatic resources. However, this expedited program is only available to project sponsors in situations where a bank is used exclusively by the sponsor to meet its own mitigation requirements. If the sponsor sells any of the credits it generates to another entity, the expedited process cannot be used. Selling mitigation credits helps fund habitat projects, and enabling public entities to expedite the approval process for mitigation banks will lead to the creation of more habitat more quickly. These outcomes clearly serve a public purpose, and we should allow public-sector sponsors to access the expedited process in these situations.

For example, last summer the Port of Seattle submitted an application to the Army Corps to establish a mitigation bank that would create 85 acres of new habitat that will support the recovery of Puget Sound's ESA-listed Chinook salmon and Southern Resident Killer Whales. The Port was told it would be two years before the Corps began its review of the application and probably six years until the review is complete. This is too long to wait. Because it plans to sell about 25 percent of the credits the bank will generate to other entities in order to generate revenue for additional habitat development, the Port cannot expedite its application under Section 214. I hope to work with the Committee to fix this issue and expand the expedited Section 214 review process for projects that serve the public good.

In closing, I commend this committee for continuing Congress' track record of regularly updating WRDA legislation that is essential to preserve our economy, protect our communities and maintain our quality of life. I look forward to working with you to ensure an equitable and fair use of the Harbor Maintenance Trust Fund and to protect our vital ecosystems through reforms to WRDA's Section 214 program.

Mrs. NAPOLITANO. Thank you very much for your testimony. And does any member of the committee wish to question?

No?

Thank you very much. I now recognize our next witness, the gentleman from Texas, Mr. Vela.

**TESTIMONY OF HON. FILEMON VELA, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF TEXAS**

Mr. VELA. Chairwoman Napolitano and Ranking Member Westerman, thank you for giving me the opportunity today to testify about water projects in my district.

Chairwoman Napolitano, thank you for your past support on all these districts and your hometown. I was just thinking it is too bad you left, but then I am glad you did, because otherwise you would probably be sitting here instead of me.

But in any event, I request that my full written statement be included in the record.

As you prepare to draft legislation to authorize the Water Resources Development Act, I wanted to bring your attention to some critical flood control needs in the Rio Grande Valley of Texas.

In just the past 2 years, south Texas has suffered catastrophic flooding, causing tens of millions of dollars in damage on more than one occasion. In June 2018, storms brought a year's worth of rainfall to the Rio Grande Valley in just a few hours, resulting in massive flooding and over \$60 million in infrastructure damage. In June 2019, the Rio Grande Valley again experienced record rainfall and flooding.

To help address these flooding concerns, it is critical that the Raymondville Drain project move forward. Once constructed, the 63-mile drainage system will provide stormwater management on a regional basis, and ultimately contribute to improvements to the watershed in the four-county region. I urge you to include language in your legislation to authorize construction of the project.

It is also vital for our region to fully understand the entire watershed, and take action to address flooding and stormwater issues throughout. The ASA's office is currently reviewing a proposal for just such a regional approach for inclusion in the section 7001 report.

The Lower Rio Grande Valley watershed feasibility study proposal was submitted by Cameron County in August, with the support of many local entities, including the Lower Rio Grande Valley Development Council, Hidalgo County, Willacy County, and a number of cities in Cameron County. I urge you to include authorization language for this important study in the upcoming WRDA legislation.

Addressing flood control issues is important throughout the United States, but areas of persistent poverty in our Nation, like the Rio Grande Valley, lack the resources of many other communities to fund critical infrastructure projects. And all too often areas with high poverty rates are prone to flooding. I urge you to include language in your bill for the Army Corps to account for these issues when determining feasibility, and to help flood-prone, low-income areas fund projects to increase resiliency and prevent flood damage.

Thank you again for giving me this opportunity to testify about some of these critical water issues, and I appreciate you all having me here.

[Mr. Vela's prepared statement follows:]

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**Prepared Statement of Hon. Filemon Vela, a Representative in Congress  
from the State of Texas**

Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano, and Ranking Member Westerman, thank you for giving me the opportunity today to testify about water projects in my district.

As you prepare to draft legislation to reauthorize the Water Resources Development Act (WRDA), I wanted to bring to your attention some critical flood control needs in the Rio Grande Valley of Texas.

In just the past two years, South Texas has suffered catastrophic flooding, causing tens of millions of dollars in damage on more than one occasion. In June 2018, storms brought a year's worth of rainfall to the Rio Grande Valley in just a few hours, resulting in massive flooding and over \$60 million in infrastructure damage. In June 2019, the Rio Grande Valley again experienced record rainfall and flooding.

While the United States is one of the richest countries in the world, pockets of persistent poverty exist. Sadly, financial hardship and poverty in these regions are exacerbated by severe weather and flooding. The Rio Grande Valley is one of these areas.

To help address these flooding concerns, it is critical that the Raymondville Drain project moves forward. It is also vital to understand the watershed of our entire area and what is required to avoid future flood events, and we must work to allocate needed resources to fund flood control infrastructure to prevent flooding that threatens the lives and livelihoods of Americans, especially those in areas of persistent poverty.

**RAYMONDVILLE DRAIN PROJECT**

The Raymondville Drain project was previously authorized in WRDA 1986 and updated in WRDA 2007. Once constructed, this project will provide storm water management on a regional basis and ultimately contribute to improvements to watersheds of three Texas counties. The project will add a new channel that connects to existing channels, widen existing channels, and make additional improvements to the approximate 63-mile drainage system of in-line and off-line detention, reservoirs, and control structures from Edinburg Lake in Hidalgo County to the Laguna Madre in Willacy County.

The Assistant Secretary of the Army for Civil Works is currently reviewing the Raymondville Drain Section 203 Submittal. I understand that the submittal is expected to be delivered to the Committee as a Favorable Decision Document and will be a recommended project for Construction Authorization, so I urge you to include language in your legislation to authorize construction of the project.

**LOWER RIO GRANDE VALLEY WATERSHED FEASIBILITY STUDY**

Not only is construction of the Raymondville Drain project vital to flood control in the Lower Rio Grande Valley, but the region needs to fully understand the entire watershed and take action to address flooding and stormwater issues.

In August, Cameron County submitted a proposal to the Army Corps of Engineers for a Lower Rio Grande Valley Watershed Feasibility Study. The ASA's office is currently reviewing the project submittal for inclusion in the Section 7001 report that is due to Congress next month. I urge you to include authorization language for this project in the upcoming WRDA legislation.

**IMPOVERISHED COMMUNITY FLOOD RISK MANAGEMENT, RESILIENCY, AND  
SUSTAINABILITY EQUITY**

Studying flood control needs and producing plans to address these issues is important for areas throughout the United States, but impoverished regions of our nation, like the Rio Grande Valley, lack the resources of many other communities to fund critical infrastructure projects; and all too often areas with high poverty rates are prone to flooding. I urge you to include language in your bill for the Army Corps

to account for these issues when determining feasibility and to help flood-prone, low-income areas fund projects to increase resiliency and prevent flood damage.

BEACH NOURISHMENT

Not only is support for risk management in local watersheds critical to the resiliency of communities like mine, but maintaining our beaches on barrier islands is also important to avoid damage both to the islands themselves as well as the mainland. I appreciate the work of this committee and the Army Corps to help renourish local beaches with materials dredged from navigation projects. I urge you to continue this support and encourage the Army Corps to look for even more approaches to ensure the most efficient and effective ways to move dredge material to support the beaches.

Thank you again for giving me this opportunity to testify about some of the most critical water issues in my district.

Mrs. NAPOLITANO. Thank you for your testimony, and your testimony will be included in the record, as was stated before.

Does any Member have a question?

None. Thank you.

As we await additional Members, I will call a recess for 5 minutes until the Members arrive.

[Recess.]

Mrs. NAPOLITANO. I call the hearing back to order. I wish to recognize Ms. Barragán from California for 5 minutes.

**TESTIMONY OF HON. NANETTE DIAZ BARRAGÁN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. BARRAGÁN. Thank you, Chairwoman Napolitano, for providing this opportunity today. The work of the Army Corps of Engineers to protect against flooding, sea-level rise, and improved water quality is critical for coastal States and coastal communities. There are five priorities that I want to bring to your attention for inclusion in the Water Resources Development Act.

My district's Port of Los Angeles is America's busiest port by container volume. It is an economic catalyst for the region and the country. The port would like to see the reforms on how the Harbor Maintenance Tax funds are allocated and used.

I am grateful to committee chair Mr. DeFazio's leadership with his bill, H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act. This allows for full use of the trust fund, which is a positive step for ports infrastructure investment. However, there are additional reforms needed to address maintenance at our ports.

First, donor ports like the Los Angeles and Long Beach ports need to be permanently recognized as donor ports, and receive a minimum of 10 percent of the revenues they generate for the trust fund. In 2019 the Port of Los Angeles contributed \$206.6 million in revenue to the fund, yet received only \$5.85 million back. That is less than 2 percent, and a local loss of more than \$200 million.

Second, we need an expansion of the eligibility criteria for Highway Maintenance Trust Fund expenditures to include in water infrastructure. Currently, the Port of Los Angeles needs nearly \$134 million in concrete and corrosion repairs on decks, beams, and mooring bitts at our wharfs. Additionally, the port needs to fortify against seismic activity. Expanding the eligibility criteria can help ensure these critical projects move forward.

In addition to the needs of the port, there are three broader policy considerations I am asking for the committee's assistance to incorporate into WRDA.

First, underserved communities often need Federal assistance to conduct flood and storm damage reduction feasibility studies. Congress, through WRDA, should waive the non-Federal cost share to lower the barrier for these communities to evaluate their flood risks. This would make it easier for these communities to develop both traditional and natural infrastructure solutions.

Second, I would like authorization for the Los Angeles Army Corps to assess the impact of sea-level rise and stronger storms off the coast of southern California on our flood control infrastructure. Providing this authority is critical, since it can affect planning for future projects and identify new areas of need.

And finally, there is a need for Congress to clarify through WRDA that natural infrastructure projects such as coastal wetlands should receive the same non-Federal cost share requirement as nonstructural projects, which is capped at 35 percent. This would eliminate the risk of unfairly burdening non-Federal sponsors for green infrastructure alternatives, which can bring the co-benefits of increasing resilience from flooding and avoiding environmental harm.

Thank you again for the opportunity to speak and to testify here today. I look forward to working with the subcommittee and your leadership to advance our priorities. Thank you.

[Ms. Barragán's prepared statement follows:]

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**Prepared Statement of Hon. Nanette Diaz Barragán, a Representative in Congress from the State of California**

Thank you, Chairwoman Napolitano, for providing this opportunity today. The work of the Army Corps of Engineers to protect against flooding, sea level rise, and improve water quality is critical for coastal states and coastal communities.

There are five priorities that I want to bring to your attention for inclusion in the Water Resources Development Act (WRDA).

My district's Port of Los Angeles is America's busiest port by container volume. It is an economic catalyst for the region and the country. The port would like to see reforms on how the Harbor Maintenance tax funds are allocated and used.

I am grateful to Committee Chair DeFazio's leadership with his bill, H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act. This allows for full use of the trust fund, which is a positive step for ports infrastructure investment. However, there are additional reforms needed to address maintenance at our ports.

First, donor ports like the Los Angeles and Long Beach ports, need to be permanently recognized as donor ports, and receive a minimum of 10% of the revenues they generate for the trust fund. In 2019, the Port of Los Angeles contributed \$206.6 million in revenue to the fund yet received only \$5.85 million back. That's less than 2 percent and a local loss of more than \$200 million.

Second, we need an expansion of the eligibility criteria for Highway Maintenance Trust fund expenditures to include in-water infrastructure. Currently, the Port of Los Angeles needs nearly \$134 million in concrete and corrosion repairs on decks, beams, and mooring bits at our wharfs. Additionally, the port needs to fortify against seismic activity. Expanding the eligibility criteria can help ensure these critical projects move forward.

In addition to the needs of the port, there are three broader policy considerations I am asking for the subcommittee's assistance to incorporate into WRDA:

First, underserved communities often need federal assistance to conduct flood and storm damage reduction feasibility studies. Congress, through WRDA, should waive the non-federal cost share to lower the barrier for these communities to evaluate their flood risk. This would make it easier for these communities to develop both traditional and natural infrastructure solutions.



Second, I would like authorization for the Los Angeles Army Corps to assess the impact of sea level rise and stronger storms off the coast of Southern California on our flood control infrastructure. Providing this authority is critical, since it can affect planning for future projects and identify new areas of need.

And, finally, there is a need for Congress to clarify through WRDA that natural infrastructure projects, such as coastal wetlands, should receive the same non-federal cost share requirement as nonstructural projects, which is capped at 35%. This would eliminate the risk of unfairly burdening non-federal sponsors for green infrastructure alternatives, which can bring the cobenefits of increasing resilience from flooding and avoiding environmental harm.

Thank you again for the opportunity to testify. I look forward to working with the subcommittee to advance our priorities.

Mrs. NAPOLITANO. Thank you very much for your testimony.

And does any Member have questions?

Seeing none, I would like to recognize our next witness, Ms. Kaptur from Ohio, for 5 minutes.

**TESTIMONY OF HON. MARCY KAPTUR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO**

Ms. KAPTUR. Thank you, Chairwoman Napolitano and Ranking Member Westerman, for this great opportunity, and for your fantastic leadership. I appreciate the opportunity to be here today to discuss issues of great importance to the Great Lakes region, and there are three I will focus on: one dealing with invasive species; the Brandon Road Lock and Dam; and finally, open lake disposal.

First of all, on the Brandon Road Lock and Dam, the invasive, voracious bighead carp has placed the Great Lakes fishery, valued at over \$7 billion, in jeopardy. Lake Erie, the southernmost of the lakes, contains more fish than all the other lakes combined. The Asian bighead carp are on the doorstep of the Great Lakes. And unless we act quickly, Asian carp biomass could make up 30 percent of the total fish biomass in Lake Erie. Asian carp have been found just 9 miles from Lake Michigan. And the Chicago Area Waterway System is a crucial choke point. And the only way to win this fight is to strengthen defenses at Brandon Road Lock and Dam near Joliet, Illinois.

The Great Lakes are united in support of this project. Governors from New York, Indiana, Illinois, Minnesota, Michigan, and Pennsylvania passed a resolution indicating that these States will support the State of Illinois in its non-Federal sponsorship role of Brandon Road.

The Water Resource Development Act of 2020 presents an opportunity to amend the authorization for the project, and to increase the Federal cost share for the program as a project of national priority. And I would urge the committee's consideration to authorize the project as outlined in the Chief's Report, and increase the Federal cost share to 90 percent.

The Great Lakes Task Force, a bipartisan and bicameral coalition of Members, completely supports this project.

Number two, in terms of harmful algal bloom projects, the Army Corps of Engineers is a crucial partner in the national fight against increasingly large harmful algal blooms that plague our lakes. Corps scientists and engineers bring to bear a unique skill for helping communities confront the devastating impacts of HABs. With management of resources across our country and knowledge of waterflow design and engineering solutions, the Corps is a key part-

ner in the HAB response and control, and it plays an essential role in raising awareness of HAB events to the public.

And I would urge your committee to explicitly acknowledge the ongoing work of the Corps to test and model HAB controls, and encourage continued interagency cooperation under the Harmful Algal Bloom and Hypoxia Research and Control Act.

I represent the mouth of the Maumee River, the largest river that flows into the Great Lakes, and it drains the largest watershed in any of the Great Lakes. The massive sediment and nutrient flow from the vast agricultural watershed, along with increased rainfall, has created an annually recurring increasing HAB that threatens the economic and ecological diversity of Lake Erie. The problem continues to worsen. And if you look at the Chesapeake Bay, or the Everglades, and other major water management challenges, we fit that category.

And finally, in terms of open lake disposal, in 2015, Ohio banned open lake disposal of its dredged material, and this created a long-term challenge to maintaining Ohio's ports, particularly small ports. And we have the opportunity with WRDA 2020 to come together to create a long-term solution to update the Federal budgeting standard for ports affected by this issue to prevent the closure of some of Ohio's smaller ports.

The Federal standard seeks to identify the method of sediment disposal which is of least cost to the Federal Government. However, this does not take into consideration State laws that ban open lake disposal when considering funding decisions for Ohio's federally maintained harbors. Ohio has committed significant State resources to build increased combined disposal facilities and to address the backlog, and created a \$172 million program called H2Ohio, aiming to assist with water quality issues, and has been used to build new capacity at ports to dispose of material on land, and help the ports manage their dredge material.

In closing, the Federal Government has a 100-percent Federal share for managing these harbors, and this standard should not change. However, if Ohio wants to ban open lake disposal, the Corps should be allowed to budget above that standard with a State match.

In conclusion, I look forward to working with the committee on these issues of great importance to the Great Lakes region, and I thank you so very much for the opportunity to testify.

[Ms. Kaptur's prepared statement follows:]

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**Prepared Statement of Hon. Marcy Kaptur, a Representative in Congress  
from the State of Ohio**

Thank you, Chairwoman Napolitano and Ranking Member Westerman. I appreciate the opportunity to be here today and discuss issues of great importance to the Great Lakes region and northwestern Ohio.

BRANDON ROAD LOCK AND DAM

The voracious bighead carp has placed the Great Lakes fishery in jeopardy. The carp are on the doorstep of the Great Lakes and unless we act quickly. Asian carp biomass could make up 30% of the total fish biomass in Lake Erie. Carp have been found just 9 miles from Lake Michigan. The Chicago Area Waterways system is a crucial choke point and the only way to win this fight is to strengthen defenses the

Brandon Road Lock and Dam near Joliet, Illinois. The Great Lakes are united in support of this project. Governors from New York, Indiana, Illinois, Minnesota, Michigan and Pennsylvania passed a resolution indicating that these states will support the State of Illinois in its non-federal sponsorship role of Brandon Road. The Water Resources Development Act of 2020 (WRDA) presents an opportunity to amend the authorization for the project and to increase the federal cost share for the program. As a project of national priority, the committee should authorize the project as outlined in the Chief's Report and increase the federal cost share to 90 percent.

The Great Lakes Task Force, a bipartisan and bicameral coalition of members, supports the project, and will likely weigh in with specific recommendations.

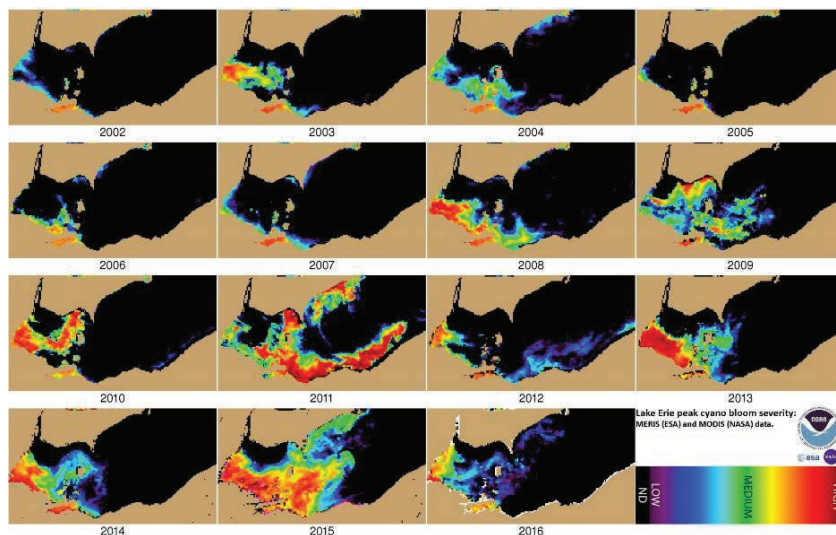


#### HARMFUL ALGAL BLOOM PROJECTS

The Army Corps of Engineers (Corps) is a crucial partner in the national fight against harmful algal blooms (HABs). Corps scientists and engineers bring to bear a unique skillset for helping communities confront the devastating impacts of HAB's. With management of resources across the country, and knowledge of water flow design and engineering solutions, the Corps is a key partner in the HAB response and control. The Corps plays an essential role in raising awareness of HAB events to the general public, and leads in innovation in HAB prevention, mitigation, and control. This committee should explicitly acknowledge the ongoing work of the Corps to test and model HAB controls and encourage continued interagency cooperation under the Harmful Algal Bloom and Hypoxia Research and Control Act (HABARCA).

I represent the mouth of the Maumee River, which is the largest watershed of any of the Great Lakes. The massive sediment and nutrient flow has created an annually recurring HAB that threatens the economic and ecological diversity of Lake

Erie. The problem continues to worsen, with 2019 marking the 5th largest HAB since 2002. In 2014, the Toledo drinking water crisis plagued half a million people with the inability to use their tap water, which required the Ohio National Guard to ensure residents had potable water.



#### OPEN LAKE DISPOSAL

In 2015, Ohio banned open lake disposal of its dredged material. This created a long-term challenge to maintaining Ohio's ports, particularly small ports. We have the opportunity with WRDA 2020 to come together to create a long-term solution. I believe we must update the federal budgeting standard for ports affected by this issue to prevent the closure of some of Ohio's smaller ports.

The federal standard seeks to find identify the method of sediment disposal which is of the least cost to the federal government, but does not take into consideration of state law banning open lake disposal when considering funding decisions for Ohio's federally-maintained harbors.

Ohio has committed significant state resources to build increased combined disposal facilities and to address the backlog. Ohio created a \$172 million program called H2Ohio, which is meant to assist with water quality issues and has been used to build new capacity at ports to dispose of material on land and to help the ports manage their dredged material.

Rightfully so, the federal government has a 100 percent federal share for managing these harbors. This standard should not change. However, if Ohio wants to ban open lake disposal, the Corps should be allowed to budget above that standard with a state match.

In conclusion, I look forward to working with the Committee on these issues of great importance to the Great Lakes region and northwestern Ohio.

Mrs. NAPOLITANO. Thank you for your testimony, Ms. Kaptur.

Does any Member have any question?

None. I thank you very much, and I would like to recognize the next witness, a gentleman from New York, Mr. Morelle, for 5 minutes.

**TESTIMONY OF HON. JOSEPH D. MORELLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. MORELLE. Thank you, Madam Chair, to you, the ranking member, and members of the committee for holding this hearing.

When it comes to the integrity of our Nation's water infrastructure, Americans living along the shores of our Nation's five Great Lakes know all too well the importance of quality investments. For years, we have experienced an uptick in severe and costly flooding, which hammers communities like mine on the southern shore of Lake Ontario. We can no longer afford to wait and see if yet again our shores will flood. It is time to take the necessary steps to invest in preparation, and protect our communities.

I am grateful to this committee for taking up the mantle to authorize the Water Resources Development Act. I also appreciate this opportunity to share just how important high-quality and sustainable water infrastructure is to my district of Rochester, New York, as well as all communities living along the shores of the Great Lakes or within the Great Lakes Basin.

Often referred to as our Nation's fourth sea coast, the power and expanse of the Great Lakes is no mystery to those living along her shores. Spanning a total surface area of nearly 95,000 square miles, and accounting for more than 20 percent of the world's surface freshwater, the Great Lakes have inspired explorers, environmentalists, and artists from near and far for generations.

But with the sense of awe comes a level of respect for the raw power of these natural wonders. As residents of the southern shore of Lake Ontario, my constituents know that it can be challenging to live in tandem with the Great Lakes, especially as increased climate instability leads to spikes in severe weather patterns, rising sea levels, and destroyed ecosystems. As natural disasters increase in frequency, our communities pay the price through destroyed infrastructure and economic instability.

With 100 miles of shoreline that fronts directly on Lake Ontario or nearby bays, rivers, and streams, my district is regularly impacted by lake fluctuations, and we are experiencing more severe floodwaters that erode beaches, devastate family homes, and cripple lakeside businesses.

In 2017, a major disaster declaration was declared in eight New York counties, due to severe flooding along the shore of Lake Ontario. This extensive flooding cost the State of New York \$100 million in recovery funding. Again in 2019 we saw record-high water levels leading to a state of emergency declaration by New York Governor Andrew Cuomo.

According to the U.S. Army Corps of Engineers, the water level on Lake Ontario is currently 246.42 feet, nearly 2 feet above the average level for this time of year. Such extremes foreshadow yet another year of unprecedented water levels in the spring, and my community will again face severe, if not record, flooding.

While my colleagues along the southern shore and I continue to push for maximum outflows of water through the Moses-Saunders Dam in order to lower the lake levels ahead of spring flooding, we are troubled by the International Joint Commission's Plan 2014, and recently heard that outflows will decrease come April 1. We will not cease our efforts to lower lake levels, but we cannot afford

to wait for the IJC to prioritize the livelihood of our constituents. And so we turn to preparation and response.

The U.S. Army Corps of Engineers is a key asset of our region when it comes to preparing and responding to flooding incidents, and it is critical that we not only reauthorize the U.S. Army Corps, but ensure the continuation of projects related to flood protection and control, and the ecosystem restoration.

Additionally, we must authorize new Army Corps studies and projects that will help communities enact plans to become sustainable and resilient against future disasters. As you assess new Army Corps studies, I ask that the committee consider the Great Lakes Coastal Resiliency Study, a proposal supported by 29 Members of the House whose districts border the Great Lakes. The proposal, outlined in H.R. 4032, would allow the Army Corps of Engineers to partner with the eight Great Lakes States on assessing threats and resiliency measures for coastal communities. The study will help to ensure we are utilizing resources efficiently and effectively to better protect our communities from future storms. As so many communities throughout the country face devastation from natural disasters, which often hit the same region year after year with worsening impacts, we can no longer afford to react in the aftermath of destruction. We must take preventative measures and strong investments through the WRDA reauthorization. And that is a great place to start.

So I want to thank you, Chairwoman Napolitano, Chairman DeFazio, and the ranking member for starting this process, and for the opportunity to come to speak here today. I look forward to following the committee's work as you begin to reauthorize WRDA, and hope we can find common ground to help communities along the Great Lakes access high-quality and sustainable water infrastructure. Thank you for your time.

[Mr. Morelle's prepared statement follows:]

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**Prepared Statement of Hon. Joseph D. Morelle, a Representative in  
Congress from the State of New York**

When it comes to the integrity of our nation's water infrastructure, Americans living along the shores of our nation's five Great Lakes know all too well the importance of quality investments.

For years, we have experienced an uptick in severe and costly flooding, which hammers communities like mine on the Southern shore of Lake Ontario. We can no longer afford to wait and see if, yet again, our shores will flood. It is time to take the necessary steps to invest in preparation and protect our communities. I am grateful to this Committee for taking up the mantle to reauthorize the Water Resources and Development Act (WRDA). I also appreciate this opportunity to share just how important high quality and sustainable water infrastructure is to my district of Rochester, NY, as well as all communities living along the shores of the Great Lakes, or within the Great Lakes Basin.

Often referred to as our nation's fourth seacoast, the power and expanse of the Great Lakes is no mystery to those living along her shores. Spanning a total surface area of nearly 95,000 square miles, and accounting for more than 20 percent of the world's surface freshwater, the Great Lakes have inspired explorers, environmentalists, and artists from near and far for generations. But with the sense of awe, comes a level of respect for the raw power of these natural wonders.

As residents of the Southern shore of Lake Ontario, my constituents know that it can be challenging to live in tandem with the Great Lakes, especially as increased climate instability leads to spikes in severe weather patterns, rising sea levels, and

destroyed ecosystems. As natural disasters increase in frequency, our communities pay the price through destroyed infrastructure and economic instability.

With 100 miles of shoreline that fronts directly on Lake Ontario or nearby bays, rivers, and streams, my district is regularly impacted by lake fluctuations and we are experiencing more severe flood waters that erode beaches, devastate family homes, and cripple lakeside businesses.

In 2017, a major disaster declaration was declared in eight New York counties due to severe flooding along the shore of Lake Ontario. The extensive flooding cost the state of New York \$100 million in recovery funding.

Again in 2019, we saw record high water levels leading to a State of Emergency declaration by Governor Cuomo.

According to the US Army Corps of Engineers, the water level on Lake Ontario is currently 246.42 ft, nearly two feet above the average level.

Such extremes foreshadow yet another year of unprecedented water levels in the spring, and my community will again face severe flooding.

While my colleagues along the southern shore and I continue to push for maximum outflows of water through the Moses-Saunders Dam in order to lower the lake levels ahead of spring flooding, we are at odds with the International Joint Commission's (IJC) Plan 2014 and recently heard that outflows will decrease come April 1.

We will not cease our efforts to lower lake levels, but we cannot afford to wait for the IJC to prioritize the livelihood of our constituents. And so, we turn to preparation and response.

The US Army Corps of Engineers is a key asset to our region when it comes to preparing and responding to flooding incidents, and it is critical that we not only reauthorize the Army Corps, but ensure the continuation of projects related to flood protection and control, and ecosystem restoration. Additionally, we must authorize new Army Corp studies and projects that will help communities enact plans to become sustainable and resilient against future disasters.

As you assess new Army Corp studies, I ask that the committee consider the Great Lakes Coastal Resiliency Study, a proposal supported by 29 Members whose districts border the Great Lakes. The proposal—outlined in HR 4032—would allow the Army Corps of Engineers to partner with the eight Great Lakes states on assessing threats and resiliency measures for coastal communities. This study would help ensure we are utilizing resources efficiently and effectively to better protect our communities from future storms.

As so many communities throughout the country face devastation from natural disasters—which often hit the same region year, after year with worsening impacts—we can no longer afford to react in the aftermath of destruction. We must take preventative measures, and strong investments through the WRDA reauthorization are a great place to start.

Thank you, Chairman DeFazio, for starting this process and for the opportunity to come speak here today. I look forward to following this committee's work as you begin to reauthorize WRDA and hope we can find common ground to help communities along the Great Lakes access high quality and sustainable water infrastructure.

Thank you.

Mrs. NAPOLITANO. Sir, thank you for your testimony.

And does any Member have a question?

No. Thank you very much.

I would like to recognize our next witness, the gentleman from Washington, Mr. Kilmer. You are recognized for 5 minutes.

**TESTIMONY OF HON. DEREK KILMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON**

Mr. KILMER. Thank you, Madam Chair and Ranking Member Westerman, for holding this hearing to solicit input from Members as you work to draft the next WRDA.

There are countless priorities I would like to cover, but since I only have 5 minutes I would like to focus on three that I think are pretty important.

First, I want to thank you for making coastal and climate resilience one of your key infrastructure priorities. As you know, I rep-

resent Washington State's Sixth Congressional District, which includes the furthest northwestern part of the contiguous United States. In my neck of the woods, climate change is no longer a threat, it is a reality. Folks are already experiencing the consequences of climate change, from rising sea levels to more frequent and severe storms which are costing our communities and costing livelihoods.

In my district there are four coastal Native American Tribes that are actively working to move their communities to higher ground, because the places they have called home since time immemorial are no longer habitable. There are cities like Ocean Shores and Hoquiam that are trying to invest in resilient infrastructure to end the annual cycle of road washouts and seawall failures. But these communities need technical assistance and resources to adapt to the changing climate. And unfortunately, there are very few Federal programs designed to assist with that work. And what little Federal support is available often can't be accessed until a disaster has already happened.

As we continue to see more communities grapple with the impacts of climate change, the Federal Government needs to invest in dedicated resources and technical assistance to support these efforts. The Army Corps of Engineers has the expertise to assist these communities, but they need the funding, and they need the authority to be able to play an active role in resilience planning.

As you begin drafting this WRDA, I strongly urge you to include new funding and authorities that will allow the Army Corps to assist communities that are working to proactively invest in resilience. The Corps is uniquely positioned to provide the resources that underresourced communities desperately need to begin addressing the climate impacts they are experiencing already today, and to plan for the future. As a member of the Energy and Water Development Subcommittee of the Appropriations Committee, I look forward to working with your committee to develop a coordinated strategy that will provide the Corps with both the authorities and funding necessary to fulfill this critical role.

The second issue: I would strongly encourage the committee to expand the Army Corps' existing section 214 authority to allow non-Federal public entities, including public ports, to contribute funds to support the review and approval of new mitigation banks.

In the Pacific Northwest, mitigation banks play a key role in ensuring that we can continue to invest in working waterfronts, while also restoring the critical habitat that our iconic species, including salmon and orca, rely on. Unfortunately, the Corps' regulatory branch is significantly underresourced, which has led to years-long delays in the approval of new mitigation banks in our region.

As a member of the Appropriations Committee, I fought to increase funding for regulatory staff, but there is still a significant gap to fill. This small expansion of the existing section 214 authority would allow the Corps to expedite the review of new mitigation bank applications without sacrificing resources from other key regulatory programs. Given the significant public benefit provided by these mitigation banks, it would be a true win-win.

Finally, I would like to end by expressing my strong support for the Harbor Maintenance Tax reform that ensures full use of these



funds, and modernizes the allocation of funds to fairly address the needs of all ports. I want to thank Chairman DeFazio for his tireless leadership on this critical issue, while working to balance the interests of all ports.

Madam Chair, Ranking Member Westerman, we have a fantastic opportunity to make critical changes in WRDA to empower the Corps and make great strides to build resilient communities, restore and protect critical habitat, and enable our working shorelines to keep up with the ever-increasing threat that climate change is posing to people of the State of Washington. So thank you very much.

[Mr. Kilmer's prepared statement follows:]

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**Prepared Statement of Hon. Derek Kilmer, a Representative in Congress  
from the State of Washington**

Thank you, Chairman DeFazio.

I want to start by thanking you and Ranking Member Graves for holding this hearing to solicit input from Members as you work to draft the next Water Resources Development Act.

I also want to thank you for making coastal and climate resilience one of your key infrastructure priorities.

As you know, I represent Washington's sixth congressional district, which includes the furthest northwestern part of the contiguous United States.

In my neck of the woods, climate change is no longer a threat, it's reality.

Folks are already experiencing the consequences of climate change—from rising sea levels, to more frequent and severe storms—which are costing our communities their livelihoods.

In my district, there are four coastal Native American tribes who are actively working to move their communities to higher ground because the places they've called home since time immemorial are no longer habitable.

And there are cities like Ocean Shores and Hoquiam that are trying to invest in resilient infrastructure to end the annual cycle of road washouts and sea wall failures.

But these communities need technical assistance and resources to adapt to their changing climate—and unfortunately, there are few federal programs designed to assist with this work.

And what little federal support is available often can't be accessed until a disaster has already happened.

As we continue to see more communities grapple with the impacts of climate change, the federal government needs to invest in dedicated resources and technical assistance to support these efforts.

The Army Corps of Engineers has the expertise to assist these communities—but they need the funding and authority to be able to play an active role in resilience planning.

As you begin drafting this WRDA, I strongly urge you to include new funding and authorities that will allow the Army Corps to assist communities that are working to proactively invest in resilience.

The Corps is uniquely positioned to provide the resources that under-resourced communities desperately need to begin addressing the climate impacts they're experiencing today and to plan for the future.

As a Member of the Energy and Water Appropriations Subcommittee—I look forward to working with the Committee to develop a coordinated strategy that will provide the Corps with both the authorities and funding necessary to fulfill this critical role.

In addition to bolstering the Corps' ability to support climate adaptation, I would also strongly encourage the Committee to expand the Army Corps' existing Section 214 authority to allow non-Federal public entities—including public ports—to contribute funds to support the review and approval of new mitigation banks.

In the Pacific Northwest, mitigation banks play a key role in ensuring that we can continue to invest in our working waterfronts while also restoring the critical habitat that our iconic species—including salmon and orca—rely on.

Unfortunately, the Corps' Regulatory Branch is significantly under-resourced, which has led to years-long delays in the approval of new mitigation banks in our region.

As a member of the Appropriations Committee, I've fought to increase funding for regulatory staff—but there's still a significant gap to fill.

This small expansion of the existing Sec. 214 authority would allow the Corps to expedite the review of new mitigation bank applications, without sacrificing resources from other key regulatory programs.

Given the significant public benefit provided by these mitigation banks, it would be a true win-win.

Finally, I'd like to end by expressing my strong support for Harbor Maintenance Tax reform that ensures full use of these funds and modernizes the allocation of funds to fairly address the needs of all ports.

I want to thank Chairman DeFazio for his tireless leadership on this critical issue while working to balance the interests of all ports.

Mr. Chairman, Ranking Member Graves—we have a fantastic opportunity to make critical changes in WRDA to empower the Corps and make great strides to build resilient communities, restore and protect critical habitat, and enable our working shorelines to keep up with the ever-increasing threat that climate change is posing to Washingtonians.

Thank you.

Mrs. NAPOLITANO. Well, thank you for your testimony, sir.

Does any Member have a question?

Seeing none, thank you very much.

I would now like to recognize our next witness, the gentleman from Oregon, Mr. Schrader, for 5 minutes.

**TESTIMONY OF HON. KURT SCHRADER, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF OREGON**

Mr. SCHRADER. Thank you very much, Madam Chair, Ranking Member Westerman, and the rest of the Transportation and Infrastructure Committee members for hosting this opportunity for Members.

The success that WRDA has had during these divided times is a testament to the committee's willingness to work across the aisle. And I hope that work will be just as successful for WRDA 2020.

My number-one priority is the reconstruction of the south jetty into Tillamook Bay, the lifeline for the north central coast communities.

The north and south jetties started construction in 1913, and have grown over the decades to fight against the crushing impact of the Pacific Ocean. In 2010, the Army Corps rehabilitated the north jetty to its current length of 5,213 feet. During this work they made key repairs and added to the structure so that it could actually survive the onslaught of these North Pacific waves.

However, the south jetty was not included in that rehabilitation, and over the past 10 years has eroded considerably. It now poses an extreme danger to the community, our fishing fleet, and recreational boaters, as they try to enter and exit the bay. The Coast Guard and Army Corps Portland District both recognize the danger. I hear it every time I meet with them.

It only costs us more money in the long run if we don't fix it now. The failure of the south jetty will severely impact the lifespan of the north jetty, which we just finished. And if the jetty system isn't working properly, then we will need more dredging, due to increased sediment in the bay. In the interest of safety for my constituents, and for saving Uncle Sam a little money, I ask the com-

mittee to work with me on ways to get this project done before anyone else gets hurt.

Another important project in the district, one that the committee staff has been very helpful on, is the disposition of the Willamette Falls locks at the end of the fabled Oregon Trail. These locks have been operating since the early 1870s, but were closed back in 2011, due to the lack of proper maintenance and investment. They are still owned by the Corps, and WRDA 2020 will be the vehicle to transfer that property to a new public or public-private partnership to run the locks.

A wide range of stakeholders in Oregon have been working to establish a way to reopen them. The Willamette Falls Locks Commission is currently recommending a State appropriation of \$14 million in lottery revenue bonds in the 2020 State legislative session to repair and reopen the locks.

The Willamette Falls Locks Commission also has legislation that proposes establishing a public corporation, the Willamette Falls Locks Authority, as the new owner-operator to manage the operations and maintenance of the locks, following their transfer from the Corps. Several cities, along with Metro, the Confederated Tribes of Grand Ronde, Yamhill and Marion Counties, and other entities are committing funding for phase 1, which is expected to begin in 2020, and will remain until the locks are open, probably—hopefully, 2024. It is estimated to cost about \$250,000 in annual expenses for phase 1. This is a great partnership leveraging local, State, and Federal tax dollars to maximum advantage.

I want to thank my folks back home who have led the way on this project, the Army Corps Portland District staff, and the T&I Committee staff for all the great work.

My last request for the committee is a project that has been developing for years, but is rapidly escalating into a crisis. The city of Newport is currently seeking \$70 to \$80 million to replace Big Creek Dam complex, which holds our municipal water supply. The current dam was originally built 1958, and over time it has deteriorated to the point where they are vulnerable to complete failure in the event of an earthquake registering 3.5 or higher, something that happens on the west coast. Should these dams fail, the flows would breach Highway 101, the only coastal road in the community, and destroy homes downstream.

The city is currently investigating multiple funding sources, including State funding and FEMA High Hazard Potential Dams Grant Program money. But the full cost is too great to be borne solely by a local bond with this small town of less than 11,000 people. Your staff has been very helpful in finding Federal solutions to this problem. I hope you will continue to work with us during this process.

Thank you again for the opportunity to testify about my priorities for Oregon's Fifth Congressional District, and thank you again for—your committee, for working with my office on these issues. I look forward to seeing the committee's final product. Thank you.

[Mr. Schrader's prepared statement follows:]

**Prepared Statement of Hon. Kurt Schrader, a Representative in Congress  
from the State of Oregon**

Thank you, Chairman DeFazio, Ranking Member Graves, and the rest of the Transportation and Infrastructure committee members for hosting this opportunity. The success that WRDA has had during these divided times is a testament to the committee's willingness to work across the aisle and I hope that work will be just as successful for WRDA 2020.

My number one priority here is to advocate for the reconstruction of the South Jetty into Tillamook Bay. The north and south jetties started construction in 1913 and have grown over the decades to fight against the crushing impact of the Pacific Ocean. In 2010, the Army Corps rehabilitated the North Jetty to its current length of 5,213 feet. During this work they made key repairs and added to the structure so that it could survive the onslaught of the waves.

However, the South Jetty was not included in that rehabilitation and over the past ten years has eroded considerably. Its current state poses an extreme danger. This failure has severely impacted my communities and puts folks in danger as they try to enter and exit the bay. The Coast Guard and the Army Corps Portland district both recognize this fact. I hear it every time I meet with them about how the jetty is impacting their work.

And it's just going to cost us more money in the long run if we don't fix it now. Because the failure of the South Jetty will severely impact the lifespan of the North Jetty. And if the jetty system isn't working properly, then we'll need more dredging due to increased sediment in the bay. In the interests of safety for my constituents and for saving Uncle Sam money, I ask that the committee works with me on ways to get this project done before anyone else is hurt.

Another important project in my district and one that the committee's staff has been helpful on is the disposition of the Willamette Falls Locks. These locks have been operating since the early 1870s but were closed back in 2011 due to lack of proper maintenance and investment. However, they are still owned by the Corps and WRDA 2020 will be the vehicle to transfer that property.

Currently, a wide range of stake holders in Oregon are working to establish a way to reopen the locks. The Willamette Falls Locks Commission is recommending a state appropriation of \$14.043 million of lottery revenue bonds in the 2020 legislative session to repair and reopen the locks. The WLFC also has legislation that proposes establishing a public corporation, the Willamette Falls Locks Authority, as the new owner/operator to manage the operations and maintenance of the locks following their transfer from the Corps. Several cities along with Metro, the Confederated Tribes of Grand Ronde, Yamhill and Marion Counties, and other entities are committing funding for phase one, which is expected to begin in 2020 and lasts until the Locks are open, expected in 2024. It is estimated to cost around \$350,000 in annual expenses for phase one.

I want to thank my folks back home who have led the way on this project, Army Corps Portland district staff, and T&I Committee staff for all their work to make this a reality. I am hopeful that the federal government can do its part to keep this moving forward.

My last request for the committee is a project that has been developing over the past few months but could rapidly worsen. The City of Newport is currently seeking \$70 to \$80 million dollars to replace Big Creek Dam, which holds their municipal water supply. The current dams were originally built in 1958, and over time have deteriorated to the point where they are vulnerable to complete failure in the event of an earthquake registering at 3.5 or higher. Should these dams fail, the flows would breach Highway 101 and roughly 20 houses would be destroyed without warning. The region is also prone to slides every year that could also wipe out the dam. The city is currently investigating multiple money sources, including state funding, and Federal Emergency Management Agency (FEMA) High Hazard Potential Dam Grant Program, but the full cost is too great to be borne solely by a local bond. Your staff have been very helpful in finding federal solutions to this problem and I hope that will continue during this process.

Thank you again for this opportunity to testify about my priorities for Oregon's fifth district. And thank you again to your committee staff for working with my office on these issues. I look forward to seeing the committee's final product.

Mrs. NAPOLITANO. Thank you for——  
Mr. SCHRADER. I yield back.

Mrs. NAPOLITANO [continuing]. Your testimony, sir.  
Does any Member have a question?

No?

Seeing none, thank you very much.

I would like to recognize now our next witness, a gentlewoman from California, Ms. Matsui, for 5 minutes.

**TESTIMONY OF HON. DORIS O. MATSUI, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. MATSUI. Thank you very much, Madam Chair and Ranking Member Westerman, for the opportunity to come before the committee and lay out my key priorities for the Water Resources Development Act of 2020.

First I want to be clear. Our top priority should be in proposing policies that consider the impacts of climate change in our country. We are facing the consequences of climate change now, and we absolutely must incorporate climate resiliency strategies into all our policies.

As a Representative of Sacramento, California, WRDA is uniquely meaningful to me and to my constituents who live in the second most flood-prone city in our country, after New Orleans. We need to be thoughtfully prioritizing projects that consider the long-term consequences of climate change. The catastrophic flooding we have seen across the country in just the last year is telling, and I fear the severe flooding will no longer be 100- or even 500-year events, but a new norm for my constituents.

One area where I think we can truly make progress on this is through further Federal support to improve the safety and reliability of the Yolo Bypass and the surrounding region. While the Yolo Bypass was originally constructed as a single-purpose Federal flood facility, the State and local stakeholders in California have been working for years to begin looking at it in a fresh, new way.

The current rules for how the Corps of Engineers calculates the benefits of Federal flood control projects makes it difficult to receive Federal recognition and support for initiatives that could raise the level of flood protection. WRDA 2020 represents an opportunity to fix this by directing the Corps to study the region and develop a plan for coordinating with non-Federal partners such as the Central Valley Flood Control Board; California Department of Water Resources; and the Sacramento Area Flood Control Agency, SAFCA.

The committee can allow the Corps to remain consistent with its plan to revolutionize the Civil Works activities, while also giving this forward-looking project much-deserved recognition and resources. This change will help advance proposals for needed projects in the region that would protect California residents and improve safety and sustainability.

Additionally, my proposed language will establish a framework to provide for the smooth coordination of permitting and reviews, and endorses a regional partnership, the Yolo Bypass/Cache Slough Partnership, to bring together relevant stakeholders.

We have seen it across the country: severe natural disasters are becoming more and more common. In the face of a changing climate, we must begin taking a new look at Federal flood control

projects, starting with WRDA 2020. For years, SAFCA has put forward flood control efforts that have become a model for the Nation in providing the highest level of flood protection, while remaining good environmental stewards. The Yolo initiative is a continuation of this, and I urge the committee to lend Federal support.

I also request an extension of the authority of section 1020 of WRRDA 2014, which allows for non-Federal contributions exceeding cost-sharing requirements to be transferred to other projects. Certainly this would be critical in flood control planning across the country.

Lastly, I also support the extension and improvement of the 1043 authority that allows for non-Federal sponsors to implement authorized Federal projects. In the city of West Sacramento, the West Sacramento Flood Control Agency, or West SAFCA, is working with the Corps on the West Sacramento project, another flood control project in our region. In order to proceed with construction as soon as possible, we would consider implementing the balance of the project under 1043 if the program's authority were extended in WRDA 2020, and if improvements were made.

For 15 years I worked tirelessly with dedicated stakeholders in my district to make the Sacramento region as safe as possible for all residents. During these 15 years, we have seen with our own eyes how climate change is reshaping our infrastructure needs: the wildfires in my State, severe droughts and flooding. All of this requires bold, fresh ideas that encourage our Federal agencies to look at the big picture. WRDA 2020 represents a tremendous opportunity to move forward and achieve even greater strides through responsible and resilient flood control projects, and forward-looking ideas for America's water infrastructure that will account for the climate crisis we are all faced with.

Thank you very much for your time and consideration. I look forward to working with you all. Thank you.

[Ms. Matsui's prepared statement follows:]

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**Prepared Statement of Hon. Doris O. Matsui, a Representative in Congress  
from the State of California**

Thank you, Mr. Chairman, for the opportunity to come before the Committee and lay out my key priorities for the Water Resources Development Act (WRDA) of 2020 ... comprehensive legislation that addresses navigation and flood risk management issues across the nation.

First and foremost—I want to be clear: our top priority should be in proposing policies that consider the impacts of climate change in our country. We are facing the consequences of climate change now and we absolutely must incorporate climate resiliency strategies into our policies on infrastructure, water resources, energy, the environment, and defense.

As the Representative of Sacramento, California, WRDA is uniquely meaningful to me and to my constituents, who live in the second most flood-prone city in the country, after New Orleans.

We need to thoughtfully prioritize projects that consider the long-term consequences of climate change ... an existential threat that will impact this country for years to come.

The catastrophic flooding we have seen across the country in just the last year is telling and I fear that severe flooding will no longer be 100 or even 500-year events, but a new norm for my constituents.

One area where I think we can truly make progress on this is through further federal support to improve the safety and reliability of the Yolo Bypass and the surrounding region.

While the Yolo Bypass was originally constructed as a single-purpose federal flood facility ... the State and local stakeholders in California have been working for years to begin looking at it in a fresh, new way ... by comprehensively addressing factors such as flood risk management, water supply, agricultural enhancement, and habitat protection.

Unfortunately, because of the way in which the benefits of federal flood control projects are calculated, it has been difficult to receive federal recognition and support for initiatives that could raise the level of flood protection higher than is possible under the current Corps of Engineers rules.

WRDA 2020 represents an opportunity to fix this. By including provisions that will direct the Corps to study the region closely and develop a plan for coordinating with nonfederal partners, such as the Central Valley Flood Control Board, the California Department of Water Resources and the Sacramento Area Flood Control Agency (SAFCA) ... the Committee can allow the Corps to remain consistent with its intent to revolutionize its Civil Works activities while also giving this forward-looking project much-deserved recognition and resources.

This change will help advance proposals for needed projects in the region that will protect California's residents and dramatically improve safety and sustainability.

SAFCA has been particularly effective in looking at climate change and how it is impacting weather patterns. We should be taking a similar approach.

Additionally, the plan developed in my proposed language will establish a framework that both the Corps and relevant nonfederal stakeholders can follow to provide for smooth coordination of permitting and reviews.

I also urge the Committee to include language in its WRDA bill that will endorse a regional partnership—the Yolo Bypass-Cache Slough Partnership—that brings together relevant stakeholders to ensure the Yolo Bypass Initiative represents the priorities, interests, and needs throughout the region.

We've seen it across the country: severe natural disasters, including devastating flooding, are becoming more and more common. In the face of a changing climate, we must begin taking a new look at federal flood control projects and we should start with WRDA 2020.

For years, SAFCA has put forward flood control efforts that have become a model for the nation in providing the highest level of flood protection while remaining good environmental stewards. This latest effort is a continuation of their superb work and I urge the Committee to recognize this by providing federal support for the Yolo Bypass Initiative.

I also request that the Committee extend the authority of Section 1020 of WRDA 2014, which allows for nonfederal contributions exceeding cost-sharing requirements to be transferred to other projects.

The Committee has been supportive of this authority in the past and I appreciate T&I working with me in 2016 to further clarify that credits could be transferred to a project prior to completion.

Certainty in the ability to transfer excess credits to other projects will be critical in the ability for flood control agencies across the country to plan for the future.

Lastly, I also support the extension and improvement of the so-called "1043" authority that allows for nonfederal sponsors to take over implementation of authorized federal projects under certain circumstances. For instance, in West Sacramento ... a city within my district that lies just to the west of the Sacramento River ... the West Sacramento Flood Control Agency—or "WSAFCA"—is working closely with the Corps to implement the West Sacramento Project—yet another part of the systemwide approach to comprehensive flood control in our region.

WSAFCA has taken great initiative to achieve substantial progress in moving forward with the design work and we aim to proceed with construction as soon as possible.

While we are currently proceeding with the project under the Corps' traditional civil works process, we would consider implementing the balance of the project under 1043 if the program's authority were extended in WRDA 2020 and if improvements were made to how the Corps implements the program.

Thank you for your time and consideration today. For 15 years, I have worked tirelessly with dedicated stakeholders in my district to make the Sacramento region as safe as possible for all residents.

During these 15 years, we've seen with our own eyes how climate change is reshaping the way we plan our infrastructure needs. The wildfires in my state, severe droughts and flooding ... all of this requires bold, fresh ideas that encourage our federal agencies to look at the big picture.

WRDA 2020 represents a tremendous opportunity to move forward and achieve even greater strides to protecting my constituents, both through responsible and re-

silient flood control projects and forward-looking ideas for America's water infrastructure that will account for the climate crisis we are all faced with. Thank you.

Mrs. NAPOLITANO. Thank you very much for your testimony.

And does any Member have a question?

Seeing none, I would like to recognize now the next witness, the gentlewoman from Michigan, Ms. Slotkin, for 5 minutes.

**TESTIMONY OF HON. ELISSA SLOTKIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN**

Ms. SLOTKIN. Thank you, Representatives Napolitano and Westerman, for the opportunity to share my priorities for the Water Resources Development Act authorization.

In Michigan we are the Great Lakes State, and ensuring that our waters are clean to drink, to swim in, to fish, is a major priority. We consider ourselves the stewards of the Great Lakes. It is about our way of life, and the safety and security of our families. This is why we are talking about the health and quality of our waterways today.

And before I do, I just have to put in a plug on PFAS. I really urge the committee to look at this issue. Michigan is looking the hardest, so we have the highest number of sites. We were able to pass six provisions into law in—through the Pentagon's budget for the first time. This is the first time we are doing anything more than study PFAS. We were thrilled to do it, to hold the Pentagon accountable. But I really urge the committee to take up PFAS in a big way, because if you haven't heard of it yet, it is coming to a theater near you.

In Michigan, protecting our waterways and the Great Lakes is one of the most bipartisan issues, because it is about our economy and who we are as a State. And we may not think about it all that much, but in order to keep the Great Lakes great, we actually need to invest and protect them. In line with that goal there are two key priorities I want to talk about today on the Water Resources Development Act reauthorization.

First, the Asian carp. We hate the Asian carp. It is a nasty fish that, if it reaches the Great Lakes, will take over. It will dominate. So we must authorize at full Federal cost-share levels the appropriate funds to begin the preconstruction engineering and design at the Brandon Road Lock and Dam project. As many of you know, the Asian carp is right up against the lake, Lake Michigan. There are just a few things keeping it from entering our Great Lakes. When it is in one, it is in all of them. It will absolutely take over our recreational economy, our way of life for our anglers, our lake-side communities.

Brandon Road would function as a critical choke point. This past summer, Democrats and Republicans from Michigan flew together to Joliet, Illinois, to actually see the Brandon Road Dam. We saw it from the air, we went on the ground. The Army Corps gave us a full tour of what they are trying to do there. And I urge everything you can do to support the preconstruction and dollars going towards Brandon Roads.

Secondly, our Soo locks. I support the existing authorization and future appropriation of full funding to modernize the Soo locks, which is the cornerstone of Great Lakes commercial navigation wa-



terways. The Army Corps has done really excellent work to begin the necessary construction. It is now up to Congress to provide consistent and efficient funding. The Soo locks are essential, not just for us in Michigan, for our national economy. They are the only waterway connection from Lake Superior to the Lower Great Lakes.

And, according to the Army Corps, approximately 90 percent of the iron ore used in the United States transits the Soo locks. If you like your iron ore, and you need it, you need the one lock in the country that helps you get it. In fact, it is estimated that the Soo locks supports economic activity representing 3 percent of U.S. gross domestic product. For that reason, it is absolutely essential that Congress works through the Army Corps to ensure that the Soo lock modernization project receives consistent and efficient funding.

Before I yield back my time, I just wanted to take this opportunity to express my support for two other issues that are vital for water infrastructure in our communities: the Clean Water State Revolving Fund and the Wastewater Infrastructure Workforce Development Program. I know these are outside of the jurisdiction of WRDA, but I wanted to take the opportunity to speak before the committee to express my support for robust funding for both.

I met with the Southeast Michigan Council of Governments to discuss the status of our water infrastructure in Michigan. We know in Michigan our Governor ran on the slogan, "Fix the Damn Roads." Roads are where most Michiganders are focused. But in Michigan it is also our infrastructure we can't see, namely our water infrastructure, that needs real updating.

The council emphasized the importance of the State revolving fund for underresourced local communities that need to replace and repair aging infrastructure. I live in one of those communities: Holly, Michigan. They also expressed the importance of supporting and expanding the water workforce. Thirty to fifty percent of our water workforce is set to retire in the next 10 years.

I know the committee has done great work on the Water Quality Protection and Job Creation Act. Thank you for that. You all have really done yeoman's work here. I thank the committee for taking up these initiatives, and urge leadership to bring the bills to the House floor.

Thanks for your time. Thanks for your work. Thanks for protecting our waters.

[Ms. Slotkin's prepared statement follows:]

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**Prepared Statement of Hon. Elissa Slotkin, a Representative in Congress  
from the State of Michigan**

Thank you Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano, and Ranking Member Westerman for the opportunity to share my priorities for the Water Resources Development Act (WRDA) reauthorization.

Michiganders are the stewards of the Great Lakes. The Great Lakes are the backbone of our economy and our way of life.

In Michigan, protecting our Great Lakes is one of the most bipartisan issues, because it's about our economy and who we are as a state. This is all of our responsibility and I'm proud that it's a commitment Michiganders share regardless of party.

We may not always think about it when we're enjoying our beautiful Great Lakes, but protecting and maintaining them takes investment and commitment.

In line with that goal, there are two key priorities that I want to advocate in support of today as the Committee considers the Water Resources Development Act (WRDA) reauthorization.

First, in order to prevent Asian carp from reaching the Great Lakes, I support authorization at full federal cost share and appropriation of funds to begin the preconstruction, engineering, and design for the Brandon Road Lock and Dam Project.

As many of my colleagues from other parts of the country know, Asian carp are an invasive species that have devastated ecosystems in the bodies of water they have been able to infiltrate.

If this devastating species were to invade the Great Lakes, it would cause irreparable harm to our tourism industry, the recreational economy, and way of life for fishers, lakeside communities, and the countless Michiganders who enjoy our Great Lakes every year.

The Brandon Road Lock and Dam project would function as a critical choke point to halt the spread of this invasive species, using electric barriers, noisemakers, and an air bubble curtain to block its passage into the Great Lakes.

This past summer, I joined a bipartisan group of members of the Michigan delegation to tour the Brandon Road Lock and Dam Project in Illinois.

During this tour, I had the opportunity to see the site on foot and from the air, and to hear from the Army Corps of Engineers about the full suite of both technological and structural measures that can and must be put into place.

The cost of action to prevent the spread of Asian Carp is high, but the price for inaction would be ruinous for the millions of Michiganders who depend on our waterways for their livelihoods.

The Brandon Road Lock and Dam Project represents our best opportunity to prevent Asian carp from ever reaching the Great Lakes, and I urge the committee to do everything in its power to expedite its funding and construction.

Second, I support the existing authorization and future appropriations of full funding to modernize the Soo Locks, which is a cornerstone of the Great Lakes commercial-navigation waterway.

The Army Corps has done excellent work in beginning the necessary construction on this project, and now it is up to Congress to provide consistent and efficient funding to make sure the project is completed in a timely and cost-effective manner.

The Soo Locks are essential to both our national economy and our national security.

The Soo Locks are the only waterway connection from Lake Superior to the Lower Great Lakes.

According to the Army Corps of Engineers, approximately 90% of the iron ore used in the United States transits through the Soo Locks. This iron ore is essential to U.S. steel production, which plays an important role in our national security and economy.

In fact, it is estimated that the Soo Locks supports economic activity that represents over 3% of the U.S. Gross Domestic Product.

Currently, 86% of the tonnage passing through the locks is limited to one lock, the Poe Lock, which is large enough to accommodate the massive carriers needed to transport iron ore.

The Poe Lock is nearing the end of its 50-year useful lifespan, increasing the risk for failure that would have significant implications for U.S. national security and the economy.

For this reason, it is absolutely essential that Congress works with the Army Corps to ensure that the Soo Lock modernization project receives consistent and efficient funding.

Thank you for prioritizing these programs that are so important to Michiganders.

Before I yield back the remainder of my time, I wanted to take this opportunity to express my support for two other issues that are vital for the water infrastructure of communities in my district: the Clean Water State Revolving Fund and the Wastewater Infrastructure Workforce Development program.

I know that these issues are outside of the jurisdiction of the Water Resources Development Act, but I wanted to take this opportunity to speak before the Committee to express my support for robust funding to support these programs.

I recently met with the Southeast Michigan Council of Governments, to discuss the status of our water infrastructure in Michigan. We know that our roads are in desperate need of repair, but in Michigan it's also the infrastructure that we can't see—our water infrastructure—that needs updating.

The council emphasized the importance of the State Revolving Fund for under-resourced local communities that need to replace and repair aging infrastructure.

They also expressed the importance of supporting and expanding our water workforce: 30–50% of our water workforce community nationwide will retire in the next ten years.

I know the Committee recently approved by voice vote the Water Quality Protection and Job Creation Act, H.R. 1497, which would not only reauthorize the Clean Water State Revolving Fund, but would also allow State's to reserve up to 1% of funds from the program to support water workforce development.

I thank the Committee for taking initiative on this issue that affects nearly every Michigander, and urge leadership to bring this bill to the full House for a vote.

Thank you for your time and for allowing me to relay some of these concerns about water and our Great Lakes that unite us all as Michiganders. I look forward to continuing to work with the Committee to support these priorities.

Mrs. NAPOLITANO. Thank you for your testimony.

And does any Member have a question?

Seeing none, I now recognize Ranking Member Westerman to recognize our next witness.

Mr. WESTERMAN. Thank you, Madam Chair. And I would like to recognize our next witness, the gentleman from the beautiful State of Montana, Mr. Gianforte, for 5 minutes.

**TESTIMONY OF HON. GREG GIANFORTE, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF MONTANA**

Mr. GIANFORTE. Thank you very much. Thank you, Chairwoman and Ranking Member. I appreciate the opportunity to testify here today.

The Water Resources Development Act is primarily focused on the Corps of Engineers. It has also been an opportunity to address issues with the Bureau of Reclamation, which manages much of the water supply across the West. I want to bring to your attention the St. Mary's-Milk River project, which the Bureau runs. It is truly the lifeline of Montana's Hi-Line agricultural economy.

Located in north central Montana, the Milk River project provides water for irrigation for about 121,000 acres of land. The project was authorized in 1903, and is one of the first projects the Bureau of Reclamation ever designed and built. The Milk River project is critical Federal infrastructure. It manages water for an international treaty and Tribal water rights settlement, such as the Blackfeet Settlement. The Milk River project also provides water to 18,000 citizens across the Hi-Line, and produces enough food to feed about 1 million people in the United States and around the world.

At well over 100 years old, the Milk River project has surpassed its expected design life. Throughout the project, regular operations and maintenance have quickly turned into replacement of critical project components like the diversion dams and drops. If these components fail, it would effectively shut down a vital water supply for citizens and farms all across north central Montana. It could also endanger water rights settlements that rely on the water delivered by this project.

On September 26, 2019, the Alliance for the Wild Rockies announced a 60-day notice of intent to sue the Department of the Interior for bull trout deaths, in part because of this old technology we are currently using. If a take permit is not obtained by April 1, 2020, the Alliance for the Wild Rockies will file suit against this project. While the Fish and Wildlife Service is working on the permit, the underlying problem is the infrastructure that is in such a

bad shape of disrepair. This litigation threat accelerated the need for the diversion structure design and construction so we can actually protect the fish and keep the water flowing.

The State of Montana has already authorized \$50 million to update the St. Mary's diversion. So the State is doing their part, but the funds have to have a Federal match. I have introduced legislation that would authorize a change in the cost share of the Federal funds for the diversion structure as soon as possible. I believe this is one of the most important infrastructure projects in the State of Montana, the St. Mary's-Milk River diversion project.

On another note, I introduced H.R. 967, the Clean Water for Rural Communities Act, with Senators Tester and Daines. The bill supports two Bureau of Reclamation rural water projects.

First, it authorizes the Musselshell-Judith Rural Water System. The planning process mandated under the 2006 Rural Water Supply Act is complete. The water project was deemed fully feasible by Reclamation in 2016, but it still needs congressional action. Once funded, this water system could be built in 2 years. This water system will serve about 5,000 people in central Montana.

Second, it authorizes Reclamation to finalize the feasibility study for the Dry-Redwater Regional Water Authority System in eastern Montana and part of North Dakota. The project would provide clean drinking water to over 30,000 constituents at a maximum Federal cost share of \$5 million.

In both cases, Montana has appropriated the funds for these projects. We just need the Federal Government to do their part, and become federally authorized. H.R. 967 had a legislative hearing in the Committee on Natural Resources in June, and the Senate bill was reported out of committee last October.

Finally, I ask you to consider H.R. 3471. This bill will ensure the Sidney-Kinsey Irrigation Districts continue to receive project use power. The districts received power under Pick-Sloan for almost 75 years. After renewing contracts nine times, the Bureau of Reclamation decided these districts were ineligible for project use power, and it threatens over 130 family farms in eastern Montana. I would ask you to work with me to address this oversight.

I appreciate the opportunity to discuss these matters with your committee. And, as the committee works towards a package that addresses these water issues, I urge you to remember our issues in Montana.

And with that, I yield back.

[Mr. Gianforte's prepared statement follows:]

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**Prepared Statement of Hon. Greg Gianforte, a Representative in Congress  
from the State of Montana**

Thank you, Chairman DeFazio and Ranking Member Graves. I appreciate the opportunity to testify before the committee today.

The Water Resources Development Act is primarily focused on the Corps of Engineers. It's also been an opportunity to address issues with the Bureau of Reclamation, which manages much of the water supply across the west.

The St. Mary's-Milk River Project, which the Bureau runs, is the lifeline of Montana's Hi-Line agricultural economy.

Located in north-central Montana, the Milk River Project provides water for the irrigation of about 121,000 acres of land. The project was authorized in 1903 and is one of the first projects the Bureau of Reclamation ever designed and built.

The Milk River Project is critical federal infrastructure. It manages water for an international treaty and tribal water rights settlements such as the Blackfeet Settlement.

The Milk River Project also provides water to 18,000 citizens and produces enough food to feed 1 million people annually.

At well over 100 years old, the Milk River Project has surpassed its expected design life.

Throughout the project, regular operations and maintenance have quickly turned into replacement of critical project components like the diversion dam and drops. If these components fail, it would effectively shut down a vital water supply for northern Montana. It could also endanger water rights settlements that rely on water delivered from the project.

On September 26, 2019, Alliance for the Wild Rockies announced a 60-day Notice of Intent to sue the Department of Interior for bull trout deaths.

If a take permit is not obtained by April 1, 2020, Alliance for the Wild Rockies will file suit.

While the Fish and Wildlife Service is working on the permit, the underlying problem is the infrastructure in disrepair. This litigation threat accelerated the need for the diversion structure design and construction.

The state of Montana has already authorized 50 million dollars to update the St. Mary's Diversion, but funds must have a federal match.

While I have legislation that would authorize a change in the cost share, federal funds for the diversion structure are needed as soon as possible.

This is one of the most pressing infrastructure needs in Montana.

On another note, I introduced H.R. 967, the Clean Water for Rural Communities Act with Senators Tester and Daines.

The bill supports two Bureau of Reclamation rural water projects:

First, it authorizes the Musselshell Judith Rural Water System. The planning process mandated under the 2006 Rural Water Supply Act is complete. The project was deemed "fully feasible" by Reclamation in 2016, but still needs Congressional action.

Once funded, this water system could be built in two years. This water system will serve around 5,000 people in Central Montana.

Second, it authorizes Reclamation to finalize the Feasibility Study for the Dry-Redwater Regional Water Authority System in Eastern Montana and a part of North Dakota. The project would provide clean drinking water to over 30,000 constituents at a maximum federal cost share of \$5 million.

In both cases, Montana has appropriated funds, but cannot begin work until the projects are federally authorized.

H.R. 967 had a legislative hearing in the Natural Resources Committee in June, and the Senate bill was reported out of committee last October.

Finally, I ask that you consider H.R. 3471. This bill will ensure the Sidney and Kinsey Irrigation districts continue to receive Project Use Power.

The districts received power under the Pick-Sloan program for almost 75 years.

After renewing contracts nine times, the Bureau of Reclamation decided these districts were ineligible for Project Use Power, threatening over 130 family farms in Eastern Montana.

I ask you to work with me to address this oversight.

Thank you for the opportunity to discuss these matters with your committee.

As the committee works toward a package of legislation that addresses water issues across the country, I urge you to remember issues with the Bureau of Reclamation and the work of the Natural Resources Committee.

I yield back.

Mrs. NAPOLITANO. Thank you for your testimony, sir.

Does any Member have a question of the committee member?

Seeing none, thank you very much.

And I would like to recognize our next witness, the gentleman from Illinois, Mr. Schneider, for 5 minutes.

**TESTIMONY OF HON. BRADLEY SCOTT SCHNEIDER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS**

Mr. SCHNEIDER. Thank you, Madam Chair, for the opportunity to testify before you this morning. I appreciate the chance to advocate on behalf of my district as the subcommittee considers additions to the Water Resources Development Act.

I want to start by talking about climate resiliency. Our region is already seeing the severe impact of climate change. We have faced three 100-year floods in the past 11 years, overwhelming our stormwater management capacity and causing millions in damage throughout our district. As you consider future investments in water resources infrastructure, I urge the committee to make climate resiliency a top priority. Our current infrastructure has already been pushed beyond its capacity, and we know that climate change will only exacerbate these challenges. We must make sure our investments today are mindful of tomorrow's challenges.

Next I want to talk about the Army Corps of Engineers section 219 authority regarding the water-related environmental infrastructure for Lake County. I represent parts of both Cook and Lake Counties. As you may know, Cook County, Illinois, is designated a geographic area eligible for section 219 assistance to help local municipalities with environmental infrastructure. However, Lake County is currently not covered as an eligible area under section 219. I am advocating that the subcommittee consider expanding section 219 authority to include Lake County. With the help of then-Senator Obama, the 2006 WRDA bill included designation of Lake County under section 219, but that legislation never became law. For an area facing increased flooding, designating Lake County under section 219 would help these communities enact long-term solutions to address the issue.

Last, but certainly not least, I would like to discuss the historic high lake levels we are seeing in Lake Michigan and across the Great Lakes system. Currently, Lake Michigan levels are more than 4 feet above average levels, and well above records set in the late 1980s. The Army Corps projects that lake levels are expected to remain at historic highs in the coming 4 to 5 months. High lake levels alone are cause for concern, in terms of increased erosion and property damage. Now combined with fierce winter storms like those seen in my community in January, the damage to both public and private property is significant. In one community alone, the Park District of Highland Park estimates recent damage to public property along its shoreline to be as much as \$1.1 million.

As the subcommittee considers investments in the Great Lakes region, I encourage you to think about the significant impact high lake levels are having on shoreline communities like mine. I strongly support funding to address the damage wrought by high lake levels, and invest in long-term approaches to prevent this damage in the future.

Thank you for the opportunity to advocate on behalf of my district today, and I yield back.

[Mr. Schneider's prepared statement follows:]

**Prepared Statement of Hon. Bradley Scott Schneider, a Representative in  
Congress from the State of Illinois**

Thank you, Madam Chair, for the opportunity to testify. I appreciate the chance to advocate on behalf of my district as the subcommittee considers additions to the Water Resource Development Act.

First, I want to talk about climate resiliency. Our region is already seeing the severe impact of climate change. We have faced three 100-year floods in the past twelve years, overwhelming our water infrastructure and causing millions in damage. As you consider future investments in our water resources and infrastructure, I urge the subcommittee to make climate resiliency a top priority. Our current infrastructure has already been pushed beyond its capacity—and we know that climate change will only exacerbate this challenge. We need to make sure our investments today are mindful of tomorrow's challenges.

Second, I want to talk about the Army Corps of Engineers' Section 219 authority regarding water-related environmental infrastructure for Lake County. I represent parts of both Cook and Lake Counties. As you may know, Cook County, Illinois is a designated geographic area eligible for Section 219 assistance to help local municipalities with environmental infrastructure. However, Lake County is not currently covered as an eligible area under Section 219. I am advocating that the subcommittee consider expanding Section 219 authority to include Lake County. With the help of then-Senator Obama, the 2006 WRDA bill included designation of Lake County under Section 219—but that legislation never became law. For an area facing increased flooding, designating Lake County under Section 219 would help these communities enact long-term solutions to address the issue.

Finally, I would like to discuss the historic lake levels we are seeing in Lake Michigan and across the Great Lakes system. Currently, Lake Michigan levels are more than four-feet above average levels and well above records set in the late-1980s. The Army Corps projects that lake levels are expected to remain at historic highs in the coming four to five months. High lake levels alone are cause for concern—in terms of increased erosion and property damage—but when combined with fierce winter storms like those seen in my community in January, the damage to both public and private property can be significant. In one community alone, the Park District of Highland Park estimates damage to public property along the shoreline to be as much as \$1.1 million. As the subcommittee considers investments in the Great Lakes region, I encourage you to think about the significant impact high lake levels are having for shoreline communities like mine. I strongly support funding to address the damage wrought by high lake levels and invest in long-term approaches to prevent this damage in the future.

Thank you for the opportunity to advocate on behalf of my district. I yield back.

Mrs. NAPOLITANO. Thank you for your testimony, sir.

Does any Member wish to question?

Seeing none, I would like to recognize Ranking Member Westerman to recognize the next witness.

Mr. WESTERMAN. Thank you, Madam Chair. And I would like to recognize our next witness, the gentleman from Florida, Mr. Waltz, for 5 minutes.

**TESTIMONY OF HON. MICHAEL WALTZ, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF FLORIDA**

Mr. WALTZ. Thank you, Chairwoman and Ranking Member, for holding this hearing. I am here today to discuss an issue that is important to every State, including the State of Florida, and consistent with the good work this subcommittee has done already to authorize the Clean Water State Revolving Fund for the first time since 1987.

My testimony today builds on the request that myself and nearly all of my Florida delegation colleagues, both sides of the aisle, have made to the chair and ranking member of the full committee in No-

member of last year to update the Clean Water SRF allotment in legislation that amends the Federal Water Pollution Control Act.

The Clean Water SRF distributes funding to States by what is called the allotment, based on a ratio that was written into law in 1987. And curiously, the Congressional Research Service cannot say definitively what factors Congress back then considered in determining the allotment that goes out to States. And this concern was highlighted in the 2014 WRRDA, which directed the EPA to report back to Congress with recommendations on how the allotment should be modernized.

That EPA report clearly stated that the 1987 allotment is insufficient for modern purposes of distributing funds to States, and the report states that, “most states do not currently receive appropriated funds in proportion to their reported needs or population, which demonstrates the inadequacy of the current allotment.”

Subsequently, the EPA report makes recommendations to Congress on options for modernizing the allotment, which is why I am here today. Congressman Anthony Brown and myself have reviewed these recommendations and introduced H.R. 5628, the Clean Water Allotment Modernization Act. Our proposal has several members of this committee as cosponsors, and has been endorsed by the Florida Department of Environmental Protection. And Senators Rubio and Scott have introduced identical legislation in the Senate. And it is a top priority for Senator Rubio in this WRDA cycle.

Our proposal requires EPA to update the allotment to reflect the most recent census data, the Clean Watersheds Needs Survey, and the water quality attainment ratio. That is kind of point one.

Point two, our proposal, moving forward, requires the EPA to update the allotment within a year of the Clean Watersheds Needs Survey to avoid the situation in the future.

It also, I want to point out, should not score. It should have zero budgetary effect on Federal spending.

And finally, the proposal includes a transition floor so States will not receive a decrease from their current allotment of any more than 5 percent. And this floor is included, in case funding for the program remains stagnant. But however, as the committee knows, the floor becomes obsolete under the authorization levels in H.R. 1497, the Water Quality Protection and Job Creation Act of 2019, which this committee marked up and passed in October 2019. And the authorization level for the program, it increases the authorization for the program by 46 percent in year 1, and doubles the authorization over 5 years.

So if the allotment is updated concurrently, every single State would see an increase in funding by over 9 percent in year 1. This would mean nearly a 300-percent increase for States like Florida, Louisiana, and Arizona, which have seen their populations nearly double, with dramatic increases in water infrastructure needs. California and Maryland would see a 72-percent increase. Oregon and Texas see a 50-percent increase. I could go on. Nearly a 20-percent increase for Missouri.

For the same reasons that it is good Government to reauthorize programs that have not seen a reauthorization in three decades, it is good policy for the Congress to review and modernize how the



resources are distributed. And it doesn't make sense to double the authorization level for a program without considering how and where those resources are to be disbursed. So it is time to update this program. It is a 30-year-old formula.

A few quick points. My proposal amends the Federal Water Pollution Control Act, known as the Clean Water Act. I understand that the House passed versions of the previous three WRDA bills in 2014, 2016, and 2018, did not amend the Clean Water Act. However, it is important to note the Senate versions of WRDA in the previous three cycles did amend the Clean Water Act.

So, at the end of the day, what is signed into law amends the Clean Water Act. And for this reason I respectfully ask the committee to support this legislation, and let's not get caught up in jurisdictional issues when the final bill makes these arbitrary.

In closing, I ask the chairwoman, ranking member, the full committee, and the subcommittee to update this 30-year-old problem. And thank you very much.

I yield back any time that I don't have.

[Mr. Waltz's prepared statement follows:]

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**Prepared Statement of Hon. Michael Waltz, a Representative in Congress  
from the State of Florida**

Thank you, Chairwoman Napolitano and Ranking Member Westerman, for holding this Members' Day hearing on Water Resources Development Act proposals.

I am here to discuss an issue that is important to many states, including the State of Florida, and consistent with the good work this subcommittee has already done to authorize the Clean Water State Revolving Fund (Clean Water SRF) for the first time since 1987.

The Clean Water SRF distributes funding to states by what is called the allotment, based on a ratio that was written into the law in 1987.

Curiously enough, the Congressional Research Service cannot say definitively what factors Congress considered in determining the allotment to states in 1987.

This concern was identified in the 2014 Water Resources Development Act, which directed the Environmental Protection Agency (EPA) to report to Congress with recommendations on how the allotment could be modernized to reflect current needs of states.

That EPA report titled *Review of the Allotment of the Clean Water State Revolving Fund* (Report), clearly stated that the 1987 allotment is insufficient for the purposes of distributing funds to states.

The report states, quote: "Most states do not currently receive appropriated funds in proportion to their reported needs or population, which demonstrates the inadequacy of the current allotment."

Subsequently, the Report makes recommendations to Congress on options for modernizing the allotment—which is why I am here today.

Congressman Anthony Brown and myself have reviewed EPA's recommendations and introduced H.R. 5628, the Clean Water Allotment Modernization Act.

The proposal has 16 cosponsors, including 4 members of the Transportation and Infrastructure Committee.

Senators Rubio and Rick Scott have introduced companion legislation.

Our proposal requires EPA to update the allotment to reflect the most recent census data, Clean Watersheds Needs Survey, and water quality attainment ratio.

Moving forward, the EPA would be required to update the allotment one year after issuance of the Clean Watersheds Needs Survey to avoid this situation in the future.

The proposal includes a transition floor so states will not receive a decrease from their current allotment of more than 5%.

This floor was included in case funding for the program remains stagnant.

However, the floor becomes obsolete under the authorization levels in H.R. 1497, the Water Quality Protection and Job Creation Act of 2019, which this committee marked up and passed in October of 2019.

H.R. 1497 is the first authorization of the program since 1987 and increases the authorization level of the program by 46% in year one and doubles the authorization over five years.

If the allotment is updated concurrently, every state would see an increase in funding by over 9% in year one.

This would mean a nearly 300% increase for states like Florida, Louisiana, and Arizona, a 72% increase for California, a 50% increase for Oregon, a 50% increase for Texas, and a nearly 20% increase for Missouri.

For the same reasons that it is good government to reauthorize programs that have not been authorized in three decades, it is good policy to modernize how the program disburses resources to states.

Alternatively, it would be misguided policy to double the authorization level for a program without considering how and where those resources are disbursed.

I want to take a moment and clarify a few points.

My proposal amends the Federal Water Pollution Control Act, or the Clean Water Act.

I understand that the House passed versions of the previous three WRDA cycles, 2014, 2016, and 2018 did not amend the Clean Water Act.

I also understand that the Senate versions of WRDA in the three previous cycles did amend the Clean Water Act.

Therefore, the last three versions of WRDA that were signed into law amended the Clean Water Act.

For this reason, I respectfully ask the committee not to undermine House proposals like the Clean Water Allotment Modernization Act and Water Quality Protection and Job Creation Act of 2019 for jurisdictional reasons that are arbitrary to the final bill.

In my communication with clean water stakeholders on my proposal, I have not found anyone who disagrees that the allotment is antiquated and insufficient.

Also as a result of these conversations, it has been raised that EPA's Needs Survey currently does not impact allocation of federal resources and therefore some states do not allocate adequate resources to it.

I submit to the committee that the Needs Survey should have any impact on the Clean Water SRF allotment and if states are serious about water quality, they would be assessing the condition of their infrastructure.

However, I am open to working with the committee and states on a workable solution to this concern.

Finally, I ask Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano, and Ranking Member Westerman to work with me on an update to this 30 year old problem and to know that I am flexible and open on how we accomplish this objective in a way that works for all states.

Thank you and I yield back the remainder of my time.

Mrs. NAPOLITANO. Thank you for your testimony. And I now recognize Mr. Mast for a question he has.

Mr. MAST. Thank you, Chairwoman, I appreciate it. I want to echo my Florida colleague, Mr. Waltz, about the importance of modernizing the Clean Water State Revolving Fund allotment to reflect current population infrastructure needs, water attainment nationwide. It seems very reasonable that, if Congress is going to invest in the Clean Water State Revolving Fund by doubling the authorization, that it be done as wisely as possible. I would be surprised if any of my colleagues disagreed with that.

It is concerning to me, as well, that the laws from three decades ago that outline how the EPA is going to spend \$1.6 billion, potentially \$3.2 billion—and so I am a cosponsor of this legislation. I think it is good.

I would ask Chairwoman Napolitano, Ranking Member Westerman, Chairman DeFazio, please work with us on this piece of legislation to address that allotment.

And it is here where my question lies for you, Mr. Waltz. While the Clean Water State Revolving Fund, it has impact on the Florida Everglades water quality, can you clarify the type of projects that the EPA's Clean Water State Revolving Fund financing is

used for in Florida versus that of the south Florida ecosystem restoration that the President requested of \$250 million in his budget request? Can you identify those?

Mr. WALTZ. Sure. I mean the primary use—and just to clarify—this is so municipalities can get below-market financing for, you know, using these funds.

And again, everyone is going to gain with the increase in the total authorization. It is—but I can't imagine doubling, as you said, Congressman, doubling this authorization and not adjusting a 30-year-old formula to reflect population needs.

But Florida, the main thing where it would be used for us is Florida developed very rapidly in the 1960s and 1970s, and primarily that development was on septic tanks. Those septic tanks are old. They are often not replaced. When they are replaced, it is at a tremendous cost to the homeowner. And the bottom line is wastewater runoff, septic-to-sewer, all of those pieces are what this would be used for. And it would be tremendously helpful.

Mrs. NAPOLITANO. Your time is up.

Mr. MAST. Thank you, Chairwoman. I appreciate it.

Mrs. NAPOLITANO. You are very welcome.

And thank you for your testimony.

And now we move on to Mr. Scott, recognized for 5 minutes.

**TESTIMONY OF HON. ROBERT C. "BOBBY" SCOTT, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA**

Mr. SCOTT. Thank you, Madam Chair, Ranking Member, members of the committee. Thank you for the opportunity to discuss the priorities of Virginia's Third Congressional District in the upcoming Water Resources Development Act. I represent the Third Congressional District of Virginia, where the Chesapeake Bay meets the James, Nansemond, and Elizabeth Rivers, and where there are both challenges and opportunities.

The U.S. Army Corps of Engineers has worked to keep America's waterways and ports open to trade, while working with our communities to ensure that they can continue to live with the water that surrounds their community.

My district is home for the Port of Virginia, which is one of the largest and busiest ports on the eastern seaboard. Ninety-five percent of our Nation's trade moves by water, so it is essential that the port is able to maintain operations.

The Third Congressional District is also home to multiple shipyards and neighbors the Norfolk Naval Station, the largest naval base in the United States. These waterways are essential to our community.

I would like to take a moment to thank the committee for your work on the Port of Virginia. The port is tied to nearly 10 percent of the jobs, and responsible for \$40 billion in economic activity in the Commonwealth of Virginia. It is critical to our financial well-being that we ensure that the port is able to handle the increasing number and size of containerships.

The port and the Army Corps of Engineers have undertaken dredging and widening and deepening of the Norfolk Harbor to enable safe and efficient two-way passage of the new, larger contain-

erships. This project requires a New Start designation to keep the project timeline intact, and that is a specific ask. We need a New Start designation to keep the project timeline intact.

My district is also home for the city of Norfolk, which has been a leader in ensuring that the city can manage the surrounding rising water, and is already serving as an example for other municipalities working to adapt. Unfortunately, due to climate-driven sea-level rise, compounded by historic land subsistence in the region, the waterways pose a serious risk. Some studies estimate that the rise may be as much as 7 feet by the year 2100. The Hampton Roads region, therefore, is the second largest population center at risk of sea-level rise, right behind New Orleans.

High tides, nor'easters, and hurricanes exacerbate the risk of flooding. And the city is the home of the Norfolk Naval Station, as I mentioned, and numerous other Federal and military installations. So the recurring flooding poses a severe national security risk. State and local officials in Virginia already appreciate the significant threats sea-level rise poses to Hampton Roads.

Unfortunately, the cost to proactively and aggressively address the problem is far too great for any one city by itself. Norfolk has already begun to spend some substantial sums of money to study its recurring flooding issues and implement resilient infrastructure where feasible. The scope of the entire project to actually address the problem is expected to total in the billions of dollars. And that is why I am appreciative of the committee's action of including resiliency initiatives in your infrastructure proposal.

The city of Norfolk is identified as a high-risk area for coastal storm flooding, and engaged in the storm risk management study with the Army Corps of Engineers. The subsequent report and plan will reduce storm risk and protect Norfolk. The project is ready to move into preconstruction engineering design, PED, and construction phase of the recommended plan, and requires authorization from Congress. That is another specific ask; we need the specific authorization for Congress, so that that project can move forward.

Madam Chair, I thank you for allowing me the opportunity to discuss the priorities of the Third Congressional District, and I look forward to working with you to ensure these projects are included in order for the critical work of Hampton Roads to continue.

I thank you, Madam Chair, and I yield back.

[Mr. Scott's prepared statement follows:]

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**Prepared Statement of Hon. Robert C. "Bobby" Scott, a Representative in  
Congress from the Commonwealth of Virginia**

Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano, Ranking Member Westerman and members of the Transportation and Infrastructure Committee, thank you for providing me this opportunity to discuss the priorities of Virginia's third district in the upcoming Water Resources and Development (WRDA) Act.

I represent the 3rd congressional district of Virginia where the Chesapeake Bay meets the James, Nansemond, and Elizabeth Rivers, and where there are both challenges and opportunities. The U.S. Army Corps of Engineers has worked to keep America's waterways and ports open to trade, while working with our communities to ensure that they can continue to live with the water that surrounds our community. My district is home to the Port of Virginia which is one of the largest and busiest ports on the eastern seaboard. With 95 percent of our nation's trade moving by

water, it is essential that the port is able to maintain operations. The 3rd district is also home to multiple shipyards and neighbors Norfolk Naval Station, the largest naval base in the U.S. These waterways are essential to our community.

I would like to take a moment to thank the Committee for their work with the Port of Virginia. The Port of Virginia is tied to nearly ten percent of jobs and is responsible for nearly \$40 billion in economic activity in the Commonwealth of Virginia. It is critical to our financial well-being that we ensure that the Port is able to handle to the increased number and size of containers. The Port and the Army Corps of Engineers have undertaken the dredging and widening and deepening of the Norfolk Harbor to enable safe and efficient two-way passage of the new larger container ships. The project will require a New Start designation to keep the projected timeline intact.

My district is also home to the City of Norfolk, which has been a leader in ensuring that their city can manage the surrounding rising water and is already serving as an example to other municipalities working to adapt. Unfortunately, due to climate-driven sea level rise, compounded by historic land subsidence in the region, these waterways pose a serious risk. Some studies estimate this rise to be as much as 7 feet by the year 2100, the Hampton Roads region is the second largest population center at risk from sea level rise in the nation, behind only New Orleans. High tides, nor'easters, and hurricanes exacerbate the risk of flooding in the City of Norfolk and the region. As the home of Naval Station Norfolk and numerous other federal and military facilities, this recurrent flooding also poses a severe national security risk.

State and local elected officials in Virginia already appreciate the significant threat sea level rise poses to Hampton Roads. Unfortunately, the cost to proactively and aggressively address this problem head-on is far too great for any city to bear by itself. While Norfolk has already spent considerable sums of money to study its recurrent flooding issues and implement resilient infrastructure where feasible, the scope of the entire project to actually address the problem is expected to total in the billions of dollars. That is why I am appreciative of the Committee's inclusion of resiliency initiatives in your infrastructure proposal.

The City of Norfolk was identified as a high-risk area for coastal storm flooding and engaged in a Storm Risk Management Study with the Army Corps of Engineers. The subsequent report and plan will reduce the storm risk and protect Norfolk. The project is ready to move into the Preconstruction Engineering Design (PED) and construction phase of the recommended plan and requires authorization from Congress.

Ms. Chairman, thank you again for allowing me the opportunity to share my priorities for the forthcoming Water Resources and Development Act of 2020. I look forward to working with you to ensure that these projects are included in order for the critical work in Hampton Roads to continue.

Mrs. NAPOLITANO. Thank you for your testimony, Mr. Scott.

Does any member of the committee wish to question?

No?

Seeing none, I now recognize Ranking Member Westerman to recognize our next witness.

Mr. WESTERMAN. Thank you, Madam Chair. And now I would like to recognize our next witness, the gentleman from Georgia, Mr. Carter, who is recognized for 5 minutes.

**TESTIMONY OF HON. EARL L. "BUDDY" CARTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA**

Mr. CARTER OF GEORGIA. Well, I thank the ranking member and thank you, Madam Chair, for this opportunity to present to you.

I have the honor and privilege of representing the First Congressional District of Georgia. The First Congressional District of Georgia includes the entire coast of Georgia, over 110 miles of pristine coastline that includes barrier islands, as well. And that is what I wanted to talk to you about today.

Our economy, particularly in the First Congressional District, is very dependent on a number of different things dealing with the

coast. For instance, the Georgia ports, tourism, seafood, and more. The coastline is integral to our economy and to our quality of life. But unfortunately, our area has been hit by hurricanes in 3 of the last 4 years, and it had another near miss this year with Hurricane Dorian.

Tybee Island is one of those barrier islands that I was referring to earlier, and the city of Tybee Island is taking these natural disasters very seriously, and is a model for cities around the country that are trying to prepare for these weather events. Among other things, the city of Tybee Island is working on a major beach nourishment project that uses Federal funds authorized through WRDA. However, the Corps of Engineers, in its latest cost-benefit analysis study, jeopardizes the project's future beyond 2023.

Because of language in WRDA, the Corps is forced to use an outdated cost-benefit model, which, in Tybee's instance, can only look at damages that might occur during the next 15 years. Tybee, though, won't see damages until 2060, which is largely due to the hard work and financial investments they have been putting into the island in order to protect itself from weather events.

My staff has discussed this issue with the Army Corps of Engineers, the T&I Committee staff, and other Members' offices, and we believe we have some legislative language that can fix this situation. The language specifically authorizes the Secretary to recommend that Congress authorize up to 50 years of nourishment to begin on the date of construction, and adds general study authority to extend the period of nourishment for up to an additional 50 years after expiration of the original authorized period of nourishment.

I will be submitting the full extent of the language, along with other offices for the record, and encourage the committee to include it in this year's version of WRDA.

Simply put, we need to ensure that our communities are becoming more resilient in the face of these storms. But with WRDA's current language on cost-benefit analysis, we are punishing communities who are trying to take those steps.

Again, I want to thank you, Madam Chair. And thank you, Mr. Ranking Member and members of the committee, for allowing me to bring up this very important issue involving the First Congressional District of Georgia.

Over 110 miles of pristine coastline with barrier islands, our economy is dependent on our coastline. We have seen changes in the weather. We have seen the impact of storms, of weather events, we have been doing our part. The city of Tybee Island has been doing their part in preparing for this. They should not be penalized for simply being prepared. And that is what is happening here, because they are being penalized because of outdated language. And this is what our legislation tries to do, to update that language, to make it applicable to what is happening today.

So I thank you, Madam Chair, for this opportunity to present before the committee today.

[Mr. Carter of Georgia's prepared statement follows:]

**Prepared Statement of Hon. Earl L. “Buddy” Carter, a Representative in  
Congress from the State of Georgia**

Good morning and thank you for letting me testify in front of the Committee today.

I have the honor and privilege of representing the First Congressional District of Georgia which contains all 110 miles of the State’s coastline.

Between the Georgia ports, tourism, seafood, and more, the coastline is integral to our economy and quality of life.

But unfortunately, our area has been hit by hurricanes in each of the last 3 years with another near miss this year by Hurricane Dorian.

The City of Tybee Island is taking these natural disasters very seriously and is a model for cities around the country that are trying to prepare for these weather events.

Among other things, the City is working on a major beach renourishment project that uses federal funds authorized through WRDA.

However, the Corps of Engineers, in its latest cost/benefit analysis study, jeopardizes the project’s future beyond 2023.

Because of language in WRDA, the Corps is forced to use an outdated cost/benefit model which, in Tybee’s case, can only look at damages that might occur within the next 15 years.

Tybee, though, won’t see damages until 2060 which is largely due to the hard work, and financial investments, they have been putting into the island in order to protect itself from weather events.

My staff has discussed this issue with the Army Corps of Engineers, T&I Committee staff, and other Member offices and we believe we have some legislative language that can fix this situation.

The language specifically authorizes the Secretary to recommend that Congress authorize up to 50 years of nourishment to begin on the date of construction and adds general study authority to extend the period of nourishment for up to an additional 50 years after expiration of the original authorized period of nourishment.

I will be submitting the full extent of the language along with other offices for the record and encourage the Committee to include it in this year’s version of WRDA.

Simply put, we need to ensure that our communities are becoming more resilient in the face of these storms, but with WRDA’s current language on cost/benefit analyses, we are punishing communities who are trying to take those steps.

Thank you, again, for the opportunity to speak today.

Mrs. NAPOLITANO. Thank you, sir, for your testimony.

Do you have any questions of the witness?

Seeing none, I now wish to recognize our next witness, the gentleman from the beautiful State of California, Mr. Schiff, for 5 minutes.

**TESTIMONY OF HON. ADAM B. SCHIFF, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. SCHIFF. Thank you, Madam Chair and Ranking Member Westerman, for the opportunity to testify at this Members’ Day hearing on proposals for a Water Resources Development Act of 2020.

One of the U.S. Army Corps of Engineers’ important missions is to plan, design, and build projects to restore aquatic ecosystems across the country. In my district, in California, the Corps is currently undertaking planning and design work to begin restoring an 11-mile stretch of Los Angeles River. This project, decades in the making, will restore the river’s original natural beauty, and revitalize over 700 acres of aquatic ecosystem to provide much-needed green space for wildlife and residents alike.

I am thrilled that the Corps included significant funding for the L.A. River in its workplan in fiscal year 2020, and will continue

working with the city of Los Angeles and the Corps to build further momentum on the project.

At the same time, I have also heard from many constituents and community organizations in my district over the past several years who have shared concerns regarding the health and safety implications of using the herbicide glyphosate, commonly known by its trade name, Roundup, in the L.A. River, as well as on other federally managed lands. Many State and local governments have reviewed the medical research on human exposure to glyphosate, and have limited or banned its use.

The State of California has added glyphosate to its Prop 65 list of chemicals known to cause cancer, and the county of Los Angeles recently prohibited county departments from using the chemical. International expert bodies have similarly linked glyphosate to cancer, including the World Health Organization's International Agency for Research on Cancer, which found the chemical "probably" causes cancer.

I believe that Federal agencies should always strive to respect the desires of the local communities in which they work, particularly when using potentially harmful chemicals on public lands. I repeatedly called on the Army Corps to cease using glyphosate in the L.A. River, and have proposed amendments to appropriations legislation to require the Corps to do so.

The Corps and other Federal agencies should continue to seek out alternative vegetation management procedures that do not require the use of potentially harmful chemicals, and use these procedures to the maximum extent possible. However, I also recognize that the Corps uses glyphosate to manage vegetation, in part to reduce flood risk, an essential task, and that in certain situations an appropriate alternative may not be immediately available.

Accordingly, the committee should include in the Water Resources Development Act of 2020 language to restrict the use of glyphosate within aquatic ecosystem restoration projects, including the L.A. River, and other similarly sensitive ecosystems around the country, except in cases where both the Corps and the local non-Federal sponsor concur that using the chemical is necessary to address an immediate threat to human health or the environment. This balanced approach would ensure that the Corps respects local wishes regarding use of chemicals in public lands, while also providing flexibility in cases where alternatives are not available.

I urge the committee to consider such a provision as it drafts a Water Resources Development Act of 2020, and I remain committed to supporting the Corps' important work in maintaining and restoring the L.A. River.

Thank you for your work on this legislation and your attention to my requests.

[Mr. Schiff's prepared statement follows:]



**Prepared Statement of Hon. Adam B. Schiff, a Representative in Congress  
from the State of California**

Chair Napolitano and Ranking Member Westerman, thank you for the opportunity to testify at this Member's Day hearing on proposals for a Water Resources Development Act of 2020.

One of the U.S. Army Corps of Engineers' important missions is to plan, design, and build projects to restore aquatic ecosystems across the country. In my district in California, the Corps is currently undertaking planning and design work to begin restoring an 11-mile stretch of the Los Angeles River. This project—decades in the making—will restore the river's original natural beauty and revitalize over 700 acres of aquatic ecosystem to provide much-needed greenspace for wildlife and residents alike.

I am thrilled that the Corps included significant funding for the LA River project in its Work Plan for Fiscal Year 2020, and I will continue working with the City of Los Angeles and the Corps to build further momentum on this project.

At the same time, I have also heard from many constituents and community organizations in my district over the past several years who have shared concerns regarding the health and safety implications of using the herbicide glyphosate (commonly known by its trade name, Roundup) in the Los Angeles River, as well as on other federally managed lands.

Many state and local governments have reviewed the medical research on human exposure to glyphosate and have limited or banned its use. The State of California has added glyphosate to its Proposition 65 list of chemicals known to cause cancer, and the County of Los Angeles recently prohibited County departments from using the chemical. International expert bodies have similarly linked glyphosate to cancer, including the World Health Organization's International Agency for Research on Cancer which has found the chemical "probably" causes cancer.

I believe that Federal agencies should always strive to respect the desires of the local communities in which they work, particularly when using potentially harmful chemicals on public lands. I have repeatedly called on the Army Corps to cease using glyphosate in the Los Angeles River, and have proposed amendments to Appropriations legislation to require the Corps to do so.

The Corps and other federal agencies should continue to seek out alternative vegetation management procedures that do not require the use of potentially harmful chemicals, and use these procedures to the maximum extent possible. However, I also recognize that the Corps uses glyphosate to manage vegetation in part to reduce flood risk—an essential task—and that in certain situations, an appropriate alternative may not be immediately available.

Accordingly, the Committee should include in the Water Resources Development Act of 2020 language to restrict the use of glyphosate within aquatic ecosystem restoration projects—including the Los Angeles River and other similarly sensitive ecosystems around the country—except in cases where both the Corps and the local non-Federal sponsor concur that using the chemical is necessary to address an immediate threat to human health or environment.

This balanced approach would ensure that the Corps respects local wishes regarding the use of chemicals in public lands, while also providing flexibility in cases where alternatives are not available.

I urge the Committee to consider such a provision as it drafts a Water Resources Development Act for 2020, and I remain committed to supporting the Corps' important work maintaining and restoring the Los Angeles River. Thank you for your work on this legislation and your attention to my requests.

Mrs. NAPOLITANO. Thank you very much for your testimony, Mr. Schiff.

And does any Member have a question?

Seeing none, thank you again for your testimony.

Mr. SCHIFF. Thank you, Madam Chair.

Mrs. NAPOLITANO. And this committee will, as we wait for additional Members, the Chair will call recess for a few minutes or until additional Members arrive.

[Recess.]

Mrs. NAPOLITANO. I call the meeting to order. And I would like to recognize the next witness, the gentleman from Pennsylvania, Mr. Thompson, for 5 minutes.

**TESTIMONY OF HON. GLENN THOMPSON, A REPRESENTATIVE  
IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA**

Mr. THOMPSON OF PENNSYLVANIA. Chairwoman Napolitano, Mr. LaMalfa, and members of the House Committee on Transportation and Infrastructure Subcommittee on Water Resources and Environment, thank you. Thank you for providing the opportunity to share my priorities for the Water Resources Development Act of 2020.

In order to strengthen and maintain water resources in the United States, it is crucial we support programs that invest in water infrastructure needs in our local communities.

I want to start with talking about the Endangered Species Act, which provides for conservation of threatened and endangered plants and animals, as well as habitats. Additionally, legislation established the endangered species list that is maintained by the U.S. Fish and Wildlife Service. It contains all the endangered species found throughout the world. The ESA has brought fundamental conservation practices to our local communities. And while we must continue to improve and strengthen these strategies, we also should strive to provide resources to States and industry to help navigate some of the more nuanced regulations within the ESA.

For example, the Allegheny River and other navigable waters in and around my district need to be dredged in order to prevent flooding, and allow safe passage of vessels, whether it would be commercial or recreational, and obviously, for economic development in our rural communities.

The environmental restoration efforts of these waterways have improved the quality of water to a level where they now sustain populations of endangered mussels. The repopulation of this species is increasing throughout the river, specifically in the riverbed. And it has been brought to my attention that many industry stakeholders have left the region due to prohibitive costs associated with mitigating the endangered mussels, resulting in missed opportunities of jobs and revenues for local communities.

And being good environmental stewards should not be an either/or situation. It is my hope that this committee will explore voluntary conservation plans that provide strong safeguards for these endangered and threatened species, but also create an opportunity for industries to partner with Federal, State, and local governments to address the cost issue and invest in local communities.

I want to also just talk briefly about levee assistance. You know, the Flood Control and Coastal Emergency Act provides the United States Army Corps of Engineers the discretionary authority to undertake activities including disaster preparedness, emergency operations, as well as rehabilitation of areas destroyed or threatened by floods. Under this legislation, local sponsors of a flood control project are required to provide and maintain the necessary land, easements, and rights-of-way necessary to perform the required

construction, and procure all necessary permits prior to any construction activities done by the Army Corps of Engineers.

The local sponsor is also responsible for any operation and maintenance costs incurred by the flood control project, and they must contribute 20 percent of the construction costs for any rehabilitation.

Now, many local sponsors, including those found in my district, specifically Ford City in Armstrong County, Punxsutawney, Pennsylvania, in Jefferson County, are unable to financially meet these requirements to maintain their projects. And due to the lack of financial resources, many of these projects do not achieve a minimally acceptable rating on their biannual inspection to be considered for Army Corps rehabilitation assistance.

Furthermore, FEMA uses these ratings to inform the National Flood Insurance Program when they update flood insurance rates. Since these projects receive an unacceptable rating, FEMA considers these areas unprotected, which results in higher premiums for landowners and local businesses, which is a tremendous drag on the existing local economy, and has real impact on future economic development in these small rural communities.

It is my hope that this committee would consider authorizations that would permit the Army Corps to conduct maintenance on these types of projects. And this would reduce the financial burden on these small communities, reducing barriers to qualify for rehabilitation assistance when needed.

And finally, just a little bit on remote lock operations. The Pittsburgh District of the Army Corps began plans for a pilot project in January 2017 at Grays Landing Lock and Dam, located on the Monongahela River in Fayette County. The goal of this project is to demonstrate the viability of remote lock operation on a large-scale commercial waterway within the inland navigation system.

This project will consist of two phases. Phase 1 will involve remotely controlling the lock from a location onsite that is out of view of the lock. And phase 2 will involve remotely controlling the lock from an offsite location. Automating and remotely operated the locks will significantly reduce operational costs without negatively impacting transit through the inland navigation system by allowing one set of operators in a central location to operate multiple facilities.

Furthermore, reduced operation costs would allow for more flexibility in funding for maintenance and other capital investments.

So the success with this project—I am just asking to be expanded to other locations, including the Upper Allegheny locks, located in Armstrong County, Pennsylvania, where this technology has the potential to increase the availability and the capacity of the locks, and support the other economic drivers, like recreational boating.

I want to thank you, Chairwoman and Ranking Member, and all the members of this committee, for allowing me to bring and express my priorities, as you consider working on WRDA 2020. Thank you so much.

[Mr. Thompson of Pennsylvania's prepared statement follows:]

**Prepared Statement of Hon. Glenn Thompson, a Representative in  
Congress from the Commonwealth of Pennsylvania**

Chairwoman Napolitano, Ranking Member Westerman and Members of the House Committee on Transportation and Infrastructure's Subcommittee on Water Resources and Environment:

Good morning and thank you for providing the opportunity to share my priorities for the Water Resources Development Act of 2020 (WRDA 2020). In order to strengthen and maintain the water resources of the United States, it is crucial we support programs that invest in water infrastructure needs in our local communities.

U.S. FISH AND WILD SERVICES' ENDANGERED SPECIES LIST

The Endangered Species Act (ESA) provides for the conversation of threatened and endangered plants and animals as well as their habitats. Additionally, the legislation established the endangered species list, maintained by the U.S. Fish and Wildlife Service (FWS), which contains all the endangered species found throughout the world. The ESA also requires federal agencies to ensure that any action they carry out does not harm or jeopardize the presence of any listed species or destroys their habitat.

The ESA has brought fundamental conservation practices to our local communities. While we must continue to improve and strengthen these strategies, we should also strive to provide resources to states and industry to help navigate some of the more nuanced regulations within the ESA.

For example, the Allegheny River and other navigable waters in and around my district need to be dredged in order to prevent flooding, allow safe passage of vessels, and for economic development in rural communities. Environmental restoration efforts of these waterways have improved quality of the water to a level that now sustains populations of endangered mussels. The repopulation of this species is increasing throughout the river, specifically in the riverbed. It has been brought to my attention that many industry stakeholders have left the region due to prohibitive costs associated with mitigating the endangered mussels, resulting in missed opportunities of jobs and revenues for local communities.

Being good environmental stewards should not be an "either-or" situation. As we look toward WRDA 2020, it is my hope that the Committee will explore voluntary conservation plans that provide strong safeguards for these endangered and threatened species, but also create an opportunity for industry to partner with federal, state, and local governments to address the cost issue and invest in local communities.

LEVEE ASSISTANCE

The Flood Control and Coastal Emergency Act (PL 84-99) provides the United States Army Corps of Engineers the discretionary authority to undertake activities including disaster preparedness, emergency operations, as well as rehabilitation of areas destroyed or threatened by floods.

Under this legislation, local sponsors of a flood control project are required to provide and maintain the necessary land, easements, and rights-of-way necessary to perform the required construction and must secure all necessary permits prior to any construction activities done by the Army Corps of Engineers. The local sponsor is also responsible for any operation and maintenance cost incurred by the flood control project and must contribute 20 percent of the construction cost for any rehabilitation.

It is my understanding that many local sponsors, including those found in my district, specifically Ford City, PA and Punxsutawney, PA, are unable to financially meet these requirements to maintain their projects. Due to the lack of financial resources, many of these projects do not achieve a minimally acceptable rating on their inspection, which is done on a biannual basis by the Army Corps, to be considered for Army Corps rehabilitation assistance. Furthermore, FEMA uses these ratings to inform the National Flood Insurance Program when they update flood insurance rates. Since these projects receive an unacceptable rating, FEMA considers these areas unprotected, which results in higher premiums for homeowners and local businesses. This is a drag on the existing local economy and has real impacts on future economic development in these small, rural communities.

It is my hope that the Committee considers authorizations which permit the Army Corp to conduct maintenance on these types of projects. This would reduce the fi-

nancial burden on these small communities to sustain operations and receive acceptable ratings from USACE in order to qualify for rehabilitation assistance when needed.

#### REMOTE LOCK OPERATIONS

The Pittsburgh District of the Army Corps began plans for a pilot project in January 2017 at Gray's Landing Lock and Dam, located along the Monongahela River in Fayette County, PA. The goal of this project is to demonstrate the viability of remote lock operations on a large-scale commercial waterway within the inland navigation system.

This project will consist of two phases. Phase I will involve remotely controlling the lock from a location onsite that is out of view of the lock. Phase II will then involve remotely controlling the lock from an offsite location. Automating and remotely operating locks will significantly reduce operation costs without negatively impacting transit through the inland navigation system by allowing one set of operators in a central location to operate multiple facilities. Furthermore, the reduced operation costs would allow for more flexibility in funding for maintenance and other capital investments.

If successful, this project should be expanded to other locations, including the Upper Allegheny Locks located in Armstrong County, PA, where this technology has the potential to increase the availability and capacity of the locks and support other economic drivers, like recreational boating, in the surrounding counties.

Again, thank you to Chairwoman Napolitano, Ranking Member Westerman, and Members of this Subcommittee for allowing me to express my priorities for WRDA 2020. I appreciate your consideration and look forward to working together on these and other issues.

Mrs. NAPOLITANO. Thank you for your testimony, sir.

Does any Member have a question?

Seeing none, we move on to the next witness.

I would now like to recognize the gentleman from Kentucky, Mr. Comer, for 5 minutes.

#### **TESTIMONY OF HON. JAMES COMER, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF KENTUCKY**

Mr. COMER. Thank you, Madam Chair, Ranking Member LaMalfa, and members of the subcommittee. Thank you for the opportunity to speak with you today. I represent the First Congressional District of Kentucky, which is home to Paducah, which serves as a major hub of the inland waterway system due to its strategic location on the confluence of the Ohio and Tennessee Rivers.

Kentucky's river industry alone moves around 100 million tons of cargo per year, with a combined value of over \$10 billion. Our waterways provide a safe and efficient way to transport the commodities that America needs, from coal and petroleum, to chemicals and other hazardous materials, to grains and other agricultural products like those grown and used in my district.

Unfortunately, the majority of our waterways infrastructure is over 50 years old, and we are beginning to pay the price. This includes levees needed for flood protection, locks and dams that support navigation and hydropower generation, and countless other projects necessary to transit the inland waterway system. These major infrastructure projects are strategic investments in the future of our Nation's infrastructure, and Americans deserve consistent, stable Federal funding in order to capitalize on our highly skilled workforce and foster further industrial development.

As Congress considers components of a WRDA reauthorization, I want to voice my support for conforming the cost share for new

construction and major rehabilitation projects on the inland waterways transportation system. I support adjusting the cost share to 25 percent Inland Waterways Trust Fund and 75 percent general funds for Inland Waterways Trust Fund construction projects. This adjustment will allow the inland waterways construction portfolio of 23 projects to be completed in 20 years, instead of the current expected completion of 40 years.

Another issue that I would like to discuss today is a threat to not just my congressional district, but our entire inland waterway system. That threat is the Asian carp. This species was brought to the United States decades ago, soon entered our major waterways, and have since spread to a considerable portion of our country's interior river system.

Lake Barkley and Kentucky Lake in my congressional district are home to some of the top outdoor recreation sites in all of Kentucky. Boating, camping, fishing, and other activities have an estimated \$1.2 billion economic impact on the region. However, Asian carp is threatening our tourism economy. These invasive fish are known to jump out of the water at the sound of approaching boats, striking boaters and skiers. They also eat the food sources of native fish species. The explosion of carp is driving boaters and fishermen away from our region.

As an example, Asian carp are ruining the annual fishing tournaments that draw hundreds of visitors to the area and infuse millions of dollars into the local economy. While progress has been made, we must still continue to work to eradicate Asian carp and prioritize resources to fight this invasive species.

Additionally, I would like to express my support for the Harbor Maintenance Trust Fund, which is used by river ports such as the Hickman-Fulton County Riverport Authority for vital dredging.

I look forward to continuing work with my colleagues in Congress to provide resources for completion of these high-priority investments in our waterways infrastructure, and I appreciate the opportunity to relay these priorities to you today.

Thank you, Madam Chair.

[Mr. Comer's prepared statement follows:]

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**Prepared Statement of Hon. James Comer, a Representative in Congress  
from the Commonwealth of Kentucky**

Chairman Napolitano, Ranking Member Westerman, and Members of the Subcommittee, thank you for the opportunity to speak with you today.

I represent the 1st Congressional District of Kentucky, which is home to Paducah which serves as a major hub of the inland waterways system due to its strategic location at the confluence of the Ohio and Tennessee rivers. Kentucky's river industry alone moves around 100 million tons of cargo per year with a combined value of over \$10 billion. Our waterways provide a safe and efficient way to transport the commodities that America needs—from coal and petroleum, to chemicals and other hazardous materials, to grains and other agricultural products like those grown and used in my district.

Unfortunately, the majority of our waterways infrastructure is over fifty years old and we are beginning to pay the price. This includes levees needed for flood protection, locks and dams that support navigation and hydropower generation, and countless other projects necessary to transit the inland waterways system. These major infrastructure projects are strategic investments in the future of our nation's infrastructure, and Americans deserve consistent, stable federal funding in order to capitalize on our highly skilled workforce and foster further industrial development.

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Additionally, I would like to express my support for the Harbor Maintenance Trust Fund, which is used by Riverports such as the Hickman-Fulton County Riverport Authority for vital dredging.

I look forward to continuing to work with my colleagues in Congress to provide resources for completion of these high-priority investments in our waterways infrastructure, and I appreciate the opportunity to relay these priorities to you today.

Mrs. NAPOLITANO. Thank you for your testimony, sir.

Does any Member have a question?

Seeing none, thank you very much.

I would like to recognize our next witness, the gentleman from Pennsylvania, Mr. Keller, for 5 minutes.

**TESTIMONY OF HON. FRED KELLER, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA**

Mr. KELLER. Thank you, Madam Chair, and thank you, Ranking Member. I appreciate the opportunity to testify today.

Authorization of the Water Resources Development Act for needed upgrades to the Greater Williamsport levee in Pennsylvania's 12th Congressional District can literally save lives, as well as hundreds of millions of dollars of economic assets.

As you may know, Williamsport, Pennsylvania, is home to Little League Baseball and the Little League World Series. But what you may not know is that the amazing event, which attracts tens of thousands of visitors each year from around the world, and millions of viewers on television, sits directly in the path of a devastating flood zone. This area is protected only by a levee in need of serious rehabilitation and improvements. This levee, built in the 1950s by the Army Corps of Engineers, has protected this region ever since.

However, after recent inspection by FEMA, large sections of the levee have received a rating of unacceptable. Currently, relief wells, cross pipes, and two I-walls are at risk of failure without significant rehabilitation and improvements.

The effects of possible flood are nothing short of devastating. The flood zone behind this 20-mile levee system is responsible for 87 percent of Lycoming County's economic activity, and employs 45 percent of the county's workforce. Just under half of the county's 116,000 residents live in the 4 highest risk jurisdictions. In addition, of the thousands of commercial, industrial, and institutional properties protected by the levee, around half the county's largest employers, including Textron and Shop-Vac, and two institutions of higher education are at risk of major losses. The assessed value of all these properties is nearly three-quarters of a trillion dollars.

Also, almost 4,500 residential properties with a value of \$292 million are also at risk.

With all of this taken together, it is no wonder why the Borough of Williamsport, four other municipalities in the affected region, and the Commonwealth of Pennsylvania have contributed significant local share to this project. We were also pleased to see the levee project was included in the Army Corps of Engineers Chief

Engineer's Report in the main table. Recently we were happy to see the Federal Government contribute \$5.6 million to this very important project through the Economic Development Administration.

While we are off to a good start, additional Federal investment is necessary to see this project through. That is why authorization of the project in the Water Resources Development Act reauthorization is so critical. We cannot allow the home of Little League Baseball to be the home of the next preventable flooding disaster.

We know problems with the levee exist now, and now is the time to act. With challenging and unpredictable weather patterns, one cannot know with certainty when a devastating flood will impact this deteriorated levee system. However, we can control what is in front of us, and that is providing the needed resources in the Water Resources Development Act to complete this project sooner, rather than later.

I urge the committee to include the authorization for this project for the safety of Lycoming County businesses and residents.

I thank the committee, the ranking member, and the chair for allowing me to testify today.

[Mr. Keller's prepared statement follows:]

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**Prepared Statement of Hon. Fred Keller, a Representative in Congress  
from the Commonwealth of Pennsylvania**

Chairman DeFazio, Ranking Member Graves, I want to thank you for the opportunity to testify today.

Authorization in the Water Resources Development Act for needed upgrades to the Greater Williamsport Levee in Pennsylvania's 12th Congressional District can literally save lives as well as hundreds of millions of dollars in economic assets.

As you may know, Williamsport, Pennsylvania is home to Little League Baseball and the Little League World Series.

But what you may not know is that this amazing event, which attracts tens of thousands of visitors each year from around the world and millions of viewers on television, sits directly in the path of a devastating flood zone.

This area is protected only by a levee in need of serious rehabilitation and improvements.

This levee was built in the 1950s by the Army Corps of Engineers and has protected the region ever since.

However, after a recent inspection by FEMA, large sections of the levee received a rating of "unacceptable."

Currently, relief wells, cross pipes, and two I-walls are at risk of failure without significant rehabilitation and improvements.

The effects of a possible flood are nothing short of devastating.

The flood zone behind this 20-mile levee system is responsible for 87 percent of Lycoming County's economic activity, which generates 80 percent of its tax revenues and employs 45 percent of the county's workforce.

Just under half of the county's 116,000 residents live in the four highest-risk jurisdictions.

In addition, of the thousands of commercial, industrial, and institutional properties protected by the levee, around half of the county's largest employers—including Textron and ShopVac—and two institutions of higher education are at risk of major losses.

The assessed value of all of these properties is nearly three quarters of a trillion dollars.

Also 4,400 residential properties with a value of \$292 million are also at risk.

With all of this taken together, it is no wonder why the borough of Williamsport, four other municipalities in the affected region, and the Commonwealth of Pennsylvania have contributed a significant local share to this project.

We were also pleased to see the levee project was included in the Army Corps of Engineers' Chief Engineers Report in the Main Table.



Recently, we were very happy to see the federal government contribute \$5.6 million to this very important project through the Economic Development Administration.

While we are off to a good start, additional federal investment is necessary to see this project through.

That is why authorization of this project in the Water Resources Development Act reauthorization is so critical.

We cannot allow the home of little league baseball to be the home of the next preventable flooding disaster.

We know problems with the levee exist now and now is the time to act.

With challenging and unpredictable weather patterns one cannot know with certainty when a devastating flood will impact this deteriorated levee system.

However, we can control what is in front of us and that is providing the needed resources in the Water Resources Development Act to complete this project sooner rather than later.

I urge the committee to include authorization for this project for the safety of Lycoming County businesses and residents.

Thank you.

Mrs. NAPOLITANO. Thank you for your testimony, sir.

And does any Member have a question of the—none?

So be it. Thank you very much for your testimony, and as we wait for additional Members, the Chair will call for a recess for a few minutes until additional Members arrive.

[Recess.]

Mrs. NAPOLITANO. The meeting is called to order. This hearing is called to order, and I would like to thank Mr. Foster for coming in. I would like to recognize him for 5 minutes. The gentleman from Illinois is on.

#### **TESTIMONY OF HON. BILL FOSTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS**

Mr. FOSTER. Well, good afternoon and thank you, Chairwoman Napolitano and Ranking Member LaMalfa, for holding this Members' Day hearing, and to the members of the subcommittee for allowing me to testify here today.

I am here this morning first to urge project authorization for the Asian carp barrier at Brandon Road Lock and Dam in my district; secondly, to change the local cost-share adjustment for the Brandon Road project; thirdly, to fully support funding for the Army Corps Joliet Flood Mitigation Study, section 205.

Brandon Road Lock and Dam, located in the Des Plaines River in Joliet, Illinois, serves as the last line of defense to prevent the spread of Asian carp and other aquatic nuisance species into the Great Lakes. This invasive species was introduced decades ago in Arkansas, and has now traveled up the Mississippi Basin, and is threatening environmental and economic catastrophe if it reaches the Great Lakes Basin.

The Army Corps has submitted its Chief's Report in May of 2019, and it is now Congress' responsibility to fully authorize and fund this project, and to provide additional authorizations to the Corps to rapidly study and implement additional options and technologies at Brandon Road to improve the efficacy of that barrier.

This project authorization is urgent in order to prevent aquatic nuisance species from passing freely into the Great Lakes, which would damage the economies of the Great Lakes States and the economy of Canada.

Secondly, the construction of Brandon Road, as it moves forward following our authorization of this project, I urge the committee to provide the Corps with additional project authorization to mitigate the disruption of recreational activities in the surrounding area. Specifically, the Brandon Road project, as planned, would disrupt use of the 20-mile bike path that follows the historic Illinois and Michigan Canal downstream, as well as nearby pedestrian and bicycle paths along the Des Plaines River and Hickory Creek.

And to mitigate this damage, Congress should require the Corps to use a small percentage of the project's money to integrate Brandon Road, the Brandon Road project, with the neighboring recreational areas along the I&M Canal, the Des Plaines River, and Hickory Creek. Specifically, this additional money should be used to improve and extend the bike path and walkways along these waterways, and to extend the path over Brandon Road Lock and Dam.

Thirdly, because of the national scope of the threat, and the fact that the carp were introduced in a State hundreds of miles away, we request that the non-Federal cost share be waived for this project. The Asian carp and aquatic nuisance species are traveling up from the southern region of the Mississippi River. And, as a result, it has somehow become the responsibility of Illinois to prevent them from moving into Lake Michigan and the Great Lakes States. The Federal Government, therefore, should pay the full cost of this project.

With these environmental and economic benefits in mind, I urge the committee to include Brandon Road's expanded authorization, including a waiver of the cost share, in WRDA. Or perhaps you could simply just transfer the cost share to Arkansas. Illinois did not create this problem, and we should not be forced to bear the cost of protecting the entire Great Lakes region and Canada.

Finally, I would also like to draw your attention to another project that requires funding in my district, the Army Corps Joliet Flood Mitigation Study. Last year, FEMA placed the downtown portions of the city of Joliet within a flood plain. While FEMA is outside this committee's jurisdiction, FEMA's close coordination with the Army Corps is crucial, and I am gravely concerned that the recent flood plain determination will negatively impact Joliet's effort at downtown revitalization.

Since this decision, the city of Joliet has actively worked with the Army Corps to design and construct a new floodwall, which can be certified as a levee and extend flood protections throughout the downtown. I strongly support ensuring the initial USACE-Joliet study is fully funded, and that the section 205 remediation project funding be directed to the city.

Well, thank you again, and I yield back the balance of my time.  
[Mr. Foster's prepared statement follows:]

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**Prepared Statement of Hon. Bill Foster, a Representative in Congress from  
the State of Illinois**

Good morning, and thank you Chairwoman Napolitano and Ranking Member Westerman for holding this Members' Day and to the members of the subcommittee for allowing me to testify here today.

I am here this morning:

- To urge project authorization for the Brandon Road Lock and Dam in my district.
- To change the cost-share adjustment for Brandon Road.
- To support fully funding the Army Corps Joliet Flood Mitigation Study—Section 205.

Brandon Road Lock and Dam, located along the Des Plaines River in Joliet, Illinois, serves as the last line of defense to prevent the spread of Asian Carp and other Aquatic Nuisance Species into the Great Lakes.

This invasive species was introduced in Arkansas and has now traveled up the Mississippi Basin and is threatening environmental and economic catastrophe if it reaches the Great Lakes.

The Army Corps submitted its Chief's Report in May 2019 and it's now Congress' responsibility to authorize the project, and to provide additional authorization for the Corps to rapidly study and implement options and technologies at Brandon Road that improve the efficacy of the Aquatic Nuisance Species measures similar to the efficacy study authority associated with the electric barrier.

This project authorization is urgent in order to prevent Aquatic Nuisance Species from passing freely into the Great Lakes, which would affect the Great Lakes states' economies.

As the construction of Brandon Road moves forward following our authorization of the project, I urge the committee to provide the Corps with additional project authorization to mitigate disruption to recreational activities in the surrounding area.

Specifically, the Brandon Road project, as planned, would disrupt use of the 20-mile bike path that follows the Illinois & Michigan Canal downstream, as well as nearby pedestrian and bicycle paths along the Des Plaines River and Hickory Creek.

To mitigate this damage, Congress should require the Corps to use a small percentage of the project's money to integrate Brandon Road with the neighboring recreational areas along the I&M Canal, Des Plaines River, and Hickory Creek. Specifically, this money should be used to improve and extend the bike path and walkways along these waterways and extend the path over Brandon Road Lock and Dam.

Because of the national scope of the threat and the fact that the carp were introduced in a state hundreds of miles away, we request that the nonfederal cost share be waived for this project.

The Asian Carp and Aquatic Nuisance Species are traveling from the Southern region of the Mississippi River and as a result, it has become the Great Lake states' responsibility to prevent them from moving closer to Lake Michigan. The federal government therefore needs to pay a larger share of this project.

With these economic and environmental benefits in mind, I urge the committee to include Brandon Road's expanded authorization, including this cost-share waiver, in WRDA.

Illinois did not create this problem, and should not be forced to bear the cost of protecting the entire Great Lakes region.

I would also like to draw to your attention to another project that requires funding in my district—the Army Corps Joliet Flood Mitigation Study.

Last year, FEMA placed the downtown portions of the City of Joliet within a floodplain.

While FEMA is outside of the committee's jurisdiction, FEMA's close coordination with the Army Corps is crucial. I am gravely concerned that the recent floodplain determination will negatively impact Joliet's efforts at downtown revitalization.

Since this decision, the city of Joliet has actively worked with the Army Corps to design and construct a new floodwall, which can be certified as a levee and extend flood protections through downtown.

I strongly support ensuring the initial USACE-Joliet study is fully funded and completed in a timely manner and, that, once certified, that Section 205 remediation project funding be directed to the City.

Thank you again, and I yield back the balance of my time.

Mrs. NAPOLITANO. Thank you very much for your testimony. It is very well put. Thank you, sir.

Are there any questions from the committee?

None?

Seeing none, thank you, sir.

I would like to recognize the next witness, the gentleman from New York, Mr. Higgins, for 5 minutes.

**TESTIMONY OF HON. BRIAN HIGGINS, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF NEW YORK**

Mr. HIGGINS OF NEW YORK. Thank you, Chairwoman, Ranking Member Graves, and members of the committee. Thank you for giving me the opportunity to speak today about the impact that the growth of harmful algae blooms have on the future of communities I represent in western New York.

This committee's consideration of the Water Resources Development Act this year is an opportunity to address this issue aggressively and proactively for communities like mine and across the country. I am hopeful that this bill can prevent communities like mine from seeing progress on water quality reversed due to the lack of readiness to evolving threats in our navigable waterways.

The United States Army Corps of Engineers are the unsung heroes of the United States infrastructure and economic development. Their continued work on the Buffalo River played a major part in its revitalization from its polluted past, which is why today I will highlight the immense impact the Army Corps is poised to have in fighting another threat to our waters, the harmful and rapid increase of algae in Lake Erie. With funding from WRDA, the Corps can deploy innovative technologies to fight this scourge in our environment and communities.

Harmful algae blooms are caused by nutrient runoff, and exist in all 50 States. Blooms plagued the western basin of Lake Erie in 2014. A bloom near Toledo, Ohio, shut down the city's drinking water for 2 entire days in 2019. Another algae bloom grew seven times the size of Cleveland—seven times the size of Cleveland. Scientists predict that the harmful algae bloom problem will continue to worsen, due to climate change.

To preserve our Nation's bodies of waters, especially the Great Lakes, we must prioritize projects for harmful bloom mitigation. One such project is the HABITATS pilot program on Lake Okeechobee in Florida. The float and cut technology of the project is portable, and can be deployed quickly to help lessen the impact of potential blooms. The harvested algae can be recycled to consumer products like running shoes and yoga mats. As described by the Army Corps' report evaluating the pilot project, the data and scalability of the project shows great promise. Ninety-five percent of the algae was removed from the water.

I urge my colleagues to support and prioritize Army Corps efforts, specifically from the Engineer Research and Development Center, to prevent and mitigate harmful algae blooms. Blooms cost the United States an estimated \$1 billion each year. We must deploy preventable measures to avoid spending more time and resources to undo their significant damage.

Thank you, I yield back my time.

[Mr. Higgins of New York's prepared statement follows:]

**Prepared Statement of Hon. Brian Higgins, a Representative in Congress  
from the State of New York**

Chairwoman Napolitano, Ranking Member Graves, Members of the Committee, Thank you for giving me the opportunity to speak today about the impact that the growth of harmful algae blooms will have on the future of the communities I represent in Western New York.

The committee's consideration of the Water Resources Development Act this year is an opportunity to address this issue aggressively and proactively for communities like mine and across the country.

I am hopeful that this bill can prevent communities like mine from seeing progress on water quality reversed due to a lack of readiness to evolving threats in our navigable waterways.

The United States Army Corps of Engineers are the unsung heroes of United States' infrastructure and economic development. Their continued work on the Buffalo River played a major part in its revitalization from its polluted past. Which is why today I will highlight the immense impact the Army Corps is poised to have in fighting another threat to our waters, the harmful and rapid increase in algae in Lake Erie. With funding from WRDA, the Corps can deploy innovative technologies to fight this scourge in our environment and communities.

Harmful algae blooms are caused by nutrient runoff and exist in all fifty states. Blooms plague the western basin of Lake Erie. In 2014, a bloom near Toledo, Ohio shut down the city's drinking water for two entire days. In 2019, another algae bloom grew to seven times the size of Cleveland, seven times the size of Cleveland.

Scientists predict that the harmful algae bloom problem will continue to worsen due to climate change. To preserve our nation's bodies of water, especially the Great Lakes, we must prioritize projects for harmful bloom mitigation.

One such project is the HABITATS pilot program on Lake Okeechobee in Florida. The float and cut technology of the project is portable and can be deployed quickly, to help lessen the impact of potential blooms. The harvested algae can be recycled to consumer products like running shoes and yoga mats.

As described in the Army Corps' report to evaluate the pilot project, the data and scalability of the project shows great promise. Ninety-five percent of the algae was removed from the water.

I urge my colleagues to support and prioritize Army Corps' efforts, specifically from the Engineer Research and Development Center, to prevent and mitigate Harmful Algae Blooms. Blooms cost the United States an estimate of \$1 billion each year. We must deploy preventative measures to avoid spending more time and resources to undo their significant damage. Thank you and I yield back.

Mrs. NAPOLITANO. Thank you for your testimony, Mr. Higgins.

And now I would like to ask if any member of this committee has a question.

Seeing none, thank you very much.

I would like to recognize the next witness, the gentlewoman from California, Ms. Sánchez, for 5 minutes.

**TESTIMONY OF HON. LINDA T. SÁNCHEZ, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. SÁNCHEZ. Thank you, Chairwoman Napolitano and Ranking Member Westerman, for providing this opportunity to testify today on an issue that is extremely important to the safety of the residents of Los Angeles County.

I am so glad to report that the Whittier Narrows Dam in the city of Pico Rivera, California, is in the planning stages for restoration.

The Whittier Narrows Dam—I can't say that 10 times fast—is located in my district, and was built in 1957. It is one of the most crucial elements of flood control infrastructure in southern California. It prevents the San Gabriel and Rio Hondo riverbanks from overflowing during major storm events, which protects millions of downstream residents.

As climate change results in more severe flooding, these events will become more frequent and more extreme. In 2017, the Corps designated Whittier Narrows as one of its highest priority safety projects. The Corps found an unacceptable likelihood of dam malfunctions during severe weather events. Should the dam malfunction, or even fail, the loss of life and economic disruption would be unimaginable.

I was pleased that we were able to get the Corps to include more than \$393 million for the Whittier Narrows Dam Safety and Seepage Program in its budget and workplan. And I am strongly supporting the project in the 2021 appropriations cycle.

As we work together to move the Whittier Narrows Dam Safety project forward, I urge the subcommittee to help mitigate the project's impact on the surrounding community. The city of Pico Rivera, where the dam is located, will be permanently disrupted by the project. It is a built-out city with very little land for recreation and open space. The city leases its parkland from the Corps. Unfortunately, the Corps will have to demolish much of the city's parks and recreation facilities for construction activities and other modifications, including staging of the actual construction.

The city estimates that the resulting cost to the community will be more than \$100 million. While we can all agree that restoring the Whittier Narrows Dam is the highest priority, the project will have a heavy impact on working families in a majority Latino community. I urge the subcommittee to consider the city of Pico Rivera's section 7001 proposal.

I also request the subcommittee work with me to minimize disruption to working families and communities like Pico Rivera as a result of Army Corps projects.

I look forward to welcoming members of the subcommittee to my district next week to hear directly from the Army Corps as to why this project is such a critical project.

Thank you for the opportunity to testify. I appreciate your past and future support of this project, and I yield back the balance of my time.

[Ms. Sánchez's prepared statement follows:]

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**Prepared Statement of Hon. Linda T. Sánchez, a Representative in  
Congress from the State of California**

Chairwoman Napolitano and Ranking Member Westerman, thank you for providing this opportunity to testify today on an issue that is extremely important to the safety of Los Angeles County residents. I want to thank the Chairwoman for partnering with me on the restoration of the Whittier Narrows Dam in the City of Pico Rivera, California.

The Whittier Narrows Dam was built in 1957 and is one of the most crucial elements of flood control infrastructure in Southern California. It prevents the San Gabriel and Río Hondo river banks from overflowing during major storm events which protects millions of downstream residents. As climate change results in more severe flooding, these events will become more frequent and extreme.

In 2017, the Corps designated Whittier Narrows as one of its highest priority safety projects. The Corps found an unacceptable likelihood of dam malfunctions during severe weather events. Should the Dam malfunction or even fail, the disruption and possible loss of life to residents and businesses would be unimaginable.

I was pleased that the Corps included more than \$393 million for the Whittier Narrows Dam Safety and Seepage Program in its Budget and Work Plan. I am

proud to partner once again with the Chairwoman to ensure strong support for the project in the FY2021 appropriations cycle.

As we work together to move the Whittier Narrows Dam safety project forward, I urge the Subcommittee to help mitigate the project's impact on the surrounding community. The City of Pico Rivera, where the Dam is located, will be permanently disrupted by the project. The City leases its park land from the Corps. Unfortunately, the Corps will have to demolish much of the city's parks and recreation facilities for construction activities and other modifications.

The City estimates the cost to the community will be more than \$100 million. While we can all agree that restoring the Whittier Narrows Dam is the highest priority, the project's impact on working families in a majority Latino community will be heavy. I urge the Subcommittee to consider the City of Pico Rivera's Section 7001 proposal. I also request Subcommittee work with me to minimize disruption to working families in communities like Pico Rivera as a result of Army Corps projects.

I look forward to welcoming members of the Subcommittee to Pico Rivera next week to hear directly from the Army Corps of Engineers why this project is critical for millions of people. Thank you for the opportunity to testify. I yield back the balance of my time.

Mrs. NAPOLITANO. Thank you for your testimony.

And does any member of the committee wish to question?

Seeing none, I now would like to recognize our next witness, the gentleman from Tennessee, Mr. Cooper.

Thank you, sir. For 5 minutes.

**TESTIMONY OF HON. JIM COOPER, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF TENNESSEE**

Mr. COOPER. Thank you, Chairwoman Napolitano and Ranking Member LaMalfa.

I have the honor of representing Nashville, Tennessee, one of the most thriving, growing cities in America. Nashville is located on the Cumberland River. And I need your help.

In fact, I am begging for your help, because all I need are three words. I don't need any money. I just need permission for the Army Corps of Engineers to operate the three existing dams that are above Nashville. The only dams above Nashville, right on the Cumberland River, the Old Hickory Dam and the Cordell Hull Dam, I need them to have permission to do flood control storage. Right now those dams are only authorized for navigation and for electrical, and those are fine purposes, but Nashville was devastated by a 2010 flood.

The 10th anniversary is coming up this year, and in the 10 intervening years we have done almost nothing to mitigate the damage the water could cause. We bought some houses, but really no project to help. These are existing dams. They were designed in 1946. No one envisioned climate change. No one envisioned that Nashville would multiply in size. And now we need to use those existing dams for more a flexible purpose, not only to save the city, but actually to help the Army Corps itself, because, as the Corps issued a press release in 2010, we came within 7 inches of the Old Hickory Dam being overtopped. The Corps said if that dam had been overtopped, it could have devastated the city with another 4 feet of water.

So this also gives the Corps management flexibility of existing assets. This is flexibility they need, flexibility they deserve. So let's not keep the Corps in a straitjacket in the Nashville community. Let's give them the freedom to save the city.

I thank the chair, and I yield back the balance of my time.

[Mr. Cooper's prepared statement follows:]

**Prepared Statement of Hon. Jim Cooper, a Representative in Congress  
from the State of Tennessee**

You can solve my problem with no money and three words: "flood control storage."

I represent Nashville, Tennessee, a thriving, fast-growing city on the Cumberland River that lies below two dams, Old Hickory and Cordell Hull, that are not allowed to be used for "flood control storage" under their congressional authorizations. These are so-called "run-of-river" dams that can be used for "flood surcharge storage" but not to mitigate flooding downstream during torrential rainfalls.

Nashville suffered billions of dollars of flood damages in the 2010 flood but, in the ten years since, very little has been done to mitigate the chance of future flooding. The Army Corps of Engineers, Nashville District, has participated in numerous home buyouts and other minor improvements but their proposals for a \$100 million downtown floodwall and a small \$18 million dry dam have not come close to fruition. I am not asking you for any money, only three words that will allow us to better manage our river.

On the tenth anniversary of the catastrophic flood, Nashvillians are naturally asking what has been done to reduce the chance of reoccurrence. By adding these three words to the authorization of the two dams, this Committee can finally give the Corps the flexibility it has long needed to better manage flooding of the Cumberland, the most flood-prone navigable waterway in the United States.

The straight jacket that the Corps has been operating under only allows Old Hickory and Cordell Hull to be used for navigation and hydropower. These are important functions but increasingly outmoded, at least during flood events. There is only one barge customer left above Old Hickory and TVA is easily able to adjust electrical loads. In fact, one of the three turbines at Old Hickory has been down for repairs for some time with few adverse consequences. Power generation must be suspended during flood events anyway.

During heavy rainfall, however, Nashville is in urgent need of having better flood protection all along its 67 miles of river frontage. Below Nashville, Cheatham County is also in need. Allowing these dams to be used for flood control storage could give the Corps the flexibility it needs to protect everyone downstream, as well as the management flexibility it needs to prevent possible over-topping of the dams. During the 2010 flood, the Corps came within 7 inches of overtopping Old Hickory, a tragedy that would have been even more devastating to Nashville. Overtopping would have, according to the Corps, increased flooding by four feet, adding many billions of dollars-worth of damage.

I know that Old Hickory and Cordell Hull were not designed to be flood control dams, and that dock owners on the lakes will not enjoy even a temporary draw-down of lake levels. But lowering lake levels in advance of huge rains will not do any structural harm to the dams but would give the Corps much more margin of error in the event of any unexpected deluge or other unanticipated event. Seven inches is way too close a call for one of America's most dynamic cities. And I am sure that boaters upstream will accept a minor inconvenience if that is the price they pay for saving Nashville in an extraordinary event. I am certain that they would prefer temporary low levels to any tax increase to pay for the catastrophic damage that severe flooding will cause.

Mrs. NAPOLITANO. Well, thank you very much, Mr. Cooper. And it makes sense, but we will see what happens.

Mr. COOPER. Thank you.

Mrs. NAPOLITANO. Thank you. Now I want to know if any member of the committee wishes to question.

No?

Seeing none, I now recognize our next witness, the gentleman from Wisconsin, Mr. Steil.



**TESTIMONY OF HON. BRYAN STEIL, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF WISCONSIN**

Mr. STEIL. Thank you, Chairwoman Napolitano, and Ranking Member Westerman, and members of the Subcommittee on Water Resources and Environment, for holding today's hearing.

The Water Resources Development Act invests in America's water infrastructure, generating economic growth and protecting our communities. Thanks for giving me the opportunity to shine a light on the issues facing Wisconsin and the Greater Midwest region. Southeast Wisconsin includes Racine, Kenosha, and Milwaukee Counties, and Lake Michigan is vital to our communities.

Why are the Great Lakes so important to Wisconsin and the Midwest? Millions of people live along the shores of the Great Lakes. The two largest cities in the First Congressional District are on the shores of Lake Michigan. About 100,000 people live in Kenosha. About 75,000 people live in Racine. If the Great Lakes region was a country, it would have the third largest economy in the world. The Great Lakes ports have generated \$1.4 billion in economic impact in Wisconsin, and Wisconsin tourism has a \$450 million impact on Racine and Kenosha Counties, and a large part of that is driven by Lake Michigan.

Today I would like to touch on two Great Lakes priorities that are included in the 2020 WRDA, the Great Lakes Coastal Resiliency Study and the Brandon Road project.

First, the Great Lakes Coast Resiliency Study. After experiencing record-low water levels in 2013, Lake Michigan is now nearing record-high water levels. Shoreline erosion is becoming a very serious issue. For example, during a recent storm in January, high winds, combined with high water levels, resulted in significant flooding and extensive damage in Kenosha, Milwaukee, and Racine Counties. According to recent assessments, southeast Wisconsin reported \$30 million of damage to public infrastructure from that storm alone.

As the State and local governments continue to work through appropriate channels to address the damage, the Federal Government also has a role to play, and that is why I am here today. As part of the 2020 WRDA, I ask that you fully fund the Great Lakes Coastal Resiliency Study.

The Great Lakes Coastal Resiliency Study brings together eight Great Lakes States and Federal partners to examine our shoreline and prevent environmental hazards. The study area includes more than 5,000 miles of shoreline. This is a Federal program that helps detect vulnerabilities along the shoreline, and improves community sustainability for generations to come.

Finally, I ask that the committee adequately fund the Brandon Road project to prevent Asian carp from entering the Great Lakes. This species poses a great threat to the viability of the region. Asian carp are known for their voracious appetites and for decimating native fish populations. And they have been found just a few miles from the Great Lakes shores. The Asian carp has the potential to hurt the \$7 billion fishing industry in the Great Lakes. Preventing Asian carp in the Great Lakes is needed to sustain our fishing industry.

The Brandon Road project, an Army Corps of Engineers program, is a preventative measure to safeguard the Great Lakes. Adequately funding the Brandon Road project in the 2020 WRDA would help States like Wisconsin, and address threats to our ecosystem and economy.

Again, I want to thank the chair and ranking members and members of this committee for having me here today. Your support for the Great Lakes does not go unnoticed. They are vital to Wisconsin and the entire Midwest. And I look forward to working with you on this important issue.

[Mr. Steil's prepared statement follows:]

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**Prepared Statement of Hon. Bryan Steil, a Representative in Congress from the State of Wisconsin**

Thank you to Chairman Peter DeFazio and Ranking Member Sam Graves of the Committee on Transportation and Infrastructure and to Chairwoman Grace Napolitano and Ranking Member Bruce Westerman of the Subcommittee on Water Resources and Environment for holding this hearing.

The Water Resources Development Act, WRDA, invests in America's water infrastructure, generating economic growth and protecting our communities.

Thank you for giving me the opportunity to shine a light on issues facing Wisconsin and the greater Midwest region.

Southeast Wisconsin includes Kenosha, Racine, and Milwaukee counties and Lake Michigan is vital to our communities.

Why are the Great Lakes so important to Wisconsin and the Midwest?

Millions of people live along the Great Lakes' coast.

And the two largest cities in my district sit on the shores of Lake Michigan.

According to the Census Bureau, 100,164 people live in Kenosha.

77,432 people live in Racine.

If the Great Lakes region was a country, it would have the third largest economy in the world.

The Great Lakes ports have generated \$1.4 billion in economic impact in Wisconsin.

Wisconsin tourism has a \$477 million impact on Racine and Kenosha counties and much of that is driven by Lake Michigan.

Today, I'd like to touch on two Great Lakes' priorities to include in the 2020 WRDA: The Great Lakes Coastal Resiliency Study and the Brandon Road Project.

First, the Great Lakes Coastal Resiliency Study.

After experiencing record low water levels in 2013, Lake Michigan is nearing record high water levels.

Shoreline erosion is becoming a serious issue.

For example, during a recent storm in January, high winds, combined with high water levels, resulted in significant flooding and extensive damage in Kenosha, Milwaukee, and Racine counties.

According to recent assessments, Southeast Wisconsin reported \$30 million in damage to public infrastructure.

As the state and local governments continue to work through appropriate channels to address the damage, the federal government also has a role to play.

That is why I am here today.

As a part of the 2020 WRDA, I ask that you fully fund the Great Lakes Coastal Resiliency Study.

The Great Lakes Coastal Resiliency Study brings together the eight Great Lakes states and federal partners to examine our shorelines and prevent environmental hazards.

The Study area includes more than 5,000 miles of shoreline.

This is a federal program that helps detect vulnerabilities along the shoreline and improve our communities' sustainability for generations to come.

Finally, I ask that the Committee adequately funds the Brandon Road Project to prevent the Asian Carp from entering the Great Lakes.

This species poses a great threat to the viability of the region.

The Asian Carp are known for their voracious appetites and for decimating native fish populations.

And, they've been found only a few miles from Lake Michigan.

The Asian Carp has the potential to hurt the \$7 billion fishing industry of the Great Lakes.

Preventing the establishment of the Asian Carp in the Great Lakes is an effective approach to sustain our fishing industry.

The Brandon Road Project, an Army Corps of Engineers program, is a preventive measure to safeguard the Great Lakes.

Adequately funding the Brandon Road Project in the 2020 WRDA would greatly help states, like Wisconsin, address threats to our ecosystem and economy.

Again, I want to thank the Chair and Ranking Member for having me here today. Your support of the Great Lakes does not go unnoticed.

I look forward to working with you so Wisconsin's valuable natural resources stay sustainable for generations to come.

Mrs. NAPOLITANO. Thank you for your testimony, Mr. Steil, I really appreciate it.

And does any Member wish to question?

No?

Seeing none, thank you very much.

I would now like to recognize our next witness, the gentleman from Michigan, Mr. Huizenga, for 5 minutes.

**TESTIMONY OF HON. BILL HUIZENGA, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF MICHIGAN**

Mr. HUIZENGA. There we go, sorry. A slightly different system over in the Financial Services Committee, so—but thank you. And I appreciate the opportunity to come. And much like my friend from Wisconsin who just got done testifying, I too want to talk about the Great Lakes. This is a great opportunity for this committee to allow Members to come and talk about their districts, and talk about the issues in their region.

And one thing that I would like to add is, as we meet today, the current state of erosion and high water damage is at a crisis point throughout the Great Lakes Basin and the region. In my district, along the shores of Lake Michigan, the high water levels are a threat to people's homes, public infrastructure, and the overall ecology and economy of the Great Lakes. As we continue to see the shoreline erode, and the water levels rise, Government at all levels needs to be prepared to step in. Whether it is roads, bridges, breakwaters, or wastewater treatment facilities, the potential for damage due to high water levels is grave and real.

Furthermore, the amount of debris that has fallen into the lakes as a result of this erosion also poses a significant threat to shipping, public beaches, and recreational boating. Recently I had an opportunity to take a Coast Guard helicopter flight, and we flew the length of the district, and even the Coast Guard helicopter pilots were surprised at the damage that has been going on.

And one of them who had been stationed up in Alaska made the comment that one of their main concerns is the number of what they call deadheads, those trees and other debris that is going into the lake, and the damage that that could pose to recreational boaters especially, because in the Great Lakes those tend to be fiberglass-hulled vessels, versus steel-hulled up in Alaska and other places, not to mention, you know, the personal watercraft, and the things that are going to be out there. So there is some real fear for damage, not just property damage, but personal damage.

I just am asking, as the committee develops the Water Resources Development Act of 2020, I urge Members to include provisions that would protect and restore the resiliency of the Great Lakes shoreline for today, tomorrow, and generations to come.

Additionally, I am also here today because of Asian carp. And, as the Republican cochair of the Great Lakes Task Force, this has been something that we have been keeping an eye on for a number of years. The Asian carp and other invasive species are on the doorstep of infiltrating the Great Lakes system. The importance of protecting our vulnerable lakes' freshwater system from this disastrous invasive species cannot be overstated. In fact, the introduction of nonnative species to the Great Lakes is currently one of the greatest economic and environmental threats to the region.

The preventive measures that we currently have in place are only temporary solutions, as Asian carp have been found only a few miles away from Lake Michigan, as has been noted. However, the Brandon Road Lock and Dam in Joliet, Illinois, has been identified as the key choke point in safeguarding the Great Lakes ecosystem and the economy. Timely completion of the work at Brandon Road is essential for the next steps in the process of safeguarding the Great Lakes region. It provides drinking water for over 30 million people, supports \$7 billion in the fishing industry, and a \$16 billion boating industry.

We have a small but critical window of opportunity to prevent the upstream transfer of this species. In 2019 the Army Corps of Engineers delivered its Chief's Report on the Brandon Road Lock and Dam project to Congress. The lock is a logical point to install both structural and nonstructural control measures to prevent this movement into the lake.

Additionally, in conversations with President Trump directly, he has expressed his support for protecting and preserving the Great Lakes for future generations, and the Brandon Road project. So I am loving to see that congressional and White House cooperation.

Congress needs to make protecting and preserving the Great Lakes a national priority; it can do this by authorizing this project through WRDA, so that the control measures can be implemented with the necessary urgency. A further delay only increases the likelihood that this threat becomes full-scale, irreversible, and with this highly destructive invasive species.

And finally, I would like to thank the committee for your work on maintaining the harbors, ports, and navigation channels around our Nation from the coast to the Great Lakes. These harbors and navigation channels are a vital part of our Nation's transportation infrastructure, and a reduction in the capacity can have significant impacts on local communities.

Our identity in west Michigan is directly tied to the Great Lakes, and I appreciate Congress' willingness to support it.

So with that, I yield back.

[Mr. Huizenga's prepared statement follows.]

**Prepared Statement of Hon. Bill Huizenga, a Representative in Congress  
from the State of Michigan**

Thank you, Chairman DeFazio, Ranking Member Graves, and members of the Transportation & Infrastructure Committee, for allowing members to share their priorities and the needs of their district at this member day hearing.

As we meet today, the current state of erosion and high-water damage is at a crisis point throughout the Great Lakes region.

In my district—along the shores of Lake Michigan—the high-water levels are a threat to people's homes, public infrastructure, and the overall ecology and economy of the Great Lakes.

As we continue to see the shoreline erode and the water levels rise, government at all levels must be prepared to step in.

Whether it is roads, bridges, breakwaters, or wastewater treatment facilities, the potential for damage due to high-water levels is grave.

Furthermore—the amount of debris that has fallen into the lakes as a result of this erosion also poses a significant threat to shipping, public beaches, and recreational boating.

As the committee develops the Water Resources Development Act of 2020, I urge the members to include provisions that would protect and restore the resiliency of the Great Lakes shoreline for today, tomorrow, and generations to come.

Additionally, I am also here today because Asian carp—an invasive species with voracious appetites—are on the doorstep of infiltrating the Great Lakes system.

The importance of protecting our vulnerable Great Lakes freshwater system from this disastrous invasive species cannot be overstated. In fact—the introduction of non-native species to the Great Lakes is currently one of the greatest economic and environmental threats to our region.

The preventative measures we currently have in place are only temporary solutions, as Asian carp have been found only a few miles from Lake Michigan.

However—the Brandon Road Lock and Dam in Joliet, Illinois has been identified as the key choke point in safeguarding our Great Lakes ecosystem and economy.

The timely completion of the work at Brandon Road is an essential next step in the process to safeguard the Great Lakes region—which provides drinking water to over 30 million people and supports a \$7 billion fishing and \$16 billion boating industry.

We have a small but critical window of opportunity to prevent the upstream transfer of this species.

In 2019, the U.S. Army Corps of Engineers delivered its Chief's Report on the Brandon Road Lock and Dam project to Congress. This lock is a logical point to install both structural and non-structural control measures to prevent this movement into the lake.

Additionally, in my conversations with President Trump, he has expressed his support for protecting and preserving the Great Lakes for future generations.

Congress needs to make protecting and preserving the Great Lakes a national priority—it can do this by authorizing this project through WRDA, so that the control measures can be implemented with the necessary urgency.

Further delay only increases the likelihood that this threat becomes a full scale, irreversible inundation of this highly destructive invasive species.

Finally, I would like to thank the committee for your work to maintain the harbors, ports, and navigation channels around our nation—from the coasts to the Great Lakes.

These harbors and navigation channels are a vital part of our nation's transportation infrastructure and a reduction in their capacity can have significant impacts on local communities.

American ports serve as a critical link to connect U.S. manufacturers, farmers, and businesses with markets around the world and are indispensable to making the export of U.S. goods cost-competitive.

I encourage you to continue to provide valuable resources and support to maintain our harbors and navigation channels in the Great Lakes and on the coasts.

In West Michigan—our identity is directly tied to the health of the Great Lakes. It is critical that Congress take the necessary steps to protect against erosion, high water, and invasive species, while also working to protect and restore our channels and harbors.

Chairman DeFazio, Ranking Member Graves, and members of the committee—Thank you again for offering this opportunity and for working with us on these important endeavors.

Mrs. NAPOLITANO. Thank you very much for your testimony, and I would like to recognize Mr. LaMalfa for a comment.

Mr. LAMALFA. Thank you, Madam Chair, and I appreciate the work of this committee.

I just wanted to offer a comment on—in general, on the infrastructure issues we have. Being from California, as well, up in the north, I have great concern that we are entering into a drought period again. It looks like we are going to go the entirety of February without any precipitation, which goes back to 1864 since the last time something like that has happened, according to the record.

And disturbing news here the other day that the Anderson Dam in the Morgan Hill, South San Jose area, FERC has determined that, because of an earthquake issue, that that dam probably needs to be drained because of an unsafe situation there. And so that means 90,000 acre-feet will now not be available to the citizens of South San Jose, Morgan Hill, and that area there, because of that. The district will likely have to replace that with groundwater. And, as we know in California, with the new regulation called SGMA, then that will be exacerbated on the challenges we have with groundwater in the State.

And so our task here needs to be taking a longer look at our dams and our water storage, as well as our flood control systems with FERC, with Army Corps, with State projects, whatever, all of the above, to not only find things that are wrong, but to, you know, expedite repairs that are needed.

And so, when we are talking about the Anderson Dam, that needs to be put back online as soon as possible, in my view, because we are not just going to make up 90,000 acre-feet for the Bay Area, South Bay Area folks, up my way.

We had the issue with the Lake Oroville spillway 3 years ago that—really, I mean, a project the size—and that magnitude, 3½ million acre-feet being paralyzed, what that means for the whole State of California, we have to look really hard at our infrastructure for that, and come up with solutions to make sure they are in repair.

We have a backlog of repairs, a backlog of inspection, I think overall, and probably a lot of our projects around our own State of California, Madam Chairman, and around the country. We can't lose these assets due to inaction, and have this be an excuse for, in some cases, just flat dam removal, as some would like to do. So this backlog must be addressed because we cannot lose these assets, these resources, and continue to operate in any kind of a really type of a civilization that we have become accustomed to, with even more regulation coming down the line.

So I am really, really concerned that this may become more of a trend in losing these water storage projects because of lack of maintenance, lack of inspection, and inability to keep up and keep them modernized.

So I thank you for the opportunity, Madam Chairman.

Mrs. NAPOLITANO. Thank you, Mr. LaMalfa. And I—do you have any questions for yourself?

Mr. LAMALFA. I question myself quite a bit, but—  
[Laughter.]

Mrs. NAPOLITANO. Thank you very much for those comments. And I agree. There has got to be more focus put on the necessities of the whole country. Prioritize them.

I would now like to recognize our next witness, the gentleman from Louisiana, Mr. Higgins.

**TESTIMONY OF HON. CLAY HIGGINS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA**

Mr. HIGGINS OF LOUISIANA. Madam Chairwoman, my esteemed colleagues, thank you very much for allowing me to speak with you today. As a Representative for Louisiana's Third Congressional District, I would like to thank you all for your continued focus on the health of our Nation's waterways, and for the thoughtful consideration you will no doubt give to the issues before you today.

I do not envy the decisions that you must make, but I am here to present our plea and our case. Like many of my colleagues, I need to discuss the impact of the projects and issues that your committee has been discussing as you continue to work on this year's Water Resources Development Act, WRDA.

I am sure it is no surprise that a Member of the Louisiana delegation is here to talk to you about the importance of 5,000 miles of navigable rivers, bayous, ship channels, and canals that make up our State's waterways. The importance of these waterways and management systems to Louisiana and the entire Nation cannot be underestimated.

The Mississippi River Basin drains one-third of the Nation's waters. Indeed, beyond the American Nation—all of North America. Canada is included. We drain one-third of the Nation's waters, we receive one-third of the Nation's sediment. And we don't get further south than south Louisiana, which is where I represent. So the management and maintenance of these waterways is incredibly important.

Coastal Louisiana leads the Nation in waterborne commerce. Sixty percent of United States grain moves through our coastal ports. Twenty-one percent of all commercial fisheries landings by weight from the lower 48 States come from our region. Twenty-three percent of the total U.S. crude is produced in Louisiana. Eighteen percent of the U.S. oil supply comes from Port Fourchon. Twenty percent of the Nation's waterborne commerce travels through Louisiana waters. Five million waterfowl depend upon Louisiana for habitat.

While many of you know the important role that large waterway systems like the Mississippi River and its tributaries play in our economy, you may not know the drastic impacts that focused Corps of Engineers attention, WRDA authorization, and workplan dollars can play on smaller systems.

For instance, the Calcasieu Ship Channel, 68 miles long, and authorized to be dredged 400 feet wide and 40 feet deep. This channel requires around \$40 million a year to be completely dredged. And when you balance that against the fact that this channel is the sole access point to the Gulf of Mexico, not only for the existing industry there, but for the epicenter of LNG production and \$200 billion worth of new projects, it is our only ship channel.

And consider the fact that the Port of Lake Charles, which this channel services, sends an average of \$400 million in Federal taxes to DC. So the \$40 million imbalance becomes quite reasonable. This means thousands upon thousands of jobs are completely relying on making sure that the types of authorizations and expenditures we are talking about today are considered and made expeditiously.

It is also imperative that we continue to make improvements to the functioning of the Corps of Engineers. An example of one type of improvement is my amendment that was added on the floor to the 2018 WRDA bill that made a commonsense change in the way the Corps obtains easements for completing projects. This amendment focused on removing unnecessary burdens and costs that the Corps of Engineers were mandated to take, and jeopardized progress on many projects in my district. Since its implementation, the Corps has been able to move forward with work they would not have been otherwise able to do.

And I thank my colleagues for supporting that amendment. It has made a big difference. I very much appreciate my friend and colleague, Congressman Garret Graves, for his leadership and assistance with getting that important amendment to the floor and added.

Beyond the economic impacts of the work you are doing today, it is also important, I believe, to remember the health of these waterways as it is related to flood protection. Two million people live in coastal Louisiana. As many of you know, we have experienced several devastating floods and hurricanes in recent years. Healthy and well-maintained waterways are an important resource in the flood mitigation arena.

I will leave you with this thought from my personal response to rescue and relief efforts after a recent hurricane brought tremendous rains and waters to south Louisiana and Texas. We went to Texas. It was about 2 o'clock in the morning. We helped an elderly gentleman escape from his home. He told me, when he found out who I was, he said, "Congressman Higgins, I have been in my house since 1968. We have never flooded." He said that, "God is not dropping more rain on us, we just haven't maintained and managed our waterways to allow the water to get further south."

So I very much appreciate you allowing me to speak to you today. Thank you for your consideration. God bless you for the work you do.

[Mr. Higgins of Louisiana's prepared statement follows:]

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**Prepared Statement of Hon. Clay Higgins, a Representative in Congress  
from the State of Louisiana**

Chairman DeFazio, Ranking Member Graves, members of the House Committee on Transportation and Infrastructure, thank you for this opportunity to speak before you today.

As the representative for Louisiana's Third Congressional District, I want to thank all of you for your continued focus on the health of our nation's waterways, and for the thoughtful consideration you will no doubt give to the issues before you today.

Like many of my colleagues, I am here to discuss the impact of many of the projects and issues that your committee has been discussing as you continue to work on this year's Water Resources Development Act (WRDA).



I am sure that it is no surprise that a member of the Louisiana delegation is here before you to talk about the importance of the 5,000 miles of navigable rivers, bayous, creeks and canals that make up our state's waterways.

The importance of these waterways to Louisiana and the entire nation cannot be underestimated. Coastal Louisiana leads the nation in waterborne commerce:

- 60% of U.S. grain moves through our coastal ports; and
- 21% of all commercial fisheries landings by weight from the lower 48 states come from our region.
- 23% of the total U.S. Crude is produced in LA.
- 18% of the US oil supply comes from Port Fourchon.
- 20% of the nation's waterborne commerce travels through LA waters.
- 5 million waterfowl depend on Louisiana for habitat.

While many of you know of the important role that large waterway systems like the Mississippi River and its tributaries play in our economy, you may not know the drastic impacts that focused Corps of Engineers (Corps) attention, WRDA authorization, and work plan dollars can play on smaller systems.

Take for instance the Calcasieu channel, which is 68 miles long and authorized to be dredged to 400 feet wide and 40 feet deep. This channel requires around \$40 million a year to be completely dredged. Which may sound like a lot, but when you consider that this channel is the sole access point to the Gulf of Mexico not only for the existing industry in the area, but also for over \$100 billion in new projects.

This means thousands upon thousands of jobs are completely reliant on making sure that the types of authorizations and expenditures we are talking about today are considered and made expeditiously.

It is also imperative that we continue to make improvements to the functioning of the Corps. An example of one type of improvement is my amendment that was added on the floor to the 2018 WRDA bill that made a commonsense change to the way that the Corps obtains easements for completing projects. This amendment focused on removing unnecessary burdens and costs that the Corps was mandated to take and jeopardized progress on several projects in my district. Since its implementation, the Corps has been able to move forward with work they would not have otherwise been able to do. I want to thank my friend and colleague, Congressman Garret Graves, for his leadership and assistance with getting that important amendment added.

Beyond the economic impacts of the work you are doing today, it is also important to remember that the health of these waterways also is related to flood protection. 2 million people live in Coastal Louisiana, and as many of you know we have experienced several devastating floods and hurricanes in recent years.

Healthy and well-maintained waterways are an important resource in the flood mitigation arena. Authorizing maintenance projects for economic purposes often have a side benefit of providing an extra layer of protection for water related disasters. Spending millions now to dredge these systems helps save us billions when the storms clear.

Thank you again to the Chairman, the Ranking Member, and members of the committee for allowing me to speak today.

Mrs. NAPOLITANO. Thank you for your testimony, Mr. Higgins. As we wait for more Members to show up, we will call a recess until 1 o'clock. That way we can line up Members as they come in. Thank you.

[Recess.]

Mrs. NAPOLITANO. And I would like to thank you for coming and being a witness to some testimony on WRDA. I would like to recognize Mr. Posey, the gentleman from Florida, for 5 minutes.

#### **TESTIMONY OF HON. BILL POSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. POSEY. Thank you, Chairwoman Napolitano, for the opportunity to submit proposals for the Water Resources Development Act of 2020. Today I have two proposals that I will ask you to consider. I have submitted the request in writing already. I will leave another copy at the desk. And so I will make these remarks as brief as possible. I know that you will appreciate that.

The first proposal is about improving the delivery of Civil Work projects. In 2018 the committee supported my request to increase the effectiveness of section 204 by allowing sponsors leading construction of Civil Works projects to request that the Corps provide technical assistance and reimbursements for their help. Today I want to propose that we amend section 204 of the WRDA to improve our reimbursement of the Federal share.

For example, in my own district, Port Canaveral is waiting for reimbursement for the Federal share of a turning basin across Florida. The sponsors are waiting for reimbursement of hundreds of millions of dollars due to them. My proposal would permit sponsors under 204 to submit requests for reimbursement from the Secretary of the Army during the annual cycle for the President's budget. Such a request could be for the reimbursement of Federal share, prospective work in a budget year, or for reimbursement of amounts due from previously completed work.

The second proposal, briefly, is centered on an estuary restoration and the Comprehensive Everglades Restoration Plan. This year marks the 20th anniversary of the congressional authorization of the Comprehensive Everglades Restoration Plan, or CERP. And, thanks to the President and the Appropriations Committee, we are getting \$200 million toward that work this year.

When CERP was authorized in 2000, Congress included the Indian River Lagoon and the Caloosahatchee River Estuary within the Greater Everglades ecosystem being restored. We have had some progress with the construction of the Indian River Lagoon South project under CERP, but many have seen in the news the chaos that the unnecessary flood control releases wreak on the ecology of the estuaries. So we look forward to the CERP reducing the releases from Lake Okeechobee that so imperil these estuaries, but we also need additional help.

We have the opportunity to further restore these estuaries within the context of the ongoing CERP. I am here today, both as cochair of the bipartisan Congressional Estuary Caucus and Representative of the people of the Indian River Lagoon, to ask that you authorize a study of potential future projects within CERP that will give some relief to our problems, and also contribute to the CERP's goals.

Thank you for allowing me to testify, and I would be delighted to answer any questions that you might have. Thank you.

[Mr. Posey's prepared statement follows:]

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**Prepared Statement of Hon. Bill Posey, a Representative in Congress from  
the State of Florida**

Thank you, Chairwoman Napolitano and Ranking Member Westerman, for the opportunity to submit proposals for the Water Resources Development Act (WRDA) of 2020. I am pleased to submit a statement for the record of my priorities in support of improving water resources project Delivery, and restoration of South Florida estuaries that Congress included in the Comprehensive Everglades Ecosystem Restoration Plan. I previously urged the full committee's consideration of these proposals at the May 1, 2019 Member Day Hearing.

## IMPROVING WATER RESOURCES PROJECT DELIVERY

I was pleased to work with the Committee and the Florida delegation in WRDA 2018 to enact enhancements to Army Corps of Engineers authorities to permit sponsors to construct water resources projects under Section 204 of the Water Resources Development Act of 1986, and be eligible to receive reimbursement of the federal share of their expenditures. I would like to offer another enhancement to this infrastructure delivery mechanism.

Most federal programs are delivered through non-federal partners that receive grants and execute projects. The Corps Civil Works program is not a grant program but rather has historically engaged Congress to plan and develop water projects in the national interest for navigation, flood risk management, and ecosystem restoration. In 1986, Congress enacted Section 204 to modernize the delivery of Corps navigation projects by giving project sponsors a role to design and construct projects and become eligible for reimbursement of the federal share of their costs for the project.

Over subsequent years, Congress strengthened Section 204 and removed obstacles to its implementation. The concept was expanded to project purposes other than navigation in separate provisions. In the Water Resources Reform and Development Act of 2014, Congress merged authority for sponsor construction of projects for all water resources purposes into a single, uniform authority under Section 204. In WRDA 2018, Congress made it easier (under my legislation) for sponsors to obtain technical assistance from the Corps and to obviate duplicative permitting requirements. Section 204 is becoming friendlier as an alternative for project sponsors to pursue their needs under the Corps program. Sponsor leadership can accelerate projects. Local leadership better integrates projects into the community making them more sensitive to the diversity of interests associated with such complex projects. Project sponsors know the environment and physical setting that projects must fit into. A major plus of Section 204 is that it applies to authorized projects and thus maintains Committee and Congressional prerogatives to authorize Corps water resources projects.

Currently, sponsors who want to lead project design and construction must provide the financing and hope to receive reimbursement of the federal share. Reimbursement can be uncertain and slow. The Administration sometimes has been reluctant to budget for reimbursement. For example, during the tenure of Florida Governor, now U.S. Senator, Rick Scott, the State laid out \$1.4 billion for port improvements and the federal government has not reimbursed the State for \$140 million on these projects. While not all these funds were for Corps related water resources, some were. In my district, Port Canaveral awaits reimbursement of the federal share of the \$7,856,000 West Turning Basin. Slow reimbursement contributes to mistrust of federal partners and denies ports and other entities funds they could use in advancing other infrastructure needs. Sponsors also face a high carrying cost of frontloading their own funds. By contrast, water resources projects designed and constructed by the Corps are funded from annual federal budgets, appropriations, and work plans. In other words, sponsor leadership of design and construction faces significant burdens that traditional projects do not. Relieving this asymmetric treatment of Section 204 projects can help make them more attractive, increase sponsor participation, and expand the benefits of this delivery alternative.

Madam Chair and Ranking Member, I propose that Congress amend Section 204 to empower sponsors designing and constructing projects under this authority to participate in the annual Civil Works budget cycle—to request funds in the President's budget for reimbursement—past, as well as prospective. For sponsors who have already constructed project elements under Section 204, a formal, transparent process would be available to request reimbursement in budget cycles. For those Section 204 sponsors who would benefit from up-front budgeting of reimbursement for identifiable annual project segments, the Secretary would be directed to accept sponsor requests for budget resources and submit approved requests to Congress with the Army's annual Civil Works budget. In the annual Corps work plan development, projects that had been the subject of sponsor budget requests would also be available to receive work plan funds. In this manner, authorized projects that are designed and constructed by the local sponsor would be placed on par with the authorized projects that the Corps designs and constructs. The Army Civil Works program would be brought closer to the delivery model that is characteristic of almost all federal programs where the non-federal entity leads program implementation. At the same time, it preserves Congressional and Committee prerogatives in approving projects for authorization in biennial WRDAs.

This is an innovative proposal that will save us money and bring projects on-line faster. This proposal contributes to our national infrastructure objectives, promotes trade, and creates jobs. I urge you to adopt this provision in the upcoming WRDA.

## ESTUARY PROTECTION AND RESTORATION IN THE COMPREHENSIVE EVERGLADES RESTORATION PLAN

Madam Chair and Ranking Member, I am co-chair of the Congressional Estuary Caucus that I co-founded with Congresswoman Suzanne Bonamici. I work with the Caucus to protect and restore estuaries throughout our coastal states. Today, I bring you a proposal to strengthen our ongoing efforts to restore the estuaries of the South Florida ecosystem.

My district is bounded on the East by the Indian River Lagoon, the most biodiverse estuary in North America. People in my district depend on this Lagoon for their economic well-being, recreation, and tourism. On the opposite shore of Florida is another significant estuary, the Caloosahatchee River Estuary.

The Indian River Lagoon and the Caloosahatchee River estuaries share a common fate in that they currently receive excess water from Lake Okeechobee as part of the operation of the Central and South Florida Project. When flood waters stored in the Lake exceed a safe level, the Corps of Engineers must release that water into the estuaries to protect people south of the Lake from the dangers of a failure or overtopping of the Herbert Hoover Dike that makes Lake Okeechobee a multiple purpose reservoir. Large volumes of phosphorus laden water end up in these sensitive estuaries. The results are often disastrous as when conditions induce harmful algal blooms in the brackish water estuaries. News accounts have made all of America aware of the havoc these algal blooms wreak in the Indian River Lagoon and the Caloosahatchee River Estuary—waters putrefy, the ecosystem is robbed of oxygen, foul odors and even dangerous fumes are emitted, fish and wildlife die, tourism evaporates, people and businesses suffer, and a way of life is profoundly disrupted.

In Title VI of the Water Resources Development Act of 2000, Congress approved the Comprehensive Everglades Restoration Plan (CERP), a blueprint for modifying the Central and South Florida Project to restore the Florida Everglades. From its inception, the CERP aimed to restore the entire South Florida ecosystem, and Congress included the two estuaries as part of that ecosystem in the approval of CERP. The Indian River Lagoon and the Caloosahatchee estuaries are integral to the CERP. Projects were included in the CERP to restore and improve the environment of the estuaries. The Indian River Lagoon South (IRL-S) is part of the CERP as approved in WRDA 2000. Construction is underway on the first component of the IRL-S project, C44 reservoir and storm water treatment area (STA). The reservoir and STA will serve a vital role in storing and treating local basin run-off that now threaten the Lagoon. To the West of Lake Okeechobee, the C-43 reservoir has been authorized to improve the timing, quantity, and quality of freshwater flows to the Caloosahatchee River and estuary.

Given the recent dramatic algal blooms and devastation that has been visited on the estuaries in the South Florida ecosystem, I ask the Chairwoman and Ranking Member to enact a study to review the CERP to identify such further modification of the Central and South Florida Project as may be advisable to protect and restore the coastal estuaries that are included in the estuaries of the South Florida ecosystem. This review should be coordinated with Governor of Florida, the South Florida Ecosystem Restoration Task Force, the South Florida Water Management District, the residents of communities surrounding the affected estuaries, and the public. The Secretary of the Army should submit a report that includes a description of projects or other measures that the Chief of Engineers recommends be included in the CERP, through the Adaptive Assessment provisions of Title VI of Water Resources Development Act of 2000, to restore and protect the estuaries within the South Florida ecosystem. The Secretary should include a description of any projects or measures to restore and protect estuaries in the South Florida ecosystem that the Chief of Engineers recommends for authorization in future water resources development or other appropriate legislation, and a proposed schedule for the submission of any project information reports (PIRs) required to authorize such projects.

Madam Chair and Ranking Member, restoration of the Everglades is ongoing and has mobilized a team that can tackle the challenges to the estuaries. Congress intended for the estuaries to be addressed as part of the CERP. Wherever possible, we ought to emphasize projects that both advance the restoration of the River of Grass and contribute to restoring the estuaries. That is my intent, and I urge you to authorize putting the team to work on the estuaries of the South Florida ecosystem, and update the plan to integrate the problems and the disastrous ecological crises that have emerged in recent years.

Thank you for the opportunity to appear before you today to support improving water resources project delivery and the health of our precious national estuary resources.

Mrs. NAPOLITANO. Well, thank you for your testimony, and it is very much appreciated, Mr. Posey. Thank you very much.

Now I would like to recognize our next witness, the gentleman from Nebraska, Mr. Fortenberry.

You are on for 5 minutes, sir.

**TESTIMONY OF HON. JEFF FORTENBERRY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEBRASKA**

Mr. FORTENBERRY. Thank you, Chair Napolitano, for the opportunity to testify before you. It was about a year ago, near where I live in Nebraska, that we got hit by a 500-year flood event called a bomb cyclone. Rain on top of melting snow on top of ice caused a slurry of water and topsoil to rush down the Platte River into the Missouri River with such force that it blew out the levee on the Iowa side, creating a 60-foot-plus hole. The water was so forceful and so inundating, it went back upstream, up the Missouri River, and came over the top of the levee at Offutt Air Force Base, which is home to Strategic Command, covering one-third of the base.

Congress was very generous to our State, in that we were able to fold underneath the disaster package that was working itself through from some other events across the country. Plus, we were able to secure additional funding for the rebuilding of Offutt, for which I am very grateful.

This is related to my request today, and I would hope the committee would give it due consideration, because it is an important fix that would actually help the Federal Government and help, thus, us locally. So if I could walk through some of the details with you, I would appreciate it.

Earlier this month I introduced H.R. 5868. We call it the RELIEF Act. And here's what it does. It makes sure that water infrastructure repairs in the wake of these types of disasters are both timely and cost efficient.

In Nebraska, we have what are called natural resources districts, 23 districts. These are local governing units that work to manage, conserve, and develop the State's resources. Basically, environmental projects, flood control projects, and recreational projects. If enacted, the RELIEF Act would capitalize these types of municipal entities—we call them natural resources districts—to swiftly make Corps of Engineers-approved repairs. This is very important. They could swiftly make the Corps-approved repairs in order to free up Federal resources for those areas of the disaster that actually require Federal assistance. We want to do the work. We just want to have the capability to do it quickly.

Quite simply, this approach would create efficient and common-sense solutions that save both time and money for the Corps so that they and their non-Federal Government sponsors can better serve individual communities. The goal is to reduce the time between disaster and repair recovery. So this would benefit both the local sponsor and the Federal Government by ensuring that there are capabilities of making, again, Corps-approved repairs in an effective, efficient, and timely manner.

If that authority had been in place during our flood event last year, these natural resources districts would have been able to mobilize and make temporary repairs to flood-related infrastructure in

a matter of days in order to prevent further damages from another high-water event. So permanent, flood-induced infrastructure repairs, we could have made them in a matter of weeks.

It is also important to emphasize the cost component since, again, local sponsors are often able to make these types of repairs for a lower price than the Federal Government itself.

So again, thank you for your time and consideration. I really appreciate this. I think this is an important bill, Madam Chair. It makes sense at a lot of levels. It helps the Federal Government implement what we have already designed with local partners when there are specific needs to get it done in a timely manner. So thank you very much for the consideration.

[Mr. Fortenberry's prepared statement follows:]

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**Prepared Statement of Hon. Jeff Fortenberry, a Representative in Congress from the State of Nebraska**

Chairwoman Napolitano, Ranking Member Westerman, and members of the subcommittee: Thank you for holding this hearing to allow me and other Members to highlight our priority issues as you develop the Water Resources Development Act of 2020.

Nearly a year ago, Nebraska experienced a devastating 500-year-flood event. Nebraskans responded with characteristic care and resilience. Earlier this month I introduced H.R. 5868, the RELIEF Act, to make water infrastructure repairs in the wake of such disasters more timely and cost-efficient. I am requesting your assistance in including the provisions of this legislation in the new WRDA bill.

In Nebraska, we have 23 natural resources districts. These local government units work to manage, conserve, and develop the state's natural resources. If enacted, the RELIEF Act would capitalize these natural resources districts to swiftly make Corps-approved repairs in order to free up federal resources for those areas of a disaster that require federal assistance.

Quite simply, this approach would help create efficient, common sense solutions that save time and money for the Corps, so that they and the non-federal sponsors can better serve the community. The goal is to reduce the time between disaster and repair/recovery. This would benefit both the local sponsor and the federal government by ensuring those that are capable of making Corps-approved repairs can do them in a more efficient manner.

If this authority had been in place during the 2019 flood, the natural resources districts would have been able to mobilize and make temporary repairs to flood-related infrastructure damage in a matter of days in order to prevent further damages from occurring in another high water event. Permanent flood induced infrastructure repairs could have been made in a matter of weeks. It's also important to emphasize the cost component since local sponsors are often able to make certain repairs for much less than the price paid by the federal government.

I appreciate this opportunity to highlight this important measure and I ask for your help to include it in the new WRDA bill.

Mrs. NAPOLITANO. Well, thank you for your testimony. And I agree, there are a lot of things that our country needs, and I hope the administration pays attention to the needs of the whole State and the whole country.

Mr. FORTENBERRY. Thank you, Madam Chair.

Mrs. NAPOLITANO. Each State and the country.

Mr. FORTENBERRY. If you could help me, I think this would be a great bipartisan effort.

Mrs. NAPOLITANO. Thank you. I would like to recognize the next witness, the gentleman from Georgia, Mr. Allen, for 5 minutes.

**TESTIMONY OF HON. RICK W. ALLEN, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF GEORGIA**

Mr. ALLEN. Thank you, Chairwoman, and I appreciate the opportunity to be here with you today. I want to talk about the Savannah River Lock and Dam to the committee. And I want to thank the committee for allowing me to provide this testimony and highlight water issues that are critical to the 12th Congressional District of Georgia, namely the issues we have experienced with the Corps of Engineers regarding the New Savannah Bluff Lock and Dam that has been in place since 1930.

Due to environmental mitigation from the Savannah Harbor Expansion project, or SHEP, the Corps is responsible for constructing a mitigation feature that would allow sturgeon and other endangered fish to access their historic breeding grounds above the new Savannah Bluff Lock and Dam near Augusta, Georgia.

Dating back to the 1930s, the dam was originally authorized for navigation purposes. But after it was no longer used for commercial navigation, many users draw from the pool that the lock and dam has created. In times of heavy rain it has been used to mitigate any flooding in the area, like the rains we have been having over the past month or so.

Right now, the Corps has not maintained the dam. I think four out of the five gates are wide open, and the river is the same level on both sides.

In the 2016 WIIN Act, the language required the fish passage structure to “maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act” for either a “repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure” or “removal of the New Savannah Bluff Lock and Dam on completion of construction of the [fish passage] structure.”

The Corps recently selected a rock weir as an alternative to replace the lock and dam, a design that drops the pool level that our community desperately needs. I do not support this alternative, and believe that the lowering of the pool does not meet the requirements of the WIIN Act, and is unacceptable.

I have heard from a range of local stakeholders throughout this process that they all have concerns with the Corps’ proposal, especially after a failed simulation in February of last year, where the Corps simulated the water levels that will occur should this high fixed weir with a dry flood plain be constructed. The results were appalling, with boats and docks marooned, and excess debris exposed throughout the river, and the Corps had to abandon the simulation, due to instability in the riverbank.

Additionally, these simulated water levels were only a representation of average levels, not drought conditions. That is right. In drought conditions, the water level of a pool would be even lower.

Local community leaders have agreed that maintaining the water level of the pool above the lock and dam is critical so that our water users are not affected. The cities of Augusta and North Augusta, as well as Aiken County, have come together supporting resolutions that maintain the pool at or around its current level, approximately 114.5 feet.

I would like to underscore that the Corps is not in compliance with the WIIN Act law by choosing this alternative that does not maintain the pool at a 114.5-foot level, as it was in December of 2016, when the law was enacted.

Additionally, an independent, external peer review was conducted as required, which outlines many concerns and recommendations that I and other community leaders have highlighted throughout this process, including inconsistencies in cost analysis, lack of consideration of other alternatives that would not lower the pool, and a lack of information on whether or not the leading alternatives would successfully pass fish overall.

In fact, the report indicated that the full river width rock weir may kill the fish. I met with NOAA in my office, and they said they have no proof that this alternative would actually work to pass sturgeon, and that they have not yet tagged or videoed sturgeon using a similar rock weir at Cape Fear.

We should not waste millions of taxpayer dollars and remove the lock and dam structure on an alternative that we are not sure will work. In fact, it will cost more to remove the current lock and dam than to fix it.

Throughout this process, the Corps has been challenging to work with at every turn. The Corps was involved with the writing of the WIIN Act language without my knowledge, and has continually refused to give us a serious cost estimate for the cost to repair the lock and dam.

Thank you again to the committee for holding this Members' Day, and I look forward to continuing to work on this issue.

And I yield back.

[Mr. Allen's prepared statement follows:]

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**Prepared Statement of Hon. Rick W. Allen, a Representative in Congress  
from the State of Georgia**

I want to thank the committee for allowing me to provide this testimony and highlight water issues that are critical to the 12th Congressional District of Georgia—namely the issues we have experienced with the Corps of Engineers regarding the New Savannah Bluff Lock and Dam.

Due to environmental mitigation from the Savannah Harbor Expansion Project, or SHEP, the Corps is responsible for constructing a mitigation feature that would allow sturgeon and other endangered fish to access their historic breeding grounds above the New Savannah Bluff Lock and Dam near Augusta, Georgia.

Dating back to the 1930s, the dam was originally authorized for navigation purposes, but after it was no longer used for commercial navigation, many users draw from the pool that the lock and dam has created.

In times of heavy rain, it has been used to mitigate any flooding in the area—like the rains we have been having over the past month or so.

In the 2016 WIIN Act, the language required the fish passage structure to “maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act” for either a “repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure” or “removal of the New Savannah Bluff Lock and Dam on completion of construction of the [fish passage] structure.”

The Corps recently selected a rock weir as an alternative to replace the lock and dam—a design that drops the pool level that our community needs.

I do not support this alternative and believe that the lowering of the pool does not meet the requirements of the WIIN Act, and is unacceptable.

I have heard from a range of local stakeholders throughout this process and they all have concerns with the Corps' proposal, especially after a failed simulation in



February of last year, where the Corps simulated the water levels that will occur should this High Fixed Weir with a Dry Floodplain be constructed.

The results were appalling, with boats and docks marooned and excess debris exposed throughout the river—and the Corps had to abandon the simulation due to instability in the riverbank.

Additionally, these simulated water levels were only a representation of average levels—not drought conditions.

That's right—in drought conditions, the water level of the pool would go even lower!

Local community leaders have agreed that maintaining the water level of the pool above the lock and dam is critical so that our water users are not affected.

The Cities of Augusta and North Augusta, as well as Aiken County, have come together supporting resolutions that maintain the pool at or around its current level—approximately 114.5 feet.

I'd like to underscore that the Corps is not in compliance with the WIIN Act law by choosing this alternative that does not maintain the pool at the 114.5 level as it was in December of 2016.

Additionally, an Independent External Peer Review was conducted, which outlines many concerns and recommendations that I and other community members have highlighted throughout this process, including inconsistencies in cost analyses, lack of consideration of other alternatives that would not lower the pool, and lack of information on whether or not the leading alternatives would successfully pass fish overall.

In fact, the report indicated that the full river width rock weir may kill fish!

I met with NOAA in my office and they said they have no proof that this alternative would actually work to pass sturgeon—and that they have not yet tagged a sturgeon using a similar rock weir at Cape Fear.

We should not waste millions of taxpayer dollars and remove the lock and dam structure on an alternative that we are not sure will work!

Throughout this process, the Corps has been challenging to work with at every turn.

The Corps was involved with the writing the WIIN Act language, without my knowledge, and has continually refused to give us a serious cost estimate for the cost to repair the lock and dam.

I urge the committee to work with me to include language that will repair and maintain the lock and dam and keep the pool level that our community needs, while still accommodating the modest fish passage required by SHEP.

The deepening expansion of the Savannah Harbor is critical for Georgia, and by working together, we can ensure that Augusta's New Savannah Bluff Lock and Dam can be maintained while not delaying SHEP.

Thank you again to the committee for holding this member day and I look forward to continuing to work with you on this issue.

Mrs. NAPOLITANO. Thank you very much, Mr. Allen.

I now recognize the next witness, the gentlewoman from New Jersey, Ms. Sherrill, for 5 minutes.

**TESTIMONY OF HON. MIKIE SHERRILL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY**

Ms. SHERRILL. Thank you, Chairwoman Napolitano, for the opportunity to testify today. I want to particularly recognize my New Jersey colleagues on the committee, Representatives Payne, Sires, and Malinowski for their work, and Representative Malinowski, particularly, for his work on this subcommittee to advance New Jersey's priorities.

I am here because flooding has plagued New Jersey for generations. One of the first things I did after taking office was to convene a roundtable with my local mayors to get up to speed on their challenges. They need the Federal Government to be a dependable partner to make sure all local, State, and Federal officials and stakeholders are working together to mitigate this flood risk.

Instead, the basic takeaway was their overwhelming frustration with Federal inaction. These towns feel abandoned. They have had

discussions for decades, but they deserve Federal authorities that do more than talk. They deserve action. I know many of you feel the same way. It is our job in Congress to make the Government work for the people that we represent.

The Water Resources Development Act, or WRDA, which you will write, is a tremendous opportunity to make long overdue progress. And I urge you to consider a few key opportunities.

First is the Peckman River Flood Risk Management project. The Peckman River Basin has frequently flooded. And, for more than a generation, the towns of Little Falls and Woodland Park have faced these challenges largely on their own. The House authorized a study in 2000, and there was a favorable reconnaissance report in 2001. But then nothing.

These communities have waited 20 years while the study has languished. Fortunately, thanks to the hard work of the Army Corps New York District staff, the Peckman River Basin Flood Risk Management Feasibility Study was released last October, and we expect a Chief's Report this April. I urge the committee to consider that Chief's Report, and to provide authorization for the Peckman River project in the WRDA bill so that we can move this project forward.

I also represent the historically flood-prone Passaic River Basin. Flooding along the Passaic has caused 11 Federal disaster declarations since 1968. The Corps of Engineers estimates that, when viewed over time, the average annual flood damage in the basin is over \$160 million.

Congress authorized a study in 1975. And then, after more than a decade, authorized a plan calling for a dual inlet diversion tunnel extending to Newark Bay. This plan was controversial, and there have been numerous concerns about its cost and environmental impact. The Army Corps and the State of New Jersey have gone back and forth since that time, and I respect that there are and have always been strong differences to resolve. But my communities are at risk. In fact, since Congress authorized the project in 1990, flooding from the Passaic River has caused over \$3.5 billion in losses. We cannot afford to continue to argue without moving forward on action.

This is so important to my district that I convened a second meeting last October of mayors, New Jersey Department of Environment officials, and the Army Corps staff from the New York District. There was broad consensus. We have to move forward, and the best place to start is to provide all necessary authority to bring those studies and plans up to date. I urge the committee to work with me to overcome any legislative barriers that stand in the way, and to push the Corps to deliver.

There are so many additional issues beyond these two projects. We need to do everything possible to improve resilience, because we know that greater weather variability and rising sea levels are already a threat to critical infrastructure.

We should also promote the use of natural, nonstructural measures, and improve the utilization of expertise from State and local officials. In fact, as the chairwoman of the Committee on Science, Space, and Technology's Subcommittee on Environment, I am chairing a hearing later this afternoon examining flood maps. It is

painfully clear that there is more we can do and must do to improve Federal coordination so that we are listening and responding to local experts and community leaders on the ground. These communication breakdowns are costly. Better coordination will also ensure we utilize the best available science to more accurately assess flood risk, and then communicate that information more effectively to communities and homeowners.

Lastly, I encourage this committee to prioritize issues of equity. Pastor Sidney Williams, Jr. leads the Bethel AME Church in Morristown. And in 2001, when Tropical Storm Irene caused the Whippany River to surge beyond its banks, it filled the basement of the Bethel AME Church with 4 feet of water. Too often, the flood risks of low-lying and underserved communities go unaddressed, and their mitigation needs are never met. Many project ratings and determinations depend on economic assessments that favor richer neighborhoods and perpetuate an ongoing cycle of disinvestment.

We can and we should revise non-Federal cost shares and remove other barriers that disproportionately impact low-income, minority, and indigenous communities.

Thank you, and I yield back.

[Ms. Sherrill's prepared statement follows:]

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**Prepared Statement of Hon. Mikie Sherrill, a Representative in Congress  
from the State of New Jersey**

Thank you, Chairwoman Napolitano, Ranking Member Westerman, and Members of the Subcommittee for the opportunity to testify today. I want to particularly recognize my New Jersey colleague, Rep. Malinowski, for his work on this subcommittee to advance New Jersey's priorities.

I'm here because flooding has plagued North Jersey for generations. One of the first things I did after taking office was to convene a roundtable with my local mayors to get up to speed on their challenges. They need the federal government to be a dependable partner to make sure all local, state, and federal officials and stakeholders are working together to mitigate flood risk.

Instead, the basic takeaway was their overwhelming frustration with federal inaction. These towns feel abandoned. They've had discussions for decades, but they deserve federal authorities that do more than talk. They deserve action.

I know many of you feel the same way. It's our job in Congress to make the government work for the people we represent. The Water Resources Development Act, or "WRDA," which you will write is a tremendous opportunity to make long-overdue progress, and I urge you to consider a few key opportunities that are in my district.

The first is the Peckman River Flood Risk Management Project.

The Peckman River Basin has frequently flooded, and for more than a generation the towns of Little Falls and Woodland Park have faced these challenges largely on their own.

The House authorized a study in 2000. There was a favorable reconnaissance report in 2001. But then nothing happened. These communities waited twenty years while the study languished.

Fortunately, thanks to the hard work of the Army Corps New York District staff, the Peckman River Basin Flood Risk Management Feasibility Study was released last October, and we expect a Chiefs Report this April. I urge the Committee to consider that Chiefs Report and to provide authorization for the Peckman River project in the WRDA bill so that we can move this project forward.

I also represent the historically flood-prone Passaic River Basin. Flooding along the Passaic has caused eleven federal disaster declarations since 1968. The Corps of Engineers estimates that when viewed over time, the average annual flood damage in the basin is over \$160,000,000. Congress authorized a study in 1975, and then—after more than a decade—authorized a plan calling for a dual inlet diversion tunnel extending to Newark Bay. This plan was controversial, and there have been numerous concerns about its cost and environmental impact.

The Army Corps and the state of New Jersey have gone back and forth since that time. I respect that there are, and have always been, strong differences to resolve. But my communities are at risk. In fact, since Congress authorized the project in 1990, flooding from the Passaic River has caused over \$3.5 billion in losses. We cannot afford to continue to argue without moving to action.

This is so important to my district that I convened a second meeting last October of mayors, NJDEP officials, and Army Corps staff from the New York District. There was broad consensus: we must move forward, and the best place to start is to provide all necessary authority to bring those studies and plans up to date. I urge the Committee to work with me to overcome any legislative barriers that stand in the way, and to push the Corps to deliver.

There are so many additional issues beyond these two projects. We need to do everything possible to improve resilience, because we know that greater weather variability and rising sea levels are already a threat to critical infrastructure. We should also promote greater use of natural, nonstructural measures and improve the utilization of expertise from state and local officials.

In fact, as the Chairwoman of the Science, Space, and Technology Environment Subcommittee, I am chairing a hearing later this afternoon examining flood maps. It is painfully clear that there is more we can and must do to improve federal coordination so that we are listening and responding to local experts and community leaders on the ground. These communication breakdowns are costly. Better coordination will also ensure we utilize the best available science to more accurately assess flood risk, and then communicate that information more effectively to communities and homeowners.

Lastly, I encourage this Committee to prioritize issues of equity. Pastor Sidney Williams Jr. leads the Bethel A.M.E. Church in Morristown, and in 2001 when Tropical Storm Irene caused the Whippany River to surge beyond its banks, it filled the basement of the Bethel A.M.E. Church with four feet of water. Too often, the flood risks of low-lying and underserved communities go unaddressed and their mitigation needs are never met. Many project ratings and determinations depend on economic assessments that favor richer neighborhoods and perpetuate an ongoing cycle of disinvestment. We can—and should—revise non-federal cost shares and remove other barriers that disproportionately impact low-income, minority, and indigenous communities.

Thank you for the opportunity to testify about these vital concerns. I look forward to working with all of you, as well Chairman DeFazio, Ranking Member Graves, and all the members of the full Committee to finally, on a bipartisan basis, deliver long-sought progress for communities along the Peckman River, the Passaic River, and many other flooding, navigation, and environmental restoration projects across the country. We owe action to the North Jersey, and the American people. Thank you.

Mrs. NAPOLITANO. Thank you, Ms. Sherrill, for your testimony.

And I would like to recognize our next witness, the gentleman from Missouri, Mr. Cleaver, for 5 minutes.

**TESTIMONY OF HON. EMANUEL CLEAVER II, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI**

Mr. CLEAVER. Thank you, Madam Chair. And to committee members, I will try to keep this short and to the point, as I have a feeling that the ranking member on the committee, Sam Graves, understands this issue quite well.

The Missouri River needs your help. The Missouri River is the longest river system in North America. And, as we have seen over the last decade, the lower end of that system is continually holding the short end of the stick. When the upper river experiences excess snow or rain, and the reservoirs are full to capacity, the water is released upon Missouri, Kansas, Iowa, and Nebraska. When torrential rains occur in Iowa or northern Missouri, we have no reservoirs to keep the water from overflowing and flooding farms, roads, and towns.

Most of the levees along the river in my State of Missouri are non-Federal, either built locally, or now maintained by local levee districts. The system is set up so that the portion of the river least able to deal with flood events bears the heaviest burden. This cannot continue.

Last spring Missouri had two major flood events, breaching 34 levees and overtopping 65 others. Missouri has requested \$93 million in aid after the flooding, and the levee repairs are estimated to be over \$1 billion. Over 1.4 million acres of Missouri land were reported as prevented plant. My constituents are telling me that they are even more concerned about this year.

With only 12 of the 70 levee rehab contracts underway as of February, and another wet year predicted, I fear that we are not prepared for a potential 2020 flood season. The four State stakeholders and the Corps of Engineers are working together on ideas for further flooding mitigation efforts.

The Corps has proposed a new study to evaluate what can be done for the Lower Missouri River, and I urge the committee to be open to some flexibility for this proposed study. With four States involved, and hundreds of miles of river, this is not a typical 3x3 study. I hope the committee will be flexible with some of the typical parameters in this case.

Though not always included in the House's WRDA bill, I also urge the committee to address the high cost of our stormwater infrastructure. In my district of Kansas City, the largest city in our State, which I served as mayor, is currently under a consent decree to spend \$2.5 billion to separate stormwater and wastewater systems over 25 years. Because of this, the city utility has been forced to raise water rates to over \$100 per household, which is unaffordable for most city residents. This is a critical issue for my constituents and for many communities around the country, and something that Congress can help to address.

Thank you for the opportunity for me to speak here to you today.  
[Mr. Cleaver's prepared statement follows:]

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**Prepared Statement of Hon. Emanuel Cleaver II, a Representative in  
Congress from the State of Missouri**

Good Morning and thank you, Chairman DeFazio and Ranking Member Graves, for holding this important hearing.

I will try to keep this short and to the point, as I have a feeling the ranking member understands the concerns I'm about to address all-too-well. The Missouri River needs your help. The Missouri River is a river system and, as we have seen over the last decade, the lower end of that system is continually holding the short end of the stick.

When the upper river experiences excess snow or rain and the reservoirs are filled to capacity, the water is released upon Missouri, Kansas, Iowa and Nebraska.

When torrential rains occur in Iowa or Northern Missouri, we have no reservoirs to keep the water from overflowing banks and flooding farms, roads and towns. Most of the levees along the river in my state of Missouri are non-federal—either built locally or now maintained by local levee districts.

The system is set up so that the portion of the river least able to deal with flood events bears the heaviest burden. This cannot continue.

Last spring and summer, Missouri had two major flood events, breaching 34 levees and overtopping 65. Missourians requested \$93 million in aid after the flooding, and the levee repairs are estimated at over \$1 billion. Over 1.4 million acres of Missouri land were reported as prevented plant.

My constituents are telling me that they are even more concerned about this year. With only 12 of the 70 levee rehab contracts underway as of February and another wet year predicted, I fear we are not prepared for a potential 2020 flood season.

The four-state stakeholders and the Army Corps of Engineers are working together on ideas for further flood mitigation efforts. The Corps has proposed a new study to evaluate what can be done for the Lower Missouri River, and I urge the Committee be open to some flexibility for this proposed study. With four states involved and hundreds of miles of river, this is not a typical 3x3 study. I hope that the Committee will be flexible with some of the typical parameters in this case.

#### STORMWATER

Though not always included in the House's WRDA bill, I also want to urge the committee to address the high cost of our stormwater infrastructure. In my district, Kansas City, the largest city in Missouri, is currently under a consent decree to spend \$2.5 billion to separate stormwater and wastewater systems over 25 years. Because of this, the city utility has been forced to raise water rates to over \$100 per household, which is unaffordable for most city residents. This is a critical issue for my constituents and for many communities around the country, and something that Congress can help address.

Thank you for the opportunity to speak here today about the infrastructure needs of Missouri's Fifth Congressional District.

Ms. MUCARSEL-POWELL [presiding]. Thank you, Mr. Cleaver.

Now I would like to recognize the next witness, the gentlewoman from California, Ms. Speier, for 5 minutes.

#### **TESTIMONY OF HON. JACKIE SPEIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. SPEIER. Madam Chair, thank you for this opportunity to set the priorities for the WRDA Act of 2020.

I am here today to request the authorizations for studies be included for multiple areas along the bay coastline and ocean coastline of San Mateo County.

It is my understanding that local authorities and FEMA have identified 14 sites within San Mateo County that are vulnerable to severe flooding in the coming decades. The San Mateo County sea-level Rise Vulnerability Assessment completed in March of 2018 found that, in the event of a mid-level 2100 sea-level rise scenario, property with an assessed value of \$34 billion would be flooded on the bay shore and on the coastside north of Half Moon Bay.

In addition, the vulnerability assessment found that \$932 million in assessed property value could be at risk for erosion on the coastside north of Half Moon Bay.

Nationally, the nonprofit Climate Central's 2014 study identified San Mateo County as the number-one county in California at risk for flooding due to climate change. Major employers in almost all wastewater treatment facilities sit along either the bay shore or the ocean's coastline.

Recently, many homes and two large apartment buildings had to be condemned and destroyed because of the erosion that took place along the shoreline. This is why a comprehensive study of the county's two coasts, bay and ocean, in conjunction with studies of the coastlines of San Francisco and Marin Counties, are recommended by the district's Corps office.

I respectfully ask that the study of San Mateo County, as well as any requested for San Francisco and Marin, be included in this year's WRDA legislation.

There are certain sites that merit additional attention from the Army Corps.

First, the damaged seawall in Pacifica is estimated to cost \$26 million to repair after a basic analysis, but a more detailed estimate awaits a thorough study.

The levee at Redwood Shores is threatened with deaccreditation by FEMA, and is likely to cost millions to upgrade.

Finally, I want to call the committee's attention to the overall lack of Federal funding for restoration efforts for the San Francisco Bay. Rising tides threaten to drown the bay's wetlands, and will cause irreversible damage by 2030 unless we act. Restoration efforts also include protecting the bay from shoreline landfill pollution. Much of the shoreline in San Mateo County is built on landfill, including San Francisco International Airport.

An example is the Oyster Point landfill in South San Francisco, which operated between 1959 and 1970, primarily for disposal of municipal solid waste. After it closed in 1970, many layers of soil and bay mud were used as cover with riprap along the bay side. As the soil naturally settles, coupled with the increasing threat of sea-level rise and king tides, there is a high probability that these mitigation measures will eventually fail, allowing landfill and associated toxins to seep into the bay, contaminating our water, and hurting our marine life.

I would urge the committee to consider authorizing \$100 million to the Environmental Protection Agency's San Francisco Geographic Program, which would provide crucial funding for habitat restoration, endangered species recovery, and adaptation to climate change. This approach is provided for in my bill, H.R. 1132, which passed the House by a voice vote on February 5th. I am requesting the committee include H.R. 1132 in the final WRDA, but with a higher annual authorization level at \$100 million per year, equal to that of other estuaries like Puget Sound. We receive much less, and yet we have much greater population.

It has been proven time and time again that we cannot address our environmental issues without Federal funding.

I thank you again for convening this hearing, and I urge you to please take action to help save San Francisco Bay.

[Ms. Speier's prepared statement follows:]

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**Prepared Statement of Hon. Jackie Speier, a Representative in Congress  
from the State of California**

Thank you, Chairman Napolitano and Ranking Member Westerman, for providing us this opportunity to share our district's needs and priorities for the upcoming Water Resources Development Act of 2020. I am here today to request that authorizations for studies be included for multiple areas along the bay coastline and ocean coastline of San Mateo County. It is my understanding that local authorities or FEMA have identified fourteen sites within San Mateo County that are vulnerable to severe flooding in the coming decades.

The San Mateo County Sea Level Rise Vulnerability Assessment completed in March 2018 found that in the event of a mid-level 2100 sea level rise scenario, property with an assessed value of \$34 billion would be flooded on the Bayshore and on the Coastside north of Half Moon Bay. In addition, the Vulnerability Assessment found that \$932 million in assessed property value could be at risk from erosion on the Coastside north of Half Moon Bay. Nationally, the nonprofit Climate Central's 2014 study identified San Mateo County as the number 1 county in California at

risk for flooding due to climate change. Major employers and almost all wastewater treatment facilities sit along either the bay shore or the ocean's coastline.

This is why a comprehensive study of the county's two coasts—bay and ocean—in conjunction with studies of the coastlines of San Francisco and Marin Counties, are recommended by the district Corps office. I respectfully ask that the study of San Mateo County, as well as any requested for San Francisco and Marin, be included in this year's WRDA legislation.

There are certain sites that merit additional attention from the Army Corps. First, the damaged seawall in Pacifica is estimated to cost \$26 million to repair after a basic analysis, but a more detailed estimate awaits a thorough study. The levee at Redwood Shores is threatened with de-accreditation by FEMA and is likely to cost millions to upgrade.

Finally, I wanted to call the Committee's attention to the overall lack of federal funding for restoration efforts for the San Francisco Bay. Rising tides threaten to drown the Bay's wetlands and will cause irreversible damage by 2030 unless we act.

Restoration efforts also include protecting the Bay from shoreline landfill pollution. Much of the shoreline in San Mateo County is built on landfill, including San Francisco International Airport. An example is the Oyster Point Landfill in South San Francisco which operated between 1959–1970, primarily for disposal of municipal solid waste. After it closed in 1970, many layers of soil and bay mud were used as cover with rip rap along the Bay side. As the soil naturally settles coupled with the increasing threat of sea level rise and king tides, there is a high probability that these mitigation measures will eventually fail, allowing landfill and associated toxins to seep into the Bay, contaminating our water and hurting our marine life.

I would urge the Committee to consider authorizing \$100 million to the Environmental Protection Agency's (EPA) San Francisco geographic program, which would provide crucial funding for habitat restoration, endangered species recovery, and adaptation to climate change. This approach is provided for in my bill, H.R. 1132, which passed the House by voice vote on February 5, 2020. I am requesting the Committee include H.R. 1132 into the final WRDA, but with a higher annual authorization level of \$100 million per year to address the immediate threat of climate change as we see occurring right now around the Bay.

It has been proven time and time again that we cannot address our environmental issues without federal funding. Chairwoman Napolitano and Ranking Member Westerman, I thank you again for convening this hearing and I urge you to please take action to help save the San Francisco Bay.

Ms. MUCARSEL-POWELL. Thank you, Ms. Speier. I am familiar with that area in California.

So San Mateo has been designated as the top area for the effects of climate change.

Ms. SPEIER. Ground zero for climate change in all of California.

Ms. MUCARSEL-POWELL. Wow. OK. Thank you so much.

Now I would like to recognize our next witness, Mr. Gottheimer, from the great State of New Jersey.

Welcome. You have 5 minutes.

**TESTIMONY OF HON. JOSH GOTTHEIMER, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEW JERSEY**

Mr. GOTTHEIMER. Thank you, Madam Chairwoman. Thank you, Madam Chairwoman, and Chairman DeFazio, and Ranking Member Graves, and subcommittee Chairwoman Napolitano, and subcommittee Ranking Member Westerman, and to the members of the committee. I greatly appreciate you hosting this important hearing, and for having us here today.

I appreciate you seeking input as you prepare a new Water Resources Development Act, and I am here to sound the alarm about a threat to the health and safety of our families and kids: dangerously elevated lead levels in our drinking water.

We know that exposure to lead can have a severe impact on our children, stunting development and causing learning disabilities,



irreversible harm to brain development, the nervous system, and vital organs. Each child deserves to drink water that is free of lead, and every parent deserves to know if their child's school has lead in their pipes, sinks, or water fountains.

However, lead water continues to be a pervasive problem in the schools across the country and in my district in North Jersey. Since 2012, nearly 2,000 water systems across the U.S. have found elevated lead levels in tapwater samples, a significant public health concern. In schools there is an additional danger of leaching lead from school water fountains, which children and teachers use daily. The U.S. Environmental Protection Agency, or EPA, estimates testing across the country's roughly 90,000 public schools remains inconsistent, and the results are often unknown.

In my district I issued a comprehensive report which found that 12 percent of 85 school districts did not report the result of lead testing on their district website for parents to see. And of the 88 percent of school districts that did post lead testing results, 52 districts indicated at least 1 outlet within their system that had a problem with lead in their water.

Simply put, that is unacceptable, and this problem will not fix itself. We must take immediate action to help schools and communities nationwide address this urgent issue.

I was proud that, last Congress, a key piece of my bipartisan legislation, the Lead Free Schools Act, was enacted into law, creating a targeted pilot program using existing resources to improve drinking water infrastructure in schools, nationwide.

Additionally, I called on officials in my home State of New Jersey to create a central, easy-to-access database that schools report into every year, with lead water results for parents to find easily. This online portal, which has already launched, will ensure that parents have access to critical information about the safety of drinking water in their children's schools.

As we move forward with a new Water Resources Development Act, I call on you to include much-needed resources for communities in New Jersey and across America to identify and remove lead pipes in their water infrastructure.

Just as we focus on safe drinking water for our families and kids, we must also focus on ensuring bodies of water utilized for recreation and tourism are safe, as well. It is essential that we take immediate steps to help communities address harmful algae blooms, or HABs. Last year HABs broke out in bodies of water all across the country, including at Greenwood Lake in my district that is the second largest lake in the State. HABs caused millions of dollars in lost revenue for small businesses that rely on lake eco-tourism, and posed a severe health hazard to visitors and wildlife and our water supply.

In New Jersey, this toxic algae disaster was caused by a perfect storm of warmer-than-usual temperatures, combined with rain and phosphorus runoff from mountains, roadways, and fertilizers. Given the impact of change in our climate, these higher temperatures are likely not a one-off occurrence, but now just part of every day.

Just like with our environmental emergencies, we need to act. It will take a comprehensive strategy working together, a true local, State, and Federal partnership.

This is not a partisan issue. I was proud to work with Democrats and Republicans to claw back needed resources to affected lakes in my district. Today I am calling on this committee to help our pristine, world-class lakes combat HABs by authorizing funding to more deeply study the causes and invest in effective solutions.

Many lake communities, including Greenwood Lake, are strapped for cash, and would greatly benefit from additional Federal investment to prevent further environmental disasters caused by HABs, and we deserve more dollars back in Jersey, because we already pay far too much in Federal taxes. We should cut our taxes and claw more dollars back to the State, especially away from moocher States which take far more than they put in.

So I just wanted to thank you for holding this important hearing, and allowing me to discuss these critically important issues facing our families, small businesses, and communities. I am confident that, if we work together, we can bring clean drinking water to every community and school, and stop harmful algae blooms for good.

I look forward to continuing to work with you on these important issues. Thank you, Madam Chairwoman, for your time.

[Mr. Gottheimer's prepared statement follows:]

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**Prepared Statement of Hon. Josh Gottheimer, a Representative in Congress  
from the State of New Jersey**

Thank you, Chairman DeFazio, Ranking Member Graves, Subcommittee Chairwoman Napolitano, Subcommittee Ranking Member Westerman, and to the members of the Committee, I greatly appreciate you hosting this important hearing and for having us here today. I appreciate you seeking input as you prepare a new Water Resources Development Act, and I am here to sound the alarm about a threat to the health and safety of our families and kids: dangerously elevated lead levels in our drinking water.

We know that exposure to lead can have a severe impact on our children, stunting development and causing learning disabilities, irreversible harm to brain development, the nervous system, and vital organs. Every child deserves to drink water that's free of lead, and every parent deserves to know if their child's school has lead in their pipes, sinks, or water fountains. However, lead water continues to be a pervasive problem in schools across the country and in my District in North Jersey.

Since 2012, nearly 2,000 water systems across the U.S. have found elevated lead levels in tap water samples, a significant public health concern. In schools, there is the additional danger of leaching lead from school water fountains, which children and teachers use daily. The U.S. Environmental Protection Agency (EPA) estimates testing across the country's roughly 90,000 public schools remains inconsistent and the results are often unknown. In my District, I issued a comprehensive report which found that 12 percent of 85 school districts did not report the results of lead testing on their district website for parents to see. And of the 88 percent of school districts that did post lead testing results, 52 districts indicated at least one outlet within their system that had a problem with lead in their water.

Simply put, this problem will not fix itself, and we must take immediate action to help schools and communities nationwide address this urgent issue.

I was proud that last Congress, a key piece of my bipartisan legislation, the Lead-Free Schools Act, was enacted into law, creating a targeted pilot program using existing resources to improve drinking water infrastructure in schools nationwide.

Additionally, I called on officials in my home state of New Jersey to create a central, easy-to-access database that schools report into every year with lead water results for parents to find easily. This online portal will ensure that parents have access to critical information about the safety of drinking water in their children's

schools. As we move forward with a new Water Resources Development Act, I call on you to include much needed resources for communities in New Jersey and across America to identify and remove lead pipes in their water infrastructure.

Just as we focus on safe drinking water for our families and kids, we must also focus on ensuring bodies of water utilized for recreation and tourism are safe as well. It is essential that we take immediate steps to help communities address Harmful Algal Blooms, or HABs. Last year, HABs broke out in bodies of water all across the country, including at Greenwood Lake in my District. HABs cause millions of dollars in lost revenue for small businesses that rely on lake eco-tourism, and pose a severe health hazard to visitors and wildlife.

In New Jersey, this toxic algae disaster was caused by a perfect storm of warmer than usual temperatures combined with rain and phosphorus run-off from mountains, roadways, and fertilizers.

Given the impact of climate change, these higher temperatures are likely not a one-off occurrence, but now just part of our every day. Just like with other environmental emergencies, we need to act. It will take a comprehensive strategy, working together—a true local, state, and federal partnership.

This is not a partisan issue. I was proud to work with Democrats and Republicans to claw back needed resources to affected lakes in my District. Today, I am calling on this Committee to help our pristine, world-class lakes combat HABs by authorizing funding to more deeply study the causes, and invest in effective solutions. Many lake commissions, including Greenwood Lake, are strapped for cash, and would greatly benefit from additional federal investment to prevent further environmental disasters caused by HABs.

Thank you for holding this important hearing, and allowing me to discuss these critically important issues facing our families, small businesses, and communities. I am confident that if we work together, we can bring clean drinking water to every community and school, and stomp out Harmful Algal Blooms for good. I look forward to continuing to work with you on these important issues.

Ms. MUCARSEL-POWELL. Thank you, Mr. Gottheimer—

Mr. GOTTHEIMER. Thank you.

Ms. MUCARSEL-POWELL [continuing]. For that passionate ending there.

[Laughter.]

Ms. MUCARSEL-POWELL. Let me just say that I think I understand what toxic algae blooms are more than anybody else. I didn't realize that you were dealing with that in New Jersey, as well. So that—we will take that into account.

Mr. GOTTHEIMER. Thank you so much. It is a significant issue. Thank you, Madam Chairwoman.

Ms. MUCARSEL-POWELL. Now I would like to recognize our next witness, Mr. Gomez from the great State of California.

You have 5 minutes.

**TESTIMONY OF HON. JIMMY GOMEZ, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. GOMEZ. Madam Chair, thank you so much. I want to thank Chairman DeFazio and Chairwoman Napolitano for allowing me to participate in this discussion.

Since before I was elected, I was a champion for the restoration and revitalization of the Los Angeles River. It has been one of my top priorities. And yes, there is a river in Los Angeles. It is 51 miles long, with millions of people that live within 1 mile of that river. Like most Angelinos, I believe that it is more than just a vestige of our city's past. It is a symbol of our future and boundless potential that still awaits.

The revitalization of the river is a big undertaking, with the power to bring our entire city and region together. But a project of this magnitude demands an all-hands-on-deck approach. So I want

to thank the city of Los Angeles and the U.S. Army Corps of Engineers for moving forward with an ambitious restoration plan for the Los Angeles River, and ensuring that the Los Angeles River gets the Federal funds it needs for its revitalization and restoration efforts.

But as someone who represents one of the most park-poor districts in the country, it is important to ensure that any river restoration project takes into account the needs of low-income individuals and communities of color. Environmental equity is about ensuring that all communities have a voice in the restoration of the river, and that everyone can benefit and enjoy the river once it is completed. The restoration of the L.A. River is a large undertaking, and we need to ensure that the river gets the resources it needs so the L.A. River can be enjoyed by all my constituents and generations to come.

I also want to be clear that this is not just a handout. The project that I am talking about is the ARBOR Plan, which takes place between the 134 and downtown L.A. That is a \$1 billion project. The city of L.A. is going to match what the Federal Government is putting in.

Additionally, when I was in the State legislature, we passed a water bond that would devote more resources for stormwater capture, revitalization of the L.A. River. So this is not a handout. It is a hand up when it comes to the restoration of this river. But it is going to take time. And the impacts have been felt for generations, but we are going to turn the clock on it.

So I support language that ensures that the P3 pilot program provides the flexibility needed to ensure that we give our community a place to reconnect with nature, celebrate our diverse communities, and learn about our city's history.

So once again, I thank you for your time, and I thank you, this committee, for hopefully including this important issue in the proposal.

[Mr. Gomez's prepared statement follows:]

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**Prepared Statement of Hon. Jimmy Gomez, a Representative in Congress  
from the State of California**

I want to thank Chairman DeFazio and Chairwoman Napolitano for allowing me to participate in this important discussion.

Since elected, the revitalization of the Los Angeles River has been one of my top priorities.

Like most Angelenos, I believe that the Los Angeles River is more than a vestige of our city's past—it's a symbol of our future and boundless potential that still awaits the regions.

The revitalization of the Los Angeles River is a huge undertaking with the power to bring our entire city together.

But a project of this magnitude demands an "all-hands-on deck" approach.

I want to thank the City of Los Angeles and the US Army Corps of Engineer's for moving forward with an ambitious restoration plan for the Los Angeles River and ensuring the Los Angeles River gets the federal funds it needs for its revitalization and restoration efforts.

But as someone who represents one of the most park-poor districts in the country, it's important to ensure that any LA River revitalization project takes into account the needs of, low-income and communities of color.

Environmental equity is about ensuring that ALL communities have a voice in the restoration of the LA River ecosystem so that EVERYONE can benefit from and enjoy the LA River.

The restoration of the LA River is a large undertaking and we need to ensure that the LA River has the resources it needs so that the LA River can be enjoyed by all my constituents and the generations to come.

I support language that ensures the P3 pilot program provides the flexibility needed to ensure that we give our community a place to reconnect with nature, celebrate our diverse communities and learn about our city's history.

Thank you again for consideration on this important matter.  
I yield back my time.

Ms. MUCARSEL-POWELL. Thank you, Mr. Gomez. Do you have an approximate timeline of how long it would take to restore the river?

Mr. GOMEZ. The Army Corps has started on the engineering phase of the river, but they are doing it in components. This is just an 11-mile stretch of the entire 51 miles. And it is in a location of the river where it is a soft bottom portion. So they channelized the river, because it used to flood in this region back in the 1930s and 1940s, and people would lose their lives. So they channelized the river. This part would always break up the concrete.

And I always said that this river, you know, when you try to take on nature, nature often fights back. And this is what happened in this area.

But it is—now we don't see it as a ditch. We don't see it as a drag-racing stretch like you saw in "Grease." This is a potential to actually have a real river in Los Angeles. And even the steps that we have taken so far, people can go kayaking in the river in my district between Memorial Day and Labor Day. You can go kayaking if you ever want to come and visit.

Ms. MUCARSEL-POWELL. I need to go see that.

Mr. GOMEZ. And you can also—people fish and get—

Ms. MUCARSEL-POWELL. There is fish in the L.A. River?

Mr. GOMEZ. Steelhead trout.

Ms. MUCARSEL-POWELL. All right.

Mr. GOMEZ. So most people don't know that. But the project itself, the design phase, will take about 2 to 3 years. And then the project after that, about 5 to 10 years.

Ms. MUCARSEL-POWELL. OK. OK, thank you, Mr. Gomez.

Mr. GOMEZ. Thank you.

Ms. MUCARSEL-POWELL. Now I would like to recognize our next witness, the gentleman from Virginia, Mr. Wittman.

You have 5 minutes.

**TESTIMONY OF HON. ROBERT J. WITTMAN, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA**

Mr. WITTMAN. Madam Chairwoman, thank you so much for allowing me to testify before you today. I want to thank the other committee members also, and I am honored to highlight some of the needs facing Virginia as you consider the upcoming Water Resources Development package.

Water infrastructure is vital to moving goods throughout the country from products we all use in our everyday lives, to crops and goods we produce domestically and send abroad. And I hope that this committee and the House upholds its duty to authorize locally driven water infrastructure improvement projects, many of which you have heard about today.

I would also like to thank the Army Corps of Engineers, as they work hard to manage more than 1,500 water resources projects, with many of them in Virginia. The Army Corps of Engineers is critical to our State, from the Norfolk Harbor Channel Deepening project to the Elizabeth River Southern Branch Navigation Improvements project, and waterways restorations the Army Corps of Engineers are involved in many public works projects in Virginia.

As a proud Representative of the Commonwealth of Virginia, home to the Port of Virginia, one of the largest and busiest ports on the eastern seaboard, advancing the Port of Virginia's work to improve and expand its operations is critical. The port manages cargo that is shipped to all 48 contiguous States. The Port of Virginia is a national gateway for commerce, supporting businesses across the country.

Moreover, in Virginia's First Congressional District, 334 businesses utilize the services of the Port of Virginia. As a catalyst for commerce, the port is attracting growth, fostering development, and creating jobs. On the State level, cargo moving through the port supports more than 530,000 jobs statewide, and generates in excess of \$90 billion in annual economic impact for Virginia.

Increased shipping traffic and larger vessels are straining the port's current capacity. As larger vessels continue to call on the Port of Virginia, increasing the depth of the channels at the port is becoming progressively important. By deepening to 55 feet, the port is positioned to allow larger ships visiting the port to arrive and depart fully loaded, and will make for safer and more timely passage through these channels.

Additionally, one-way traffic has led to interruptions in the operations of vessels at Naval Station Norfolk, presenting possible national security concerns. Widening to 1,400 feet will make way for safe and efficient two-way passage between larger commercial vessels and other operators in the harbor and channels, including the United States Navy.

I would like to take this time to highlight some WRDA priorities the subcommittee should look at while deliberating about provisions in the bill.

Full HMT funding solution. I want to seek a permanent solution to the full use of annual HMT revenues. The port industry has reached an agreement on an approach to mandatory full use of annual HMT revenues, tax collections, and interest on the trust fund surplus. Four legislative proposals are: full use of the HMT Fund; expanded use for donor and energy transfer ports; regional funding floors; and emerging harbors funding.

The dedicated use of HMT revenues for harbor maintenance, as well as energy transfer provisions, will have direct benefits to the Port of Virginia. Unlocking the Harbor Maintenance Trust Fund is key to ensuring we are not just adding to the \$100 billion backlog of projects at the Corps of Engineers, but are actually using existing funds to make real improvements in our Nation's ports.

Benefit-to-cost ratio for locally preferred plan, better known as BCR and LPP. To calculate a navigation project's benefit-to-cost ratio based on the National Economic Development Plan benefits, regardless of whether it is a locally preferred plan, as the sponsor pays 100 percent of the additional cost between the NED and the

locally preferred plan. This prevents a locally preferred plan from reducing the project's benefit-to-cost ratio, which is used in the project authorization report and new construction start decisions. The benefit-to-cost ratio calculation for local preferred plans may be applicable for Norfolk Harbor, depending on how the widening is constructed.

Prioritizing funding for shallow draft navigation projects. Federal funding for historically shallow draft projects provided by the Army Corps of Engineers have been a challenge for small and rural localities. However, current budget metrics are not providing sufficient funding at levels to sustain maintenance dredging of low-use navigation channels throughout the United States. It would benefit rural localities who rely on routine maintenance dredging of such low-use channels to supply their economies, to prioritize funding for shallow draft, low-use navigation projects.

These things are incredibly important to waterside communities and the economies that go with these locally based, water-based communities.

I want to thank the chairwoman, the ranking member, and members of this committee for the opportunity to testify today. I look forward to working with the committee, the Corps of Engineers, and Virginians as we move forward to implementing WRDA 2020.

[Mr. Wittman's prepared statement follows:]

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**Prepared Statement of Hon. Robert J. Wittman, a Representative in  
Congress from the Commonwealth of Virginia**

INTRO

Chairwoman Napolitano and Ranking Member Westerman,

Thank you for allowing me to testify before you today. I am honored to highlight some of the needs facing Virginia as you consider the upcoming Water Resources Development package.

The Water Resources Development Act is necessary legislation that provides for improvements to the Nation's ports, inland waterways, flood protection, ecosystem restoration, and other water resources infrastructure. Water infrastructure is vital to moving goods throughout the country, from products we all use in our everyday lives, to crops and goods we produce domestically and send abroad. I hope that this committee and the House upholds its duty to authorize nationally important water infrastructure improvements that are more locally driven.

I would like to thank the Army Corps of Engineers as they work hard to manage more than 1,500 water resources projects with many of them in Virginia. The Army Corps of Engineers is critical to our state, from the Norfolk Harbor Channel Deepening project, the Elizabeth River Southern Branch Navigation Improvements Project, and waterways restorations the Army Corps of Engineers are involved in many public works projects in Virginia.

PORT OF VA

As a proud representative of the Commonwealth of Virginia, home to the Port of Virginia—one of the largest and busiest ports on the eastern seaboard—advancing the work being done by the Port of Virginia to improve and expand its operations is critical. The Port manages cargo that is shipped to all 48 contiguous states.

The Port of Virginia is a national gateway for commerce, supporting businesses across the country. Moreover, in Virginia's 1st District 334 businesses utilize the services of the Port of Virginia.

As a catalyst for commerce, the Port is attracting growth, fostering development, and creating jobs. On the state level, cargo moving through the Port supports more than 530,000 jobs statewide and generates in excess of \$90 billion in annual economic impact for Virginia.

Increased shipping traffic and larger vessels are straining the Port's current capacity. As larger vessels continue to call on the Port of Virginia, increasing the depth of the channels at the Port is becoming progressively important. By deepening to 55 feet, the Port is positioned to allow larger ships visiting the Port to arrive and depart fully loaded and will make for safer and more timely passage through the channels. Additionally, one-way traffic has led to interruptions with operations of vessels at Naval Station Norfolk presenting possible national security concerns. Widening to 1,400 ft. will make way for safe and efficient two-way passage between larger commercial vessels and other operators in the Harbor and Channels including the Navy.

#### WRDA PROPOSALS

I would like to take this time to highlight some WRDA priorities the subcommittee should look at while deliberating about provisions in the bill.

1. *Full HMT funding solution:* I seek a permanent solution to the full use of annual HMT revenues. The Port Industry has reached an agreement on an approach for mandatory full use of annual HMT revenues, tax collections, and interest on the trust fund surplus. Four legislative proposals are: Full use of HMT Fund, expanded use for Donor & Energy Transfer (D&ET) ports; regional funding floors, and emerging harbors funding. The dedicated use of HMT revenues for harbor maintenance as well as the Energy Transfer provisions will have direct benefits to The Port of Virginia. Unlocking the Harbor Maintenance Trust Fund is key to ensuring we're not just adding to the \$100 billion dollar backlog of projects at the Corps of Engineers, but are actually using existing funds to make real investments in our Nation's ports, harbors and waterways.
2. *Benefit-to-Cost Ratio (BCR) for Locally Preferred Plan*
3. *Prioritizing funding for shallow draft navigation projects:* Federal funding has historically been provided in the Army Corps of Engineers' budget for shallow draft low use navigation projects. However, current budget metrics are not providing sufficient funding at levels to sustain maintenance dredging of low use navigation channels throughout the United States. It would benefit rural localities who rely on routine maintenance dredging of such low use channels to supply their economies, to prioritize funding for shallow draft low use navigation projects.

I want to thank the Chairwoman, Ranking Member, and Members of the committee for this opportunity to testify today. I look forward to working with the committee, the Corps of Engineers, and Virginians as we move towards implementing WRDA 2020.

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

And now I would like to recognize our next witness, Mr. Johnson from the great State of Louisiana, for 5 minutes.

#### **TESTIMONY OF HON. MIKE JOHNSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA**

Mr. JOHNSON OF LOUISIANA. Thank you, Madam Chair. I want to thank all the members of the subcommittee for the opportunity to testify about important matters to the people of Louisiana's Fourth Congressional District and this year's WRDA bill.

As the committee begins its work, I respectfully ask that you keep in mind two priorities in particular. The first is a parochial issue relating to a levee segment of the Red River in my district, and the second is a programmatic request that will increase efficiency within the Corps of Engineers.

First, I respectfully ask that the committee incorporate approximately 1.5 miles of levee in Shreveport, Louisiana, into the Red River Below Denison Dam project. This stretch of levee was constructed in the early 1960s, and it has always been operated and maintained by the Caddo Parish Levee District. It provides flood protection for nearly 30,000 residents, and 200,000 acres of agricultural land.



The levee has proven to be resilient, and it performed well during the historic Red River flood that occurred in June 2015. It has also been accredited by FEMA, and the levee was included in last year's Corps of Engineers Report to Congress on Future Water Resources Development. I believe it warrants inclusion into the Red River Below Denison Dam project, and I respectfully ask that you incorporate this levee segment into this year's WRDA bill.

Next I would like to draw your attention to legislation that I have introduced reauthorizing section 1043 of the 2014 WRRDA bill. As you may know, section 1043 created two pilot programs to give greater local control over Corps of Engineers projects. Specifically, these pilot programs allow the Corps to transfer appropriations to non-Federal sponsors to conduct feasibility studies and project construction. Unfortunately, section 1043 expired due to a technicality, but my legislation would provide a clean reauthorization for the pilot programs for fiscal year 2021 and through fiscal year 2025.

In his testimony before this subcommittee last month, Assistant Secretary R.D. James pointed out that local control over project delivery will "help accelerate projects and create efficiencies." Allowing greater non-Federal involvement gets projects out of the day-to-day bureaucracy of the Corps, and this decentralized process allows stakeholders to identify and implement lower cost alternatives in the planning and construction phase.

Furthermore, if decisions need to be made in the middle of a construction project, non-Federal stakeholders are better equipped than the Corps of Engineers to come to a timely resolution.

Section 1043 can be a useful tool as this committee seeks out ways to address the regretful \$98 billion backlog for Corps of Engineer projects.

I would like to respectfully urge the committee to include these priorities in this year's WRDA bill, and I want to thank you again for allowing me the opportunity to testify today.

I yield back.

[Mr. Johnson of Louisiana's prepared statement follows:]

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**Prepared Statement of Hon. Mike Johnson, a Representative in Congress  
from the State of Louisiana**

Chairman Napolitano, Ranking Member Westerman, and members of the subcommittee, thank you for the opportunity to testify about important matters to my district and constituents for this year's WRDA bill. As the Committee begins its work, I respectfully ask that you keep in mind two priorities—the first is a parochial issue relating to a levee segment of the Red River in my district, and the second is a programmatic request that will increase efficiency within the Corps of Engineers.

First, I respectfully ask that the committee incorporate approximately 1.5 miles of levee in Shreveport, Louisiana into the Red River Below Denison Dam Project. This stretch of levee was constructed in the early 1960's, and it has always been operated and maintained by the Caddo Parish Levee District. It provides flood protection for nearly 30,000 residents and 200,000 acres of agricultural land. The levee has proven to be resilient, and it performed well during the historic Red River flood that occurred in June 2015. It has also been accredited by FEMA, and the levee was included in last year's Corps of Engineers Report to Congress on Future Water Resources Development. I believe it warrants inclusion into the Red River Below Denison Dam Project, and I respectfully ask that you incorporate this levee segment it in this year's WRDA bill.

Next, I'd like to draw your attention to legislation that I have introduced reauthorizing Section 1043 from the 2014 WRRDA bill. As you may know, Section 1043 created two pilot programs to give greater local control over Corps of Engineers projects. Specifically, these pilot programs allow the Corps to transfer appropriations to non-federal sponsors to conduct feasibility studies and project construction.

Unfortunately, Section 1043 expired due to a technicality, but my legislation would provide a clean reauthorization for the pilot programs from FY21 through FY25.

In his testimony before this subcommittee last month, Assistant Secretary R.D. James pointed out that local control over project delivery will "help accelerate projects and create efficiencies." Allowing greater non-federal involvement gets projects out of the day-to-day bureaucracy of the Corps. This decentralized process allows stakeholders to identify and implement lower-cost alternatives in the planning and construction phase. Furthermore, if decisions need to be made in the middle of construction of a project, non-federal stakeholders are better equipped than the Corps of Engineers to come to a timely resolution.

Section 1043 can be a useful tool as this committee seeks out ways to address the \$98 billion backlog for Corps of Engineers projects.

I'd like to respectfully urge the Committee to include these priorities in this year's WRDA bill, and thank you again for allowing me the opportunity to testify today.

Mrs. NAPOLITANO [presiding]. Thank you very much for your testimony, Mr. Johnson.

Mr. JOHNSON OF LOUISIANA. Yes, ma'am.

Mrs. NAPOLITANO. And now we will recognize the next witness, the gentlewoman from Texas, Ms. Escobar, for 5 minutes.

**TESTIMONY OF HON. VERONICA ESCOBAR, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS**

Ms. ESCOBAR. Thank you, Chairwoman Napolitano. I look forward to highlighting water infrastructure priorities for my constituents in El Paso, Texas, as the committee considers a reauthorization of the Water Resources Development Act.

El Paso is a vibrant community in the Chihuahuan Desert, situated in the westernmost part of Texas. We are fortunate to have the Franklin Mountains in the heart of our city. However, when we receive large amounts of rain, stormwater runoff from the mountains routinely floods parts of our community. Flash floods are not uncommon during the storm season, and water speeds can reach up to 20 feet per second.

In 2006, our community received a record amount of rain that caused over \$315 million in damages to homes and businesses. Since then, El Paso Water, our local water utility, has taken on several projects to improve our stormwater system and update flood controls. The utility developed a stormwater master plan containing these projects, many of which received funds through WRDA. Within the first 3 years of this plan, more than 50 percent of our city's flood risk was addressed or reduced.

It is my hope that we can continue to build on that progress with the upcoming WRDA reauthorization by including project modifications El Paso Water has proposed to the Army Corps of Engineers under section 7001 of WRDA.

In addition to addressing our stormwater systems, El Paso Water has taken great strides to think ahead when it comes to wastewater. El Paso Water treats an average of 55 million gallons of wastewater per day for over 220,000 El Pasoans. El Paso Water has over 2,300 miles of wastewater lines carrying wastewater to treatment plants across the country. These treatment plants then

send close to 6 million gallons of reclaimed water per day to irrigate crops and landscapes.

Additionally, El Paso Water maintains a diverse water portfolio because we live in a desert environment. This portfolio has become even more important as we face the existential threat of the climate crisis.

The Rio Grande, which can typically supply as much as half of our city's water needs, has seen its water level drop as temperatures have risen. One solution El Paso Water has pioneered has been treating our wastewater to drinking water standards. This water is then used to recharge the Hueco Bolson Aquifer to replenish our water supply.

WRDA funds have been critical to my community's ability to bolster our wastewater infrastructure, and continued funding will allow us to expand services to different parts of the community.

As El Paso County is an eligible community under section 219 of the WRDA reauthorization of 2007, El Paso Water has enjoyed a strong partnership with the Corps of Engineers as the non-Federal project sponsor for these projects carried out under WRDA. They have collaborated on major projects to address our stormwater and wastewater needs.

One of the projects that has completed the design phase and will begin construction soon as a result of this partnership is the Boone Siphon Wastewater Line. This project will replace siphon infrastructure dating back to the 1950s. It has been crumbling due to age, but is slated to successfully direct wastewater from Fort Bliss, the Defense Department's second largest military installation, and the surrounding areas to a nearby treatment plant.

One of the projects slated to begin construction in 2022 would improve the stormwater infrastructure of the Palisades, which is located in West Central El Paso. The area's steep terrain causes significant flash flooding for the properties downstream. The improvements proposed in this project would minimize flooding in this area, which includes the University of Texas at El Paso.

Another major project is repairing the Keystone Dam. This dam was constructed in the 1980s by the Corps of Engineers, and is primarily used for stormwater runoff. However, there is evidence of seepage near the downstream embankment, and an analysis has recommended stabilizing the slope.

As time has passed, it is now apparent that our community requires more investment in our stormwater and wastewater infrastructure. To address this, El Paso Water is seeking modifications to the underlying section 219 authorization for El Paso County. The modifications involving stormwater infrastructure include the conduit lining of the Keystone Dam and the construction of a new pump station that will outfall into the Rio Grande.

These projects are vital to protecting El Pasoans, businesses, transportation corridors, and Fort Bliss.

El Paso Water has also requested funding to upgrade a major component of our wastewater treatment infrastructure, the Haskell Street Wastewater Plant. This treatment plant is critical to our agricultural sector, as it provides irrigation water to farmers in the Lower Valley. It is also the sole treatment plant for the wastewater produced by Fort Bliss. However, it is also the oldest wastewater

facility in El Paso, having been built in 1923, and is in need of major rehabilitation to ensure it can continue to provide essential services across the region, as well as Fort Bliss.

Thank you all for the opportunity to testify before you today, and I look forward to collaborating with the committee to ensure a successful WRDA reauthorization.

[Ms. Escobar's prepared statement follows:]

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**Prepared Statement of Hon. Veronica Escobar, a Representative in  
Congress from the State of Texas**

Thank you Chairwoman Napolitano and Ranking Member Westerman. I look forward to highlighting water infrastructure priorities for my constituents in El Paso, Texas as the Committee considers a reauthorization of the Water Resources Development Act (WRDA).

El Paso is a vibrant community in the Chihuahuan desert, situated in the westernmost part of Texas. We are fortunate to have the Franklin Mountains in the heart of our city. However, whenever we receive large amounts of rain, stormwater runoff from the mountains routinely floods parts of our community. Flash floods are not uncommon during the storm season and water speeds can reach up to 20 feet per second. In 2006, our community received a record amount of rain that caused over \$315 million in damages to homes and businesses. Since then, El Paso Water, our local water utility, has taken on several projects to improve our stormwater system and update flood controls. The utility developed a Stormwater Master Plan containing these projects, many of which received funds through WRDA. Within the first three years of this plan, more than 50 percent of our city's flood risk was addressed or reduced. It is my hope that we can continue to build on that progress with the upcoming WRDA reauthorization by including project modifications El Paso Water has proposed to the Army Corps of Engineers under section 7001 of WRDA.

In addition to addressing our stormwater systems, El Paso Water has taken great strides to think ahead when it comes to wastewater. El Paso Water treats an average of 55 million gallons of wastewater per day for over 220,000 El Pasoans. El Paso Water has over 2,300 miles of wastewater lines carrying wastewater to treatment plants. These treatment plants then send close to 6 million gallons of reclaimed water per day to irrigate crops and landscapes. Additionally, El Paso Water maintains a diverse water portfolio because we live in a desert environment. This portfolio has become even more important as we face the existential threat of the climate crisis. The Rio Grande, which can typically supply as much as half of our city's water needs, has seen its water level drop as temperatures have risen. One solution El Paso Water has pioneered has been treating our wastewater to drinking water standards. This water is then used to recharge the Hueco Bolson aquifer to replenish our water supply. WRDA funds have been critical to my community's ability to bolster our wastewater infrastructure and continued funding will allow us to continue to expand services to different parts of the community.

As El Paso County is an eligible community under section 219 of the WRDA reauthorization of 2007, El Paso Water has enjoyed a strong partnership with the Corps of Engineers as the non-federal project sponsor for the projects carried out under WRDA. They have collaborated on major projects to address our stormwater and wastewater needs. One of the projects that has been completed as a result of this partnership is the Boone Siphon Wastewater Line. This project replaced siphon infrastructure dating back to the 1950s. It had been crumbling due to age but is now successfully directing wastewater from Fort Bliss, the Defense Department's second largest installation, and the surrounding areas to a treatment plant.

One of the proposed projects for Fiscal Year 2020 to 2021 is improving the stormwater infrastructure of the Palisades, which is located in West Central El Paso. The area's steep terrain causes significant flash flooding for the properties downstream. The improvements proposed in this project would minimize flooding in this area, which includes University of Texas at El Paso. Another major project is repairing the Keystone Dam. This dam was constructed in the 1980s by the Corps of Engineers and is primarily used for stormwater runoff. However, there is evidence of seepage near the downstream embankment and an analysis has recommended stabilizing the slope.

As time has passed, it is now apparent that our community requires more investment in our stormwater and wastewater infrastructure. To address this, El Paso Water is seeking modifications to the underlying section 219 authorization for El Paso County. The modifications involving stormwater infrastructure include the conduit lining of the Keystone Dam and the construction of a new pump station that will outfall into the Rio Grande. These projects are vital to protecting El Pasoans, businesses, transportation corridors, and Fort Bliss.

El Paso Water has also requested funding to upgrade a major component of our wastewater treatment infrastructure, the Haskell Street Wastewater Plant. This treatment plant is critical to our agricultural sector as it provides irrigation water to farmers in the Lower Valley. It is also the sole treatment plant for the wastewater produced by Fort Bliss. However, it is also the oldest wastewater facility in El Paso having been built in 1923. It is in need of major rehabilitation to ensure it can continue to provide essential services across the region, as well as reliable performance to support the national security mission at Fort Bliss.

El Paso has been able to successfully use WRDA and our strong relationship with the Corps of Engineers to bolster our stormwater system and expand our wastewater treatment options. It is critical that Congress reauthorize WRDA to ensure communities across the country continue to improve and bring our water infrastructure into the 21st century.

Thank you all for the opportunity to testify before you today and I look forward to collaborating with the committee to ensure a successful WRDA reauthorization.

Mrs. NAPOLITANO. Thank you for your testimony, Ms. Escobar, and I would like to recognize the next witness, the gentlewoman from Iowa, Mrs. Axne, for 5 minutes.

If you can keep it under 5 minutes, bless you.

**TESTIMONY OF HON. CYNTHIA AXNE, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF IOWA**

Mrs. AXNE. Very good. Thank you, Chairwoman Napolitano, Ranking Member Westerman, and members of the subcommittee. Thanks for the opportunity to let me testify here today.

As many of you may know, in the spring of 2019, my district in the southwest corner of Iowa suffered historic flooding on the Missouri River, resulting in towns like Hamburg and Pacific Junction to be completely inundated by as much as 15 feet of water. Communities were absolutely devastated, homes were destroyed, farms were flooded, and businesses had to close.

Unfortunately, severe flooding is nothing new to Iowans. Nine years ago, in 2011, record snowfall caused water levels to rise, overflowing dams and breaching levees all along the Missouri River. Hamburg, a town I just mentioned, a small town of 1,100 folks near the Missouri River, was facing ruin as the waters continued to rise, nearing the peak of their levee. However, the spirit and work ethic of Iowans was in full force as communities came together and worked with the Army Corps through pouring rain to construct a temporary extension of the levee, and they raised the height enough to hold back the water.

Well, this temporary heightened levee saved the town, and would be needed for continued protection of Hamburg. However, the Army Corps said it didn't meet the proper specifications required in a permanent levee, and gave residents two choices: either tear down the extension, which would cost the city about \$1.3 million, or pay \$5.6 million to make it permanent.

Well, a \$5.6 million bill for a town the size of 1,100 people works out to be just over 5 grand per person. But the residents of Hamburg, in their spirit, didn't give up. And just like when the river was rising, they came together and they tried, literally, every pos-

sible option to raise enough money to make the levee permanent, including a fundraising campaign on YouTube, a viral music video called "Save Our Levee." However, that massive price tag was just too much for the town to come up with, and—on their own. And they were forced to, literally, tear down their 2011 levee height that was tall enough to protect the town.

Now, fast forward to just last year. Hamburg was hit with some of the worst flooding it has ever seen. Their levee wasn't at the 2011 height, because they weren't able to do that. It wasn't tall enough to protect them this time. And I am going to tell you, tearing down a levee that saved people and replacing it with one that didn't has got to be one of the biggest wastes of taxpayer dollars I have ever heard of.

This challenge, the challenges that Hamburg have faced, are unacceptable. And so I am testifying today to get things changed for my constituents in southwest Iowa and, of course, for communities across the country that may experience something similar. I ask the subcommittee to consider including my bipartisan and bicameral legislation, the LEVEE Act, in the Water Resources Development Act of 2020.

The LEVEE Act would give the Army Corps new authority to evaluate whether temporary flood control structures should be converted into a permanent structure. A community would petition the Corps to make a determination, and if the Corps finds the levee is necessary, the legislation would allow the Corps to act quickly by granting preauthorization for planning and design projects less than \$25 million. The legislation would provide 100 percent cost share for communities with less than 10,000 residents, or ones at risk of repeated flooding.

You know, no community should have to go through the difficulties that Hamburg faced, simply to protect themselves from severe flooding. And I have heard from constituents who literally fled their homes with no shoes on their feet. Many of them had finally just gotten over and recovered and rebuilt from the 2011 flood, only to lose it all again last year. And now we are waiting to see how that river is going to rise again in the spring.

So I hope the subcommittee will include the legislation in the reauthorization to prevent this situation from happening to any other community.

I also quickly want to highlight an issue that the city of Des Moines is having with a levee that provides critical protection for the city. So I am talking about one of the smallest towns in Iowa, Hamburg, and then our biggest city, Des Moines.

They have the Birdland levee, which protects the city from flooding on the Des Moines River, but it breached in the floods of 2008, flooding nearby neighborhoods in the community. The levee had just been repaired, but in 2018 city officials identified a problem of underseepage. While the Corps has recognized this issue, and reported that two-thirds of the levee was deficiently designed and in need of repair, and we can't continue to throw good money after bad.

So what is happening here is that they want to repair the levee to almost the cheapest alternative. But I have got to say, smart in-

vestments in flood prevention like what Hamburg needed will save our taxpayers more money in the long run.

So the integrity of this levee is crucial to protect Des Moines, and I will be submitting language to provide funding for these repairs, and ask that the subcommittee request that in the reauthorization, as well. Thank you so much.

[Mrs. Axne's prepared statement follows:]

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**Prepared Statement of Hon. Cynthia Axne, a Representative in Congress  
from the State of Iowa**

Chairwoman Napolitano, Ranking Member Westerman, and Members of the Subcommittee—thank you for the opportunity to testify here today.

As many of you know, in the Spring of 2019, my district in Southwest Iowa suffered historic flooding of the Missouri River which resulted in entire towns such as Hamburg and Pacific Junction to be completely inundated by as much as 15 feet of water. Communities were devastated—homes were destroyed, farms were flooded, and businesses had to close.

Unfortunately, severe flooding is nothing new to Iowans. Nine years ago, in 2011, record snowfall caused water levels to rise, overflowing dams and breaching levees all along the Missouri River. Hamburg, Iowa—a small town of 1,100 folks near the Missouri River—was facing ruin as the waters continued to rise, nearing the peak of their levee.

However, the spirit and work ethic of Iowans was in full force as members of the community worked with the Army Corps—through the pouring rain—to construct a temporary extension of the levee and raised the height enough to hold back the water.

This temporary heightened levee saved the town and would be needed for continued protection of Hamburg. However, the Army Corps said it did not meet the proper specifications required in a permanent levee and gave residents a choice: either tear down the extension, which would cost the city \$1.3 million, or pay \$5.6 million to make it permanent.

A \$5.6 million bill for a town of 1,100 people works out to be just over \$5 grand per resident.

But the residents of Hamburg didn't give up. Just like when the river was rising, they came together and tried every possible option to raise enough money to make the levee permanent, including a fundraising campaign with a viral YouTube music video titled "Save Our Levee!"

However, the massive price tag was too much for the town to come up with on their own and they were forced to tear down their 2011 levee height.

And last year, Hamburg was hit with some of their worst flooding. Their levee wasn't at the 2011 height, and it wasn't tall enough to protect them this time.

Tearing down a levee that saved you and replacing it with one that didn't is the biggest waste of taxpayer dollars I can think of.

The challenges Hamburg faced are unacceptable and I'm testifying today to get things changed for my constituents in Southwest Iowa and communities across the country that may face similar challenges.

I ask that the subcommittee considers including my bipartisan and bicameral legislation, the LEVEE Act, in the Water Resources Development Act of 2020.

The LEVEE Act would give the Army Corps new authority to evaluate whether temporary flood control structures should be converted into a permanent structure. A community would petition the Corps to make a determination and if the Corps finds the levee is necessary, the legislation would allow the Corps to act quickly by granting pre-authorization for planning and design on projects less than \$25 million.

The legislation would provide 100% cost share for communities with less than 10,000 residents or ones at risk of repeated flooding.

No community should have to go through the difficulties that Hamburg faced simply to protect themselves from severe flooding. I heard from constituents who had to flee their homes, with no shoes on their feet. Many of them had finally just recovered and rebuilt what was lost in 2011, only to lose it all again last year. And now, we're waiting to see how that river will rise this year.

I hope the subcommittee will include the legislation in the reauthorization to prevent this situation from happening to any other community.

I also want to quickly highlight an issue that the City of Des Moines is having with a levee that provides critical protection for the city. The Birdland Levee protects the city from flooding of the Des Moines River but breached during the floods of 2008, flooding neighborhoods and nearby communities.

The levee had been repaired but in 2018, City officials identified a problem with under seepage of the levee, causing concern with the overall integrity of the levee.

The Corps has recognized this issue and reported that two thirds of the levee is deficiently designed and in need of repair. We can't continue to throw good money after bad, and need to repair this levee to the fullest possible extent and not simply the cheapest. Smart investments in flood prevention—like what Hamburg needed—will save taxpayer dollars in the long run.

The integrity of this levee is crucial for the protection of Des Moines and I will be submitting language request to provide funding for these repairs and ask that the subcommittee includes the request in the reauthorization as well.

Finally, I want to thank the Members of the Subcommittee for your time and ask that you work with my office as you consider these requests. Thank you.

Mrs. NAPOLITANO. Thank you very much for your testimony.

Now we would like to recognize our next witness, the gentleman from Texas, Mr. Olson, for 5 minutes.

**TESTIMONY OF HON. PETE OLSON, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF TEXAS**

Mr. OLSON. Thank you, Chairwoman Napolitano and all the subcommittee members. And thank you for the time to talk about WRDA today.

I represent the 22nd Congressional District of Texas, the southwestern suburbs of Houston, Texas. We have many monikers, many names. We are called the Energy Capital of the Entire World; Space City, U.S.A.; and the biggest city to be straight in the heart of Hurricane Alley. It is not a matter of if, but when the next hurricane will hit my home. And that is a fact of life on the gulf coast.

Because of these examples of what has happened in the past, we have suffered the worst natural disaster in our country's history, the Galveston hurricane of 1900: 12,000 Texans killed with no chance to survive. We had Carla hit us in 1961, the strongest hurricane ever to develop in the Gulf of Mexico. Alicia, 1983, flooded out the Texas Medical Center. Hurricane Ike in 2008, with a rebound effect for storm surge through the Galveston Bay. And in 2017 we all know Hurricane Harvey hit us not once, but twice.

Because of these facts, local leaders throughout Texas-22 wake up each morning looking for new, innovative ways to provide needed safety to our region. And elected officials like us work to ensure the Federal Government is using resources wisely so communities are prepared when disaster strikes.

As you all know, our Corps of Engineers is tasked with building most of our levees and our protection systems, our dams, and they have a tremendous backlog right now, approaching \$100 billion. There is a way we can help that out, and get these projects going quicker by utilizing section 1043. That gives non-Federal entities, local cities, the authorization to construct Army Corps projects.

The Corps granted section 1043 authorization for the Clear Creek Flood Risk Management project in my district. That project was 50 years in the making. That was the first time ever that such an authorization was provided for a complete project. This allows Harris County, the flood control district, the non-Federal sponsor,



to move quickly to construct the Clear Creek project first authorized five decades ago—to provide flood protection for thousands of people living in harm’s way right now.

However, this process required a very rushed timeframe because Congress failed to authorize 1043 during the 2018 WRDA bill. The program expired on June 11th of 2019. This required the Harris County Flood Control District to move quickly, because they had sole responsibility to make this project happen as quickly as possible. They cut a lot of corners before the shot clock hit zero. And that is why I asked that section 1043(a) and 1043(b) of the 2014 WRDA be reinstated.

Every community that wishes to pursue such authorization should have the chance to do so. Authorizing current projects funded through disaster supplementals is helpful, and Congress should keep making those moves.

Finally, I want to talk about lessons learned from Hurricane Harvey, which hit my home State the first time on August 25th of 2017, a second time 2 days later. It became the costliest storm in our history, with damages coming around \$190 billion. According to our local paper, the Houston Chronicle, Texas has led the Nation in flood-related deaths for the last 50 years.

And we did great work in Congress for Hurricane Harvey, came together quickly, and got them record levels of money in a very short time to help these communities recover as quickly as possible. But we were disappointed once again by restrictions in Federal law that allows this money to be used to rebuild flooded structures, but not to prevent future flooding.

I will yield my other comments for the committee, and thank you so much for the time.

[Mr. Olson’s prepared statement follows:]

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**Prepared Statement of Hon. Pete Olson, a Representative in Congress from the State of Texas**

Chairwoman Napolitano and Ranking Member Westerman, thank you for the opportunity to speak on WRDA today.

I represent the 22nd Congressional District in Texas, in the greater Houston region. Sadly, Houston is no stranger to hurricanes, devastating storms and the flooding that they bring.

Parts of Texas are still recovering from the devastation of Hurricane Harvey, more than two years later.

It’s not a matter of “if,” but “when” the next storm will hit.

Because of this, local leaders throughout TX-22 wake up each morning looking for new, innovative ways to provide needed safety to our community. And elected officials like US work to ensure the federal government is using resources wisely so our vulnerable communities are prepared when disaster strikes.

Section 1043 reauthorization is an important way we can help, giving non-federal entities authorization to construct Army Corps projects.

The Army Corps granted Section 1043 authorization for the Clear Creek Flood Risk Management project in my district. It was the first time that such authorization WAS provided for a complete project. This allows Harris County Flood Control District, the non-federal sponsor to move quickly to construct the Clear Creek project—first authorized decades ago—to provide flood protection to thousands of individuals within my district.

However, this process required a rushed timeframe. Because Congress failed to specifically reauthorize Section 1043 during the 2018 WRDA debate, the program expired on June 11th of 2019. This required Harris County Flood Control District, who took on the responsibility for this important project, to work on an express timeline to reach an agreement before the shot clock hit zero.

That's why I ask that Section 1043(a) and 1043(b) of the 2014 WRDA be reinstated. Every community that wishes to pursue such authorization should have the chance to do so.

Authorizing current projects funded through Disaster Supplementals is another good move Congress can make.

So-called "500 Year Floods" have become more frequent. In Houston, the Memorial Day Flood in May 2015 and the Tax Day Flood in April 2016 caused over \$3 billion dollars in damage and took the lives of 16 people.

Then came Hurricane Harvey, which hit Texas on August 25th, 2017. It became the most costly storm in U.S. history—with damage estimates coming in at \$190 billion dollars.

According to the Houston Chronicle, TX has led the nation in flood related deaths for the last 50 years.

I'm proud of the work we did in Congress to quickly come together and work to provide needed federal assistance to make these devastated communities whole.

Yet it would be pointless to invest so much in repair without pairing such funding with prevention. Investing in projects and studies to ensure that Houston and other communities devastated by Hurricanes Harvey, Maria and Irma become more resilient when faced with future storms was a vital component of the work Congress did as part of our Hurricane Harvey response.

Many of these studies are ongoing as I speak, and are set to finish in fiscal year 2021.

Sadly, once these studies are completed, and chiefs' reports are finalized, they will sit and wait for authorization from Congress. Every moment those studies sit collecting dust without congressional action is time that our vulnerable communities can't afford to waste.

I plan to file an amendment to this year's WRDA to authorize projects that have been identified in a section 216 study and included in a chief's report.

This amendment will help cut red tape and allow disaster-stricken communities such as mine in desperate need of mitigation and stronger infrastructure to move forward.

Thank you to the Transportation and Infrastructure's Subcommittee on Water Resources and Environment for hosting this important hearing today. Reauthorization of a strong WRDA will bolster our infrastructure, better prepare our communities and help save lives.

Thank you.

Mrs. NAPOLITANO. Thank you so much. The votes have been called, so if the next witnesses would limit to 2 minutes, we will get through it.

But thank you, Mr. Olson.

And my next witness will be Mr. Cloud, the gentleman from Texas, 5 minutes—for 2 minutes, if you can.

**TESTIMONY OF HON. MICHAEL CLOUD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS**

Mr. CLOUD. I will do my best to keep this short. Thank you, Chairwoman Napolitano, Ranking Member Massie. Thank you for being here today.

I represent the 27th Congressional District of Texas, which is home to 6 of Texas' 19 ports. When it comes to maritime commerce, Texas, of course, handles 20 percent of all tonnage in the Nation. So the upcoming Water Resources Development Act is critical not only for our coastal district, but all the economies that are tied to the Texas coast.

And there are a few issues I wanted to bring up that concern Texans back home.

The first issue I wanted to discuss is with our Matagorda Ship Channel, which exports petrochemicals, oil, gas, and agricultural products in and out of the Matagorda Bay. The Army Corps of Engineers first dredged the channel to its current depth of 38 feet in

1966. However, the way the channel was constructed, it causes dangerous currents and erosion to the jetties underneath.

The Corps' Galveston office has identified that this is a result of the Corps' preengineering construction and design. According to the Corps, the Matagorda Ship Channel is probably one of the small, few infrastructure projects that has serious defects made by the Corps.

Should the Calhoun Port Authority begin construction to correct the Corps design, current law treats the construction project, however, as a new project, and requires that the port authority share the cost with the Federal Government, even though the problem was due to an error in the Corps' design.

When it comes to poor construction made by the Corps in preconstruction engineering and design, the private sponsor should not have to pay to correct the Federal Government's mistake. With that in mind I ask you to consider including a provision that specifies that design deficiencies created by the Corps must be fully financed by the Federal Government.

Second, I have two major projects in my district that need authorization in this WRDA bill. I only have 15 seconds left, so I will have to submit a lot of this to you in writing. But I appreciate you being here, and thank you for your time.

[Mr. Cloud's prepared statement follows:]

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**Prepared Statement of Hon. Michael Cloud, a Representative in Congress  
from the State of Texas**

Thank you, Chairman DeFazio and Ranking Member Graves, for allowing Members to testify today. I represent Texas' 27th District, which is home to 6 of Texas' 19 ports. When it comes to maritime commerce, Texas ranks second in the nation and handles over 20 percent of all tonnage in the nation. The upcoming Water Resources and Development Act is critical for my coastal district, and I want to discuss a few issues and projects that are of concern for Texans back home.

The Army Corps of Engineers first dredged the Matagorda Ship Channel to its current depth of 38 feet in 1966. This channel exports petrochemicals, oil, gas, and agricultural products in and out of Port Lavaca and Point Comfort, Texas. However, the way that the channel is constructed causes dangerous currents and erosion to the jetties underneath. The Corps' Galveston Office has identified that this is the result of Corps' pre-engineering construction and design. According to the Corps, the Matagorda Ship Channel is probably one of a small few infrastructure projects that has serious defects made by the Corps. Should the Calhoun Port Authority begin construction to correct the Corps' design, current law treats the construction as a new project and requires the Port Authority to share the cost with the federal government even though problem is due to an error in the Corps' design. The repairs are expected to cost \$78.7 million, with the Port Authority shouldering nearly \$20 million. When it comes to poor construction made by the Corps in pre-construction engineering and design, the private sponsor shouldn't have to pay to correct the federal government's mistakes. With that in mind, I ask that you all consider including a provision that specifies that design deficiencies created by the Corps must be fully financed by the federal government.

Two major projects in my district will need authorization in this WRDA bill. A feasibility study for the Matagorda Shipping Channel was just completed, which recommends dredging the main channel from 38 to 47 feet deep and widening it to 300 feet. The completion of this project will allow larger vessels to travel in and out of the channel in the future. Additionally, TxDOT just finalized a study with the Corps on upgrading the Brazos River Floodgates and Colorado River Locks. Both the floodgates and locks help control water flow along Marine Highway 69, which is the third busiest inland waterway in the United States. Since 2000, the government has recognized the need to replace current structures due to safety and congestion issues.

The completion of this project will replace outdated floodgates with new ones and will help reduce the amount of congestion and traffic accidents.

Finally, it's been more than 2 years since Hurricane Harvey devastated Coastal Texas, but Texans back home are still waiting on assistance from FEMA's Public Assistance program. In Corpus Christi, the Packery Channel, a system of storm-wash over channels, suffered damage. The Packery Channel exchanges water between the Gulf of Mexico and the Laguna Madre and supports marine wildlife migration between the two entities. When seeking assistance through FEMA's Public Assistance program, FEMA told the city that it couldn't repair the channel because the channel technically fell under the Corps' jurisdiction. Any repairs would theoretically constitute a duplication of benefits. The Corps, however, transferred authority to the city after its first completed construction on the Packery Channel. I hope to amend language in the Water Resources Development of 1999, which authorized the Corpus Christi Packery Channel, to better clarify the project's purpose and which agency has jurisdiction.

Ultimately, investments in our nation's ports also lead to investments in American-based businesses, jobs for American workers, and markets for American producers. I look forward to working with the committee in the coming weeks on this legislation, and, again, I appreciate you allowing me to testify today.

Mrs. NAPOLITANO. Thank you. We will take it into account for the record. Thank you for that.

Are there any questions relevant to the witness? No? Thank you.

I would like to recognize the next witness, the gentleman from Ohio, Mr. Gonzalez, for 2 minutes.

Now, votes have been called. We have got 12 minutes to make it to the floor. So if you can keep it to 2 minutes, we might make it. Thank you.

**TESTIMONY OF HON. ANTHONY GONZALEZ, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO**

Mr. GONZALEZ OF OHIO. Thank you, Chairwoman Napolitano. Thank you for the opportunity to speak today about a project that is important to northeast Ohio.

The city of New Franklin has been working to fix issues arising from water runoff and drinking water infrastructure in the Nimisila Reservoir and Portage Lakes. These bodies of water are considered traditionally navigable waters of the United States, according to the U.S. Army Corps of Engineers, and fall within the Army Corps improvement plan for the Upper Tuscarawas River watershed.

The Portage Lakes were constructed in the mid-1850s to serve as a source of water for the Ohio and Erie Canal system. The Nimisila was constructed in the late 1930s to help maintain water levels throughout the Portage Lakes system, and provide manufacturing industries access to water. Since the entire region sits adjacent to the Continental Divide between the Lake Erie Basin and the Ohio River system, waterflows are dependent on man-made infrastructure, rather than natural patterns. Some of the water infrastructure in the area dates back to mid-19th-century designs, and is now facing significant deterioration.

The city of New Franklin, which encompasses much of the Portage Lakes region, has been working since 2011 to find a solution for issues related to stormwater runoff and flooding along the city's Main Street corridor. This has been challenging, because the storm drainage system installed in the 1930s, when Nimisila was constructed, appears to have reached the end of its useful life.

As a result of these issues, the cities of New Franklin and Green have seen flooding along the Main Street corridor on an almost annual basis, sometimes resulting in the closure of the roadway for several days. During particularly heavy flooding in 2011 and 2019, the cities were forced to pump water off the roadway at a significant cost to their budgets.

The city of New Franklin has consulted engineers to work on the issue, and now believes it is necessary to replace 1.25 miles of storm sewer from East Canton Road to West Nimisila Road, and upgrade the storm sewer from 36 inches to 42 inches to handle the flow. I am requesting the committee's consideration of authorizing funding for this project in the upcoming WRDA bill.

Thank you for the opportunity to speak today, and for your consideration. Perfect timing.

[Mr. Gonzalez of Ohio's prepared statement follows:]

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**Prepared Statement of Hon. Anthony Gonzalez, a Representative in  
Congress from the State of Ohio**

Chairman DeFazio, Ranking Member Graves, and Members of the Committee,

Thank you for the opportunity to speak today about projects important to Northeast Ohio. The first project that my office is planning to submit is a project in the city of New Franklin to fix issues arising from water runoff and drinking water infrastructure in the Nimisila Reservoir and Portage Lakes. These bodies of water are considered Traditionally Navigable Waters (TNW) of the United States, according to the US Army Corps of Engineers, and fall within the Army Corps improvement plan for the Upper Tuscarawas River watershed.

The Portage Lakes were constructed in the mid 1850's to serve as a source of water for the Ohio and Erie canal system. Nimisila Reservoir was constructed in the late 1930's to help maintain water levels throughout the Portage Lakes system, and the heavy industries in the region that relied on access to the water for manufacturing purposes. The entire region sits adjacent to the continental divide between the Lake Erie basin and the Ohio River system. Consequently, the modifications to the natural hydrology in the region over 150 years has meant that water flows throughout the area in ways that are dependent on manmade infrastructure, rather than natural patterns.

Much of the hydraulic infrastructure in the area, some of it now dating back to designs drawn up the mid-19th century, is now aging and faces significant deterioration. With the modifications to the area over time, this can lead to serious issues when infrastructure breaks down. The city of New Franklin, which encompasses much of the Portage Lakes region, has been working since 2011 to find a solution for issues related to stormwater runoff and flooding along the city's Main Street corridor. Attempts at a solution are complicated by the fact that the storm drainage system installed in the 1930's, when Nimisila Reservoir was constructed, appears to have reached the end of its useful life. The system appears to be substantially silted in, and in places, may be cracked or broken, leading to possible intrusion from water coming off the Nimisila Reservoir levees.

As a result of these issues, the cities of New Franklin and Green have seen flooding along the Main Street corridor on an almost annual basis, sometimes resulting in the closure of the roadway for several days. During particularly heavy flooding in 2011 and 2019, these two cities were forced to pump water off the roadway, at a significant cost to their budgets. The city of New Franklin has been working with their consulting engineers, GPD Group, and believe that replacement of 1.25 miles of storm sewer from East Canton Road to West Nimisila Road and upgrading the storm sewer from 36" to 42" to handle increased flow.

Thank you for your consideration.

Mrs. NAPOLITANO. Thank you very much, Mr. Gonzalez, much appreciated.

Any questions of the witness? No, none.

The next witness, we would recognize Mr. O'Halleran from Arizona for 2 minutes.

**TESTIMONY OF HON. TOM O'HALLERAN, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF ARIZONA**

Mr. O'HALLERAN. Thank you, Chairwoman. I just want to say that I would like to begin by thanking General Semonite and Colonel Barta for prioritizing the Rio De Flag project in this year's workplan.

I would like to highlight the need for the Corps to keep working with rural communities to reduce the threats they face from catastrophic flooding. It is Arizona, but we do have a lot of flooding, and a lot of that flooding takes a lot of lives. Because of the speed of these floods, they come down from the mountains. It might not even be raining in the town, but that town gets devastated by the quickness of those floods.

Navajo County has been working with the Army Corps on the Little Colorado River, a levee project above the city of Winslow, and the 10,000 people who live there, many of whom are from Tribal Nations who were forcibly relocated by the Federal Government.

Similarly, the southern transcontinental line of the BNSF Railway runs just below the levee. A major flood could disrupt rail activity between the ports of southern California and the eastern coast. Such a disruption would slow or stop billions of dollars of economic activity across the country, and take a long time to get it back because of the location.

I encourage the Corps to work with the committee to ensure that these projects are considered in ways that measure their contribution to the entire Nation.

And just quickly on water, the Southwest is going to continue to need more water projects, and they are going to be—in the process we have cities that are growing, like Phoenix, at 300 people per day. And it is going on across the entire State.

Thank you. I yield.

[Mr. O'Halleran's prepared statement follows:]

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**Prepared Statement of Hon. Tom O'Halleran, a Representative in Congress  
from the State of Arizona**

Chairman DeFazio, Ranking Member Graves, thank you for holding this important opportunity for Members to speak about the importance of the Water Resources Development Act and the U.S. Army Corps of Engineers.

I would like to begin my thanking General Semonite and Colonel Barta for prioritizing the "Rio de Flag" project in this year's work plan. Completion of this project will ensure downtown Flagstaff and Northern Arizona University are no longer under the threat of major flooding.

I would like to highlight the need for the Corps to keep working with rural communities to reduce the threats they face from catastrophic flooding.

For example, Navajo County has been working with the Army Corps on the Little Colorado River levee project, above the city of Winslow and the ten thousand people who live there, many of whom were forcibly relocated by the Federal Government.

Similarly, the southern transcontinental line of the BNSF Railway runs just below the levee. A major flood could disrupt rail activity between the ports of southern California and the eastern U.S.

Such a disruption would slow or stop the billions of dollars worth of economic activity across the country. I encourage the Corps to work with the committee to en-

sure that projects like this are considered in ways that measure their contribution to the entire nation.

I encourage the Corps to work with smaller rural communities to address issues such as permitting for tamarisk removal or permitting for small bridge maintenance.

Lastly, I encourage the committee to remember the future need of rural communities as they grow. For example, Pinal County is one of the fastest growing counties in the country and a flood in the Lower Santa Cruz watershed would devastate the communities.

I urge the committee and the Corps to ensure that future projects like this one receive timely attention and equal treatment to current and urban projects.

Again, I thank the committee for hearing from all Members and I look forward to working with you to ensure that the Army Corps supports rural communities.

Thank you, Mr. Chairman. I yield back.

Mrs. NAPOLITANO. Thank you for your testimony.

Now there are no questions from either side?

I would like to recognize the next witness, the final witness, Ms. Shalala from Florida, for 2 minutes.

**TESTIMONY OF HON. DONNA E. SHALALA, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF FLORIDA**

Ms. SHALALA. Madam Chair, my district is defined by the waters that shape our south Florida economy and way of life: the Everglades, the shores of Miami Beach, Biscayne Bay, Port Miami, Government Cut, and the Miami River, to name a few.

WRDA legislation has remained indispensable in efforts to protect, maintain, and strengthen my district's tourism and trade economies, and in developing resiliency to climate change and sea-level rise.

As you develop the next Water Resources Development Act, I urge your consideration of projects that will advance south Florida's environmental and economic needs, as well as our national priorities, like restoring America's Everglades.

For decades, unfettered development in south and central Florida severely damaged the fragile ecosystem. In 2000, I worked with Secretary Babbitt to pass the Comprehensive Everglades Restoration Plan. It is a plan for restoring the natural southward flow of water, restoring habitat for native wildlife and protecting the drinking water for millions of south Florida residents. We have made incredible progress, and I am proud that this Congress has appropriated robust funding to continue these efforts.

I encourage this committee to continue to prioritize Everglades restoration in this WRDA bill and, in particular, emphasize the importance of rehydration of the coastal wetlands in southeast Miami-Dade County. The Everglades is the largest remaining subtropical wilderness in the United States. It is a national treasure that deserves national attention.

As climate change and sea-level rise continue to threaten our coastal communities, these needs are only more urgent. Since 1950, the sea level in south Florida has risen 8 inches, and it is only speeding up.

By—I am sorry, should I continue?

Mrs. NAPOLITANO. Yes, wrap it up, please.

Ms. SHALALA. OK. Well, why don't I submit this for the record, Madam Chair?

Mrs. NAPOLITANO. So ordered.

Ms. SHALALA. But it is a full report on our needs in south Florida—

Mrs. NAPOLITANO. Wonderful.

Ms. SHALALA [continuing]. That include our environmental needs. But I thank the committee for your consideration of this very special part of the world.

[Ms. Shalala's prepared statement follows:]

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**Prepared Statement of Hon. Donna E. Shalala, a Representative in  
Congress from the State of Florida**

Chairman DeFazio, Ranking Member Graves, and Chairwoman Napolitano and Chairman Westerman, thank you for holding this hearing and inviting me to testify on my district's priorities for a Water Resources Development Act of 2020.

My district is defined by the waters that shape our South Florida economy and way of life: the Everglades, the shores of Miami Beach, Biscayne Bay, PortMiami, Government Cut, and the Miami River, to name a few.

WRDA legislation has remained indispensable in efforts to protect, maintain, and strengthen my district's tourism and trade economies, and in developing resiliency to climate change and sea level rise.

As you develop the next Water Resources Development Act, I urge your consideration of projects that will advance South Florida's environmental and economic needs, as well as our national priorities, like restoring America's Everglades.

For decades, unfettered development in South and Central Florida severely damaged the fragile ecosystem. In 2000, Congress passed the Comprehensive Everglades Restoration Plan, or CERP. It's a plan for restoring the natural, southward flow of water, restoring habitat for native wildlife, and protecting the drinking water for millions of South Florida residents.

We have made incredible progress, and I am proud that this Congress has appropriated robust funding to continue these efforts.

I encourage this committee to continue prioritizing Everglades restoration in this WRDA bill, and in particular, emphasize the importance on rehydration of the coastal wetlands in southeast Miami-Dade County.

The Everglades is the largest remaining subtropical wilderness in the United States. It is a national treasure that deserves national attention.

As climate change and sea level rise continue to threaten our coastal communities, these needs are only more urgent.

Since 1950, the sea level in South Florida has risen 8 inches, and it is only speeding up. By 2060, the sea level in South Florida is projected to rise up to 31 inches.

According to UN projections, the average temperature on the planet will rise by 5 to 9 degrees Fahrenheit by the end of the century. This will cause a sea level rise that could virtually submerge all of South Florida.

In this WRDA legislation, we have an opportunity to address and combat climate change and sea level rise. In Florida, the Central and Southern Flood Control Project is meant to provide drainage sufficient to protect developed areas of Miami-Dade County as sea levels continues to rise.

However, as is already evident from the King Tide flooding on Miami Beach and in other coastal communities in my district, our efforts have been inadequate. I urge more investment to determine the technical feasibility and costs that will be involved over the next several decades as we address the ever-more pressing needs relating to flood mitigation.

Coastal erosion from devastating storms like Hurricanes Michael, Harvey, Irma, and Maria—and even mild storms—can flood our communities and destroy habitats. Army Corps shore protection projects, like beach nourishments and sea wall construction protect the economy and our environment, and I fully support these efforts.

Relatedly, I remain deeply concerned about saltwater intrusion. Because of Florida's porous limestone bedrock and the diversion of fresh waterways, as sea levels rise, saltwater reaches further inland and our drinking water is seriously threatened.

I understand that there have been efforts to explore options to address saltwater intrusion using excess wet season water capture or wastewater reclamation. I support any and all efforts that protect our fragile shorelines and protect my constituents' health.



Lastly, I'd like to bring your attention to PortMiami, a vital economic engine for Florida and the nation, which supports approximately 324,000 jobs and generates \$41.4 billion in economic value.

PortMiami is the nation's only 50–52 foot dredge channel south of Norfolk. Completed in 2015, this recent dredging project was designed for 8500 TEU vessels but now requires improvements to accommodate larger-capacity vessels.

The proposed Miami Harbor improvements, which include deepening and widening channels, and should be done in an environmentally responsible way, will facilitate the safe movement of vessels and help assure that cargo activity stays in the United States. The ongoing Miami Harbor feasibility study is proceeding on time, with a signed Chief of Engineers' Report scheduled for September 2021.

It is essential that the feasibility study remain on schedule. These improvements will enable the full potential of the recently completed dredging project and increase Miami and the nation's global competitiveness.

I thank the committee and the Army Corps of Engineers, and I look forward to continuing to support this fundamental legislation.

Mrs. NAPOLITANO. Well, thank you very much for your testimony, and we will include it in the record.

Thanks to all the Members for their testimony. Comments have been very helpful and insightful, and very eye-opening.

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 for 15 days for any additional comments and information submitted by the Members of Congress to be included in the record of today's hearing.

And without objection, so ordered.

I would like to thank all our witnesses again for their testimony. If no other Members have anything to add—and I am the only one here—the committee stands adjourned.

[Whereupon, at 2:13 p.m., the subcommittee was adjourned.]



## SUBMISSIONS FOR THE RECORD

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

Thank you, Chair Napolitano and Ranking Member Westerman.

Keeping the Water Resources Development Act on a 2-year cycle is critical to address and advance our Nation's water resources infrastructure needs.

Like the critical flood control projects in my home State and District, other Members have critical priorities too.

As we move forward, an important step is to gather as much input as possible.

Today we will hear from our Congressional colleagues about a number of projects and policies that will help inform a WRDA bill.

I look forward to hearing the proposals that will help us address our water resources infrastructure needs across the United States.

Past WRDA bills have had strong bipartisan support, so I hope this hearing today will help us reach that same goal this year.

Thank you again to the Subcommittee Chair and Ranking Member, and thank you to all the Members testifying today. I yield back.

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### **Prepared Statement of Hon. Danny K. Davis, a Representative in Congress from the State of Illinois**

Good Afternoon Chairman DeFazio and Ranking Member Graves.

Thank you for the opportunity to offer brief testimony before the committee today. The Water Resources and Development Act funding is extremely critical; not only to my district in Chicago, the State of Illinois, but also the Great Lakes region.

As Congress contemplates the role of climate change, I am hopeful that we ensure the Great Lakes are at the center of the conversation. Researchers say climate change is indeed impacting the Great Lakes region.

The Lakes' shorelines are eroding as near record water levels have almost completely submerged two of the sandy beaches that line the Chicago's lakefront, altering ecosystems, and causing flooding and economic damage.

Lake Michigan water levels are up 6 feet since 2013. Because of this alone, I am also hopeful the Corps include the General Reevaluation Report (GRR) of the Chicago Shoreline Storm Reduction Project in any USACE and further implementation of the Great Lakes Restoration Initiative.

In addition, the Chicagoland area has had challenges with historic rain, snow and severe flooding. The nonprofit American Geophysical Union's report estimated that Illinois experienced more than 1,500 flood events from 2000 to 2018—an average of 1.5 floods per week—resulting in \$3 billion in property damages. Additional resources are needed to combat these flood issues as flooding continues to have a negative economic impact on the area.

Finally, many government officials back home believe that the Corps Project Partnership Agreements are not favorable to non-federal sponsors and are hoping for better perpetual responsibilities and indemnification. They are also asking for a lower non-federal cost share model.

Again, thank you for allowing my testimony today and am free to answer and questions or concerns you may have.

**Prepared Statement of Hon. Diana DeGette, a Representative in Congress  
from the State of Colorado**

Chairman Napolitano and Ranking Member Westerman,

Thank you for providing the opportunity to submit written testimony to advocate for priorities in the upcoming Water Resources Development bill. Continuing the recent successes of passing WRDA bills in 2014, 2016 and 2018, this bill will help many states and localities move critical projects forward.

WRDA 2020 bill will not only provide the opportunity to authorize new, eligible projects. It will also continue the work of modernizing and streamlining the Corps' approval processes.

*Chatfield Reservoir Storage Reallocation Project:* I want to thank the committee for its support over the years of a critical water supply project in Colorado. A portion of the Chatfield Reservoir Storage Reallocation Project is in my district. Work on environmental mitigation and recreation modifications at the reservoir and state park are almost completed. The additional water storage that will soon become available at Chatfield is much needed in our semi-arid climate, helping the state of Colorado to mitigate the impacts of drought and climate change in the west.

PRIORITY PROJECT: DENVER PROJECT READY TO BE AUTHORIZED

- *Adams and Denver Counties, Colorado:* The Adams-Denver Counties, Colorado project is a generational opportunity for the Denver community to achieve ecosystem restoration and flood damage reduction benefits in the South Platte River and two gulches. The project was listed by R. D. James, Assistant Secretary of the Army for Civil Works, in his testimony to the subcommittee on January 9, 2020. The Adams-Denver project also has a signed Chief of Engineer's Report, and the Record of Decision (ROD) was signed in October 2019. The project was also submitted for listing in the 2020 Annual Report to Congress, which is due out this month. I request the committee include this project for authorization in WRDA 2020.
- *Adams and Denver Counties, Colorado Pre-Construction Engineering and Design:* The next steps in the Adams-Denver project is the Pre-Construction Engineering and Design (PED) which must be undertaken and completed on the South Platte River portion of the project before a New Start designation can be sought. I ask the committee to consider language in the bill that will authorize specific funding for PED for projects that have received their Chief of Engineer's Report and ROD approval.

OTHER ISSUES IN CO-01

The following are additional requests for my congressional district (CO-1) for consideration in the 2020 Water Resources Development Act legislation:

- *Sec. 1135 Southern Platte Valley Ecosystem Restoration Project:* There is another Corps project in my district, the Southern Platte Valley Ecosystem Restoration Project under the Continuing Authorities Program (CAP). Competition for funds in CAP is fierce and growing. As it has become harder to move larger projects forward from study to construction, local governments are looking more and more to CAP to help them zero in on urgent problems and get them addressed more quickly. WRDA 2018 boosted the program limits for CAP in nearly all categories. However, that has not resulted in comparable amounts in appropriated funds. I ask the committee to add language that separates CAP funding in the Corps budget as a separate line instead of having the CAP program categories compete for dollars for both studies and construction within the Corps overall construction budget.
- *Chatfield Downstream Improvement Channel:* Also, in my district is the Chatfield Downstream Improvement Channel. The Denver Urban Drainage and Flood Control District (UDFCD) hopes to work with the Corps of Engineers to obtain a categorical Sec. 408 permit for work on the remaining 5.5 miles of the river in the Chatfield Downstream Improvement Channel along the South Platte River south of Denver. As you know, Section 408 allows USACE to grant permission to alter a Civil Works project upon determination that the alteration proposed will not be injurious to the public interest and will not impair the usefulness of the Civil Works project. One major improvement from previous WRDA bills is the creation of language that can, in some cases, allow categorical Sec. 408 permits to be issued. I hope to be able to work with the committee staff, the Corps, and local sponsors to determine what additional language could be included in WRDA 2020 to make consideration of such categorical permits possible.

## COLORADO WIDE PRIORITIES

*Correct Typo in Section 1170—America’s Water Infrastructure Act of 2018*

The following issue is in Section 1170 of S. 3021 and is related to watercraft inspection stations.

- In Paragraph (1), clause (iii) the language reads, “(iii) to protect the Upper Colorado River Basin and the South Platte and [Arizona] Arkansas River Basins.”
- There is no Arizona River Basin in Colorado and this should be corrected to *Arkansas River Basins*, as was the original intent of the 2018 legislation.
- I ask that the committee correct this typo in the 2020 WRDA, which will allow for critical federal funding and watercraft inspection stations in the Arkansas River Basin to protect Colorado against invasive species.

Thank you for taking the time to consider these requests in the upcoming 2020 Water Resources Development Act. If you have any questions please do not hesitate to reach out to my staffer, Matthew Allen.

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**Prepared Statement of Hon. Marcia L. Fudge, a Representative in Congress from the State of Ohio**

Chairwoman Napolitano, Ranking Member Westerman, and members of the House Subcommittee on Water Resources and Environment:

Thank you for holding this Members’ Day hearing on the Water Resources Development Act and allowing me to discuss an issue of critical importance to people across the country, including the residents of the 11th Congressional District in Northeast Ohio.

Access to clean water is a basic human right. Yet, as the cost of water utilities continues to rise, far too many Americans are at risk of losing access to this basic necessity. Nationwide, water and sewer bills have increased by more than 30 percent since 2012, nearly triple the rate of inflation. This rapid rise in rates for drinking water and wastewater is particularly harmful to low-income families. Today, water is reportedly unaffordable for 14 million households, or around one in every 10 households in America.

The problem will only get worse. A 2017 report issued by researchers at Michigan State University predicted nearly one-in-three households could be priced out of access to clean water within five years. Those who fall behind on their water utility payments could have their services shut off, threatening their access to the water they need to cook, drink, and bathe.

Meanwhile, as Americans struggle to pay their water bills, utility companies in Ohio and across the country are increasingly unable to make much-needed repairs and upgrades to their aging water infrastructure systems. The continued decline in the network of pipes that deliver our water supply will only lead to higher costs, further surpassing the ability of vulnerable populations to pay their water bills.

For this reason, I introduced the Low-Income Water Customer Assistance Programs Act last year with Representative John Katko of New York.

The bill directs the EPA to establish pilot programs nationwide to award grants to utilities to assist low-income people with paying their drinking water and wastewater bills. The legislation also requires EPA to conduct a needs assessment for a permanent, nationwide water assistance program. Companion legislation was introduced in the Senate by Senator Cardin of Maryland and Senator Wicker of Mississippi.

Such a program will not only ensure low-income Americans have access to water services, it will help communities maintain critical infrastructure networks and meet public health standards. It is past time we do something to ensure every American has access to clean water, regardless of location or income.

This bipartisan, bicameral bill is an important step towards improving the affordability of water services for low-income Americans and ensuring our water infrastructure is safe, reliable, and up to date. I hope you will consider inclusion of this bill as you develop priorities for a new Water Resources Development Act of 2020.

Thank you.

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**Prepared Statement of Hon. Raúl M. Grijalva, a Representative in Congress  
from the State of Arizona**

Thank you for your long-standing commitment to improving transportation and infrastructure of our nation, and your work on the reauthorization of WRDA.

INTERNATIONAL OUTFALL INTERCEPTOR

There is perhaps no more pressing time to address the needs of communities when it comes to accessing clean and safe water and sanitation. As these needs continue to grow, I ask you to include language to settle a longstanding issue of the International Outfall Inceptor (IOI) pipeline which transports wastewater from Nogales, Sonora to the Nogales International Wastewater Treatment Plant.

I encourage you to work directly with U.S. Army Corps of Engineers (USACE) to include authorization and full funding to repair the IOI, and to include the *Nogales Wastewater Fairness Act* within the WRDA reauthorization. This bill is needed to clarify that the International Boundary and Water Commission (IBWC) is responsible for the much-needed infrastructure repairs and future maintenance of the IOI to prevent raw sewage from spilling into waterways. After years of neglecting much-needed repairs, the periodic leaks and overflows of the IOI continue to threaten the public health of my constituents in Nogales and the surrounding areas.

A core component of USACE work is to be on flood risk mitigation and there is clear precedent for including IOI language in WRDA. The project was originally authorized for \$11,100,000 by WRDA 1990, Section 101(a)(4), Public Law 101-640. The project was again authorized for \$25,410,000 by WRDA 2007, Section 3008. Recently, S. 2848, WRDA, included Section 8008 International Outfall Interceptor Repair, Operations and Maintenance. Additionally, last year the House recognized this as a public health priority by overwhelming supporting my amendment to dedicate funding to the project in the FY2020 appropriations bill.

Unfortunately, needed repairs have not been made over the years and the city of Nogales, Arizona has been subjected to numerous occasions of raw sewage spilling into waterways, including in July 2017, after which Arizona was forced to declare a State of Emergency.

I am sure you will agree—it's absurd to leave a city in the United States susceptible to the risk of raw sewage spills, especially when preventative rehabilitation improvements have already been studied and designed. I greatly appreciate you and your staff's past support of inclusion of the IOI and encourage you to once again work to provide a final remedy for this situation.

RECLAMATION WATER SETTLEMENTS FUND

Another pressing issue relating to clean water access is the need to extend the existing Reclamation Water Settlements Fund. Today, many tribal communities across the country live without running water and basic water infrastructure, even though the federal government has a trust responsibility to help ensure tribal water access. Congress created the Reclamation Water Settlements Fund to help pay for tribal water rights settlements, which fund clean water infrastructure across Indian Country.

Several tribal water rights settlements have been included in previous WRDA bills and a permanent extension of the Reclamation Water Settlements Fund will be needed to ensure that future tribal water rights settlements can be successfully carried out. There are over 280 federally recognized tribes in the West alone, and water settlements have only been completed for a fraction of these tribes over the past 40 years since settlements became the preferred policy of the federal government.

Extending the Reclamation Water Settlements Fund has widespread, bipartisan support. A ten-year extension recently passed the Republican-controlled Senate Committee of jurisdiction without opposition and an extension of the fund is supported by every major western water stakeholder group, including agricultural water users, urban and municipal water users, Republican and Democratic governors, environmental and conservation organizations, and tribal stakeholders. Your assistance in moving this broadly supported water infrastructure priority would be greatly appreciated.

BORDER WALL

Finally, I appreciate your efforts to stop the administration's attempt to redirect USACE funds toward a wasteful and ineffective border wall. I respectfully request that you include language in WRDA to ensure that USACE funds go toward funding

the backlog of USACE projects that actually meet the real needs of the American people and not toward the administration's destructive border wall.

Thank you for your leadership, and consideration of my proposals. My staff and I stand ready to work with you to ensure these items are included.

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**Prepared Statement of Hon. Alcee L. Hastings, a Representative in  
Congress from the State of Florida**

Chairwoman Napolitano, Ranking Member Westerman, and members of the Transportation and Infrastructure's Subcommittee on Water Resources and Environment:

I appreciate the opportunity to submit this testimony to the Committee on Transportation and Infrastructure's Subcommittee on Water Resources and Environment as you develop a new Water Resources Development Act (WRDA). The projects executed by the U.S. Army Corps of Engineers are of vital importance to my district and to all of Central and South Florida. While the Comprehensive Everglades Restoration Plan has proven effective and beneficial since its initial implementation, continued investment in restoration and resiliency projects is needed to ensure South Florida's ecosystem will be healthy and prosperous for future generations.

The Everglades, America's largest sub-tropical wilderness, provides drinking water for millions of Floridians, while simultaneously serving as a flood barrier and home for a great variety of wildlife, including numerous endangered species. Infrastructure developments, such as roads, canals, and levees, dating from the 19th and 20th centuries disrupted and degraded waterflows that are vital to the health and survival of the Everglades. Floridians need the Army Corps of Engineers, in consultation with State, Local, and Tribal governments, to expedite projects related to the Comprehensive Everglades Restoration Plan, in order to deliver on the promise of greater water supply and environmental benefits. For millions of people in Florida, quality of life depends on the Everglades. It is a source of jobs in numerous industries, economic security, and leisure. Coordination with tribal entities is crucial, as the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida live in the Everglades, and their culture and way of life depend on this ecosystem.

In addition, I would like to speak for communities that have experienced and continue to suffer from natural disasters. Between 1980 and 2019, the National Oceanic and Atmospheric Administration (NOAA) compiled a list of 258 separate billion-dollar weather and climate disaster events. This list includes wildfires, winter storms, flooding, and other devastating events, all of which have led to the loss of thirteen thousand lives and cost in excess of \$1.7 trillion dollars. This is why I am respectfully encouraging this Committee to include efforts that improve the resiliency of our nation's infrastructure against the growing number of weather and climate events. Investing in infrastructure that can withstand such disastrous events will better prepare communities and shorten recovery times, especially in disadvantaged communities. Many underserved communities are in desperate need of flood risk management assistance, as flood events disproportionately affect minority, low-income, and indigenous populations. The Federal Government is able to be proactive in this area, and we must step in to develop and implement a national resiliency plan that empowers all communities to build a smarter and stronger future. No one in the United States is safe from natural disasters, and making the necessary investments in infrastructure and renewable energy to spur job creation in construction, manufacturing, and adaption and mitigation technology is essential to building a more sustainable nation, economy, and future.

Relatedly, I am respectfully requesting the Committee consider including nature-based infrastructure as part of any future infrastructure and resiliency efforts, especially as part of determining a cost-effective method of increasing resiliency and reducing environmental impacts. Utilizing the natural barriers already in existence, solely or in conjunction with grey or hard structures, provides growing and adaptable protection for our communities. Coral reefs, an example of a natural barrier that is important to my home state of Florida, have been highlighted by NOAA and the U.S. Geological Survey as critical to coastal communities, both economically and as a defense against storm surge, flooding, and other natural events. The restoration and conservation of the natural biodiversity of various ecosystems will also prove to be beneficial to communities in ways beyond weather and climate events, such as in the leisure and tourism industries.

In summary, I respectfully encourage the Committee to provide robust funding for projects and programs such as the Comprehensive Everglades Restoration Project, infrastructure resiliency, and nature-based infrastructure, which will ensure current

and future generations of people and wildlife will have an environment that they can thrive in. I thank you for your time and consideration of my requests.

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**Prepared Statement of Hon. Denny Heck, a Representative in Congress  
from the State of Washington**

Dear Chair Napolitano and Ranking Member Westerman,  
Thank you for the opportunity to share with you my priorities in this year's Water Resources Development Act, otherwise known as WRDA.

Let me start by saying that I represent a portion of the Puget Sound region in Washington state, where we have two major U.S. ports: The Port of Tacoma and the Port of Seattle (who operate as the Northwest Seaport Alliance (NWSA) as it relates to international maritime cargo). As the trade gateway to Asia, these two ports represent the fourth largest load center in the United States—supporting 58,000 jobs and contributing nearly \$12.5 billion dollars in business output in 2017. NWSA is an integral part of the ongoing economic success of both Washington state and our entire country.

I am writing you today about an extremely important issue facing our two major ports in Washington state: the need for structural reforms to the Harbor Maintenance Trust Fund.

I'll first say that the Harbor Maintenance Trust Fund remains a vital tool in ensuring that America's ports remain competitive in the global economy. As you all already know, the Trust Fund is funded by a tax of \$1.25 for every \$1,000 worth of cargo from importers and domestic shippers using inland or coastal ports. With that tax, the Trust Fund is able to collect literally billions of dollars to fund important harbor projects and keep our federal channels open and available for commerce.

But the Trust Fund is not without its problems. For years, Congress has underutilized the Fund by appropriating less for harbor maintenance projects than has been collected. As a result, U.S. navigation channels have degraded well past acceptable levels. So let me say that I'm pleased the committee has come together in a bipartisan fashion to address this issue through the Full Utilization of the Harbor Maintenance Trust Fund Act, which I understand may be included in some form in this year's WRDA. Let me lend my support to this effort—but only as a part of an HMT reform package.

That is because without comprehensive reform, there will continue to be issues with "donor ports." In 2017, six ports were responsible for generating 53% of total collections that year. Since the Port of Tacoma and Port of Seattle have naturally deep harbors and require minimal maintenance, they receive pennies on the dollar compared to what they provide to the fund. With two major Canadian Ports to the north, the Trust Fund tax also competitively disadvantages Tacoma and Seattle—it simply is cheaper for importers to drop cargo off at Canadian ports and haul it across the border than to pay the tax.

Let me reiterate that I support of full utilization of the Harbor Maintenance Trust Fund. But I also believe it is long past time to make the Trust Fund work for all ports. I'd like to see 10% of the Harbor Maintenance Trust Fund be allocated to donor ports like the Port of Tacoma and Port of Seattle so they can have the opportunity to issue meaningful rebates to shippers. This would allow our ports to offset the tax when necessary and ensure that any competitive disadvantage created by the Trust Fund be reduced.

It is my firm belief that a fix like this will go a long way to addressing the outstanding issues of the Harbor Maintenance Trust Fund. Thank you again for the opportunity to submit my thoughts on this year's WRDA.

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**Prepared Statement of Hon. Chrissy Houlahan, a Representative in  
Congress from the Commonwealth of Pennsylvania**

Dear Chairwoman Napolitano and Ranking Member Westerman:  
Thank you for your work ensuring that our nation's waterways are maintained and improved. As the Subcommittee on Water Resources and Environment prepares the Water Resources and Development Act of 2020, we request that you include language authorizing full funding for the Delaware River Basin Commission, the Susquehanna River Basin Commission, and the Interstate Commission on the Potomac River Basin.

As you know, the congressionally-approved compacts of the River Basin Commissions (P.L. 87-328, P.L. 91-575, P.L. 91-407) outline funding obligations for the fed-



eral government, through the Army Corps of Engineers. However, for several years, the agreed upon federal contributions to the Commissions have not been made. These shortfalls have resulted in financial strain for the Commissions and a decreased capacity to carry out the important responsibilities with which the Commissions have been charged.

We therefore ask you to include language authorizing robust funding for the federal contribution to the Commissions in the Water Resources and Development Act of 2020. The Commissions, in close cooperation with the Army Corps of Engineers, support water quality protection, water supply allocation, flood loss reduction, drought management, water conservation, permitting, watershed planning, and recreation. Full federal funding would allow the Commissions to monitor contaminants of emerging concern, conduct microplastics surveys, and assist municipalities with flooding projections due to changes in climate. It would also strengthen the vital role that both the Corps and the Commissions play in protecting our water and environment, sustaining international commerce, and promoting national security.

We appreciate your attention to our concerns, and we look forward to continuing to work with you to safeguard our nation's water resources. Thank you for your consideration of this request.

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**Prepared Statement of Hon. Andy Kim, a Representative in Congress from  
the State of New Jersey**

Chairman DeFazio and Ranking Member Graves:

I want to thank the Committee for the opportunity to participate in today's Member Day hearing and to testify on behalf of New Jersey's Third District. I'm happy to take today to highlight some of the important impacts that WRDA authorized projects have on the health of my district's water infrastructure.

Being susceptible to frequent flooding and other water management issues, the Army Corps of Engineers' projects in my district are critical to reducing the risk that flooding poses to Burlington and Ocean Counties. The Delaware River Dredged Material Utilization project explores innovative methods for managing sediment from the Delaware River in order to improve Burlington County's flood risk. In Ocean County, the Manasquan Inlet to Barnegat Inlet Shore Protection project helped replenish storm damaged beaches and dunes to protect against coastal flooding. In addition to these projects, the Army Corps has continued to study Coastal Storm Risk Management strategies along the New Jersey Back Bay to provide support to our coastal communities in improving our resilience to storms and flooding.

Nearly eight years after Super Storm Sandy, my district in New Jersey is still recovering. After that storm hit, Toms River alone saw \$2.25 billion in property damages, the highest out of any township in New Jersey. Just last year, severe flooding on the Rancocas Creek led to evacuations and a state of emergency declaration. It is a top priority of mine to ensure that the coastal communities in my district are prepared not just for the next superstorm, but also for the daily flooding that plagues houses along Barnegat Bay. The sediment management and storm risk projects run by the Army Corps are, and will continue to be, critical to the resilience of New Jersey's coastal areas.

My district has also faced issues with our drinking water infrastructure, including threats from lead contamination and from PFAS chemicals. In Burlington County, the Bordentown Water Department has exceeded federal standards for lead in tap water four consecutive testing periods in a row. And just down the road, contamination from firefighting foam containing PFAS chemicals used on Joint Base McGuire-Dix-Lakehurst have forced a number of families to rely on bottled water until improved filtration systems can be installed. We should continue to focus on investing in and improving our nation's water infrastructure to help communities like mine, which are not alone in the struggle with clean drinking water.

As the Committee prepares a WRDA for 2020, I ask that they continue to support the key flood management programs that my district relies on for future storm preparedness. The Army Corps should continue to support projects that use natural infrastructure and nonstructural measures to mitigate flood damage while also protecting the health of marine and coastal ecosystems. I also ask that they work to improve threats to our drinking water infrastructure that have impacted my district in New Jersey. By maintaining this focus, we can ensure that sensitive environmental areas remain protected from development and degradation, and that we can continue to provide safe and clean drinking water to our communities.

Thank you again for the opportunity to testify and I look forward to working with my colleagues to develop a strong WRDA that will help to advance our nation's water infrastructure.

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**Prepared Statement of Hon. Andy Levin, a Representative in Congress  
from the State of Michigan**

Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano, Ranking Member Westerman, members of the subcommittee: thank you for allowing me to testify before you today regarding Michigan's priorities in the upcoming Water Resources Development Act (WRDA).

As a nation, we have so much to do in the space of water infrastructure, and the U.S. Army Corps of Engineers (USACE) are vital in helping update water infrastructure across the nation.

In Michigan's Ninth District, the Chapaton Retention Basin is emblematic of the long-overdue need to update our wastewater infrastructure to protect our water sources and roads. Chapaton is a 28-million-gallon Combined Sewer Overflow (CSO) Facility that currently services Interstate 94 (I-94), businesses, and approximately 92,000 residents in Eastpointe, St. Clair Shores, and Roseville, Michigan.

The Basin protects residents by moving stormwater out of the community and into nearby Lake St. Clair, thereby preventing flooding. It also protects the environment. In the absence of much-needed expansion to this CSO, however, preventable sewage overflows have led to water quality problems that include E. coli pollution and have hastened the deterioration of essential roadways like I-94.

Chapaton is an example of a stormwater sewer project eligible for USACE assistance available through Section 219, "Environmental Infrastructure" WRDA authority granted to the State of Michigan. Section 219 authority is important because it authorizes USACE to assist with updates to local, non-federally owned and operated facilities, including drinking water systems, stormwater and wastewater facilities, and surface water development.<sup>1</sup>

This authority allows USACE to provide helpful assistance to many projects across Michigan, and I urge the committee to continue to support Section 219 authority for our State.

The upcoming WRDA legislation will also be an important opportunity to authorize USACE's long-awaited plan to block Asian carp from reaching the Great Lakes at a chokepoint in the Chicago Brandon Road Lock and dam waterway system. The plan proposes fortifications that include an electric barrier, a bubble barrier, acoustic deterrents, and a flushing lock meant to reduce the chances of Asian carp reaching Lake Michigan while still allowing barge traffic through.<sup>2</sup>

While I am eager to see Congress authorize this plan, I want to be clear that the current proposal will reduce the chances of Asian carp entering the Great Lakes—it does not eliminate this risk. I understand that part of the rationale for opposing a physical barrier to Asian carp—even though it remains the most effective solution, according to USACE—is that it could impact water levels in Chicago and cause flooding.<sup>3</sup> But Chicago is already facing severe flooding because of climate change; this year, the city even declared a climate crisis as a result of record high water levels and disappearing shoreline.<sup>4</sup> It seems clear that the current proposal is a prudent first step to address Asian carp that will need an additional long-term viable solution.

We must be clear-eyed about the damage climate change is already doing and invest in the necessary flood mitigation infrastructure to protect the people of Chicago now. At the same time, we must consider the best way to tackle the issue of Asian carp long-term. It will only take a couple Asian carp making it through the fortifications to destroy vital boating, fishing, and coastal communities on the Great Lakes. Thus, I urge the committee and USACE to consider the authorization of a long-term, permanent plan at the Brandon Road Lock and Dam that fully and effectively stops Asian carp and addresses the urgent need for climate crisis flood mitigation infrastructure for the city of Chicago.

<sup>1</sup> <https://crsreports.congress.gov/product/pdf/IF/IF11184>

<sup>2</sup> <https://www.mvr.usace.army.mil/Missions/Environmental-Protection-and-Restoration/GLMRIS-BrandonRoad/>

<sup>3</sup> <https://prairierivers.org/articles/2014/01/study-physical-barrier-most-effective-way-to-stop-invasive-species-from-ravaging-great-lakes-mississippi-river/>

<sup>4</sup> <https://abcnews.go.com/US/city-chicago-declares-climate-crisis-storms-millions-dollars/story?id=68907649>

Again, I thank all the members of the committee for giving me the opportunity to testify and look forward to working with the committee on the upcoming Water Resources Development Act.

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**Prepared Statement of Hon. David Loebsack, a Representative in Congress  
from the State of Iowa**

I want to thank Chairman DeFazio, Ranking Member Graves, Chairwoman Napolitano and Ranking Member Westerman for giving Members of Congress the opportunity to present testimony on the 2020 Water Resources Development Act (WRDA).

The U.S. Army Corps of Engineers (Corps) work on water projects is vital to rural communities such as those in my district. I would like to take the time to highlight three important requests for my district today.

First, I would like to bring attention to a rural water supply in my district. Rathbun Regional Water Association (RRWA) is the largest rural water association in Iowa and one of the largest in the United States. RRWA supplies drinking water to more than 70,000 people in 15 counties in southeast Iowa and northeast Missouri from the Association's two water treatment plants at Rathbun Lake. There has been a steady growth in the demand for drinking water from RRWA. Rathbun has invested more than \$50 million to increase its capacity to treat and distribute drinking water, included in this was the construction of a second water treatment plant.

Rathbun Lake has 15,000 acre-feet of storage allocated for water supply. RRWA has purchased 6,680 acre-feet from the Corps. RRWA also has the right of first refusal for the remaining 8,320 acre-feet of water supply storage in Rathbun Lake. Acquisition of the remaining 8,320 acre-feet of water supply would help ensure RRWA is able to satisfy the demand for drinking water in the area. I have had the pleasure of visiting Rathbun Lake during my time in Congress and know how the folks in the area depend on it for clean, safe drinking water.

Today, I ask that the Committee consider including a provision in WRDA 2020 so that low income communities such as those served by RRWA have first rights to remaining water supply storage in their regions at a reduced rate. The Corps estimated that the remaining water storage in Rathbun Lake would be \$3.24 million to purchase at about a rate of \$389 per acre-foot. I request that regional water systems deemed to serve low income communities have the right to purchase remaining water supplies at \$100 per acre-foot, allowing these rural communities to maintain essential water sources in their regions. We must do what we can to keep these rural water sources supplying the communities around them.

Second, I would like to highlight my legislation the National Flood Research and Education Center Act of 2019 (H.R. 3091). Flooding costs the U.S. billions of dollars each year. Last March 2019, Iowa, Missouri, Nebraska, Kansas, South Dakota, North Dakota, Minnesota, Wisconsin and Michigan experienced substantial flooding costing an estimated \$10.8 billion. As we enter March 2020, our states prepare for another flood season. These costly and dangerous events are becoming more common and we need to improve monitoring and forecasting of hydrologic conditions.

My legislation would establish a National Flood Research and Education Consortium (NFREC or National Flood Center) to conduct research on flooding, flood prevention, and other flood-related issues. The National Flood Center will be led by an institution of higher education that has significant expertise and experience in examining flooding and related issues. The lead institute will partner with other institutions that share expertise in flood-related fields. The research from participating institutions will be responsible for policy recommendations as they relate to predicting, preparing, preventing and recovering from floods.

The legislation would also create the Office of Flood Research and Policy (OFRP) within NOAA. The NOAA Administrator will appoint a Director to manage and oversee the work of the National Flood Center and to review and make policy and best practice recommendations to Congress, the public, and other federal agencies involved with flooding-related issues. These recommendations and the research that a National Flood Center would accomplish will better prepare communities and states to respond to flooding and to mitigate flood damage in advance.

A National Flood Center will bring together experts in physical and environmental science, as well as those in engineering, sociology and economics. Flooding, flood prevention, and flood related socio-economic, environmental, health and policy issues are highly complex with implications for loss of life and billions in damage as we saw in the Midwest one year ago. The damage to all sectors of our economy is why a national-level comprehensive and collaborative research and policy effort

is needed. That is why today I ask the Committee to consider including my legislation as part of WRDA 2020 in order to better prepare our communities for the impact of severe flooding.

Lastly, I think it is important to discuss construction projects on our inland waterways transportation systems. These natural highways are essential for moving farm products to export grain elevators along the Gulf. These systems are not only necessary for transportation of goods across our nation but also help aid in flood control. But over half of our inland waterway system is more than 50 years old. These systems are in desperate need of modernization and Congress needs to help speed up these efforts.

The Inland Waterways Trust Fund (IWTF) is funded through a fuel tax on commercial operators. While the increase in fuel tax in 2014 from \$0.20 to \$0.29 per gallon has helped to stabilize the IWTF, there is a backlog of projects that needs to be addressed. In WRRDA 2014, The Olmsted Locks and Dam Project reduced its cost-sharing requirements from 50% from the IWTF and 50% from the General Treasury Fund to 15% from the IWTF and 85% from the General Fund. This adjustment helped the project's efficiency and it was completed 4 years ahead of schedule which allowed other necessary projects to be started.

I ask the Committee to consider making permanent a new cost-sharing ratio for construction projects on our inland waterways. I believe having a consistent cost-share of 25% from the IWTF and 75% from the General Fund would allow the backlog of necessary construction and modernization projects to be started and give the workers a more sustainable funding stream to ensure projects continue to completion.

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**Prepared Statement of Hon. Blaine Luetkemeyer, a Representative in  
Congress from the State of Missouri**

Chairman DeFazio, Ranking Member Graves, Subcommittee Chairwoman Napolitano, Subcommittee Ranking Member Westerman, and Members of the Committee,

Thank you for giving me an opportunity to contribute to discussions regarding the reauthorization of the Water Resources Development Act (WRDA). As the Representative of a Congressional District with thousands of miles of shoreline thanks to the Mississippi River, Missouri River, and Lake of the Ozarks, I understand the importance of having a plan in place that continuously modernizes our levees, locks, dams, channels and ports.

Across the country, our nation's waterways and infrastructure have a tremendous impact. In Missouri, public ports represent about 1/3 of our economy. That supports roughly 290,000 jobs that create over \$100 billion in annual economic activity. It's important that we continue Congress' tradition of reauthorizing the key missions of the U.S. Army Corps of Engineers so we can support our economically vital waterway infrastructure, while also making much-needed policy reforms.

This past year was one of the worst years of flooding in Missouri's history. Entire towns were debilitated and normal life was brought to a halt for many Missourians, especially farmers. Throughout the state, over 1.4 million acres couldn't be planted. This doesn't just affect farmers; it affects the food supply of the entire world.

Without updated flood plans, there is nothing preventing future catastrophes similar to last year's. That is why this year I encourage you to consider updating the Upper Mississippi River Comprehensive Plan that was originally authorized in the 1999 WRDA. Outlined in the Upper Mississippi River Flood Control Act, this plan update requires the Secretary of the Army Corps of Engineers to submit a flood plan to Congress at an expeditious rate to address both water and land resource problems in the Upper Mississippi River Basin. It also forces the Corps to work with local landowners, agriculture groups, government officials, and other stakeholders while developing that plan. This will ensure the plan is not developed to satisfy the Corps headquarters in Washington, D.C., but rather meet the needs of those of us who live near the river and endure the cost of failed flood policy.

An effective flood plan, especially in high-risk areas, will better equip us to prevent future floods and expedite aid, recovery, and rebuilding in the aftermath of the unpreventable. A successful example of this plan model is demonstrated in the Mississippi River and Tributaries Project that has been in place for over 90 years. Strategic, long-term plans go a long way in helping us achieve that goal and ensure our waterways remain navigable while the folks living along our rivers and streams take priority.

Another area of my district that regularly feels the effects flooding is the Lower Osage River Basin. Specifically, the lower 80 miles of the Osage River below the

Bagnell Dam have seen increasing erosion, flooding and degradation of habitat. This has led to a huge loss of land resources and is becoming a bigger threat to infrastructure as time goes on. I would like to ensure that the authorization of a feasibility study for the Lower Osage River is included in WRDA. This Lower Osage River authorization will enable the Corps of Engineers to formulate an effective plan to address the serious and progressive erosion and degradation problems we face. Inclusion of this provision in the upcoming WRDA is essential to having a timely path to the necessary corrective actions.

Thank you again for the opportunity to speak here today about the needs of the Third Congressional District of Missouri.

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**Prepared Statement of Hon. Elaine G. Luria, a Representative in Congress  
from the Commonwealth of Virginia**

Thank you, Chairman DeFazio and Ranking Member Graves, for this opportunity to bring to the Committee's attention several issues that are critical not only for Coastal Virginia, but for America.

The Eastern Shore of Virginia is home to is home to unique waterways, including many navigable channels. These waterways are vital to the economic viability of the Eastern Shore. Unfortunately, insufficient funding for the Army Corps of Engineers has undermined upkeep and maintenance of these important waterways.

There are over 800 shallow draft navigable waterway projects nationwide, 70 of which are located in the Commonwealth. However, only eight shallow draft navigable waterway receive funding in my district. It is extremely difficult to secure funding for smaller waterways, including those in the Eastern Shore.

I ask the Natural Resources Committee to mark up H.R. 3596, the Keeping American's Waterfronts Working Act, and consider accepting amendments to benefit shallow draft navigable waterway maintenance.

I encourage the Committee to reevaluate how the benefit-cost analysis (BCA) is calculated. As sea level rise and increased rainfall drive federal projects, and as a broader range of federal agencies become involved, the current BCA process is no longer the best solution. Since 1983, The Principles, Requirements and Guidelines for Water and Land Related Resources Implementation Studies has been the standard. The application of conventional BCA determinations does not include numerous social and economic justice factors, nor does it use alternative approaches to infrastructure solutions. Further, federal agencies have different ways of calculating BCA, thus creating a confusing situation for local governments seeking to implement flood control projects.

In 2007, Congress instructed the Secretary of the Army to develop a new standard of guidelines for calculating the BCA. Finalized December 2014, the guidelines incorporated extensive input from the public as well as key stakeholders. Renamed the Principles, Requirements, and Guidelines (PR&G), the new guidelines would have included economic and social factors, as well as requiring an analysis of alternative approaches, such as nature-based solutions. However, the new PR&G process, has yet to reach full implementation.

Lastly, I ask for full use of the Harbor Maintenance Trust Fund, including expanded use for donor and energy transfer ports, regional funding floors, and emerging harbors funding. In recent years, appropriations have exceeded 90 percent, but six years ago, appropriations were barely at 50 percent. Today, the Harbor Maintenance Trust Fund has accumulated over \$9 billion. I ask that the funds are used for their intended purpose; to help eliminate the backlog of maintenance and channels and related infrastructure while providing equity for ports who generate significant revenue with minimal dredging needs.

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**Prepared Statement of Hon. Gwen Moore, a Representative in Congress  
from the State of Wisconsin**

Chairman DeFazio, Chairwoman Napolitano, Ranking Member Graves, and Ranking Member Westerman,

Thank you for the opportunity to talk today about my priorities for the next WRDA authorization bill.

The work of the Army Corps is critically important to my community and others on the Great Lakes. From its navigation work (dredging, maintaining and repairing breakwaters, and locks and dams) to its efforts to stop invasive species such as the

Asian Carp in the Great Lakes, the Corps is important to the economic and environmental vitality of my district.

A top priority in my district is the protection of water quality and support for needed water infrastructure investments. The last WRDA included numerous provisions that have helped move the ball forward in protecting this precious resource, but more can be done. This is the opportunity to keep building on that foundation and help ensure that Corps can continue to work with local and state stakeholders to address the various needs.

There is an African proverb that “water has no enemies.” We all need it. Yet, between droughts, climate change, and insufficient infrastructure investments, access to clean water remains a critical challenge for too many communities. Congress can and must help.

I would urge this committee to use this WRDA to increase support for Corps activities around water infrastructure, including in the Great Lakes region.

#### PROTECT THE GREAT LAKES

The Great Lakes are vital to our region and the nation. Protecting the Great Lakes is a pro-environment and pro-business position. The benefits of doing so flow to individuals, businesses, and state and federal tax coffers.

Over 33 million people live in the Great Lakes Basin, about one-tenth of our country’s population and one-quarter of Canada’s. The Great Lakes hold one-fifth of the world’s fresh water supply and 90 percent of the United States’ fresh water supply.

I am pleased to join my colleagues in talking about these five lakes and the millions of people who live, work, and recreate around them. Yet, we know that a long string of threats have threatened and continue to face the Great Lakes, threats that have serious consequences for the region and the nation. One of those threats should not be inaction by this Congress. We have the opportunity—including through WRDA—to help put in place key mechanisms to help protect this treasure.

By protecting the Great Lakes, we protect jobs, help improve water quality, and protect the health of people and wildlife. There are a number of ways Congress can use this WRDA to build on ongoing progress and to continue to assure our state and local partners that the Great Lakes will remain a focus.

#### WATER INFRASTRUCTURE

I urge you to support changes to the Sewer Overflow and Stormwater Reuse grant program authorized in the 2018 WRDA to set aside additional funding for Great Lake states to prevent combined sewer overflows that can lower water quality and impact public health.

Combined Sewer Overflows (CSO) affect over 800 communities nationwide, including at least 184 in the Great Lakes region according to the EPA<sup>1</sup>. As a result of these overflows, billions of gallons of raw sewage and stormwater end up in our nation’s waters, including the Great Lakes, each year.

CSO events can be detrimental to human health and the environment because they introduce pathogens, bacteria and other pollutants to receiving waters, causing beach closures, contaminating drinking water supplies, and impairing water quality.

Public investment in updating wastewater systems is vital as it creates jobs, saves money and results in cleaner Great Lakes. Many municipalities have plans for sewer system improvements that will significantly cut CSOs but struggle to fund those plans. Congress recognized this challenge when it reauthorized the Combined Sewer Overflow and Stormwater Reuse grant program in the 2018 WRDA, including by emphasizing the use of green infrastructure to help mitigate this problem.

Green infrastructure helps address this issue by alleviating the need for storage by soaking up stormwater and pollution before it enters a combined sewer system and providing natural “treatment,” thus reducing the flow entering the treatment plant. Additionally, green infrastructure investments can often be less costly than traditional gray infrastructure solutions.

My proposal would increase funding overall for the existing CSO grant program by \$50 million and direct that funding for a new initiative for municipalities within the Great Lakes region.

These projects benefit not only the directly affected communities themselves, but surrounding communities that at one time were on the receiving end of these discharges. Water is a shared resource. Moreover, supporting efforts like this that help clean up and protect the Great Lakes today will pay dividends tomorrow.

<sup>1</sup> [https://www.epa.gov/sites/production/files/2016-05/documents/gls\\_cso\\_report\\_to\\_congress\\_-\\_4-12-2016.pdf](https://www.epa.gov/sites/production/files/2016-05/documents/gls_cso_report_to_congress_-_4-12-2016.pdf)

Again, the next WRDA bill must reauthorize and strengthen this important program, including authorizing specific funding for Great Lakes communities, to ensure that affected states and cities have all the options they need to solve this vexing public health and environmental problem.

#### GREAT LAKES NAVIGATION SYSTEM

Each year about 145 million tons of commodities move through Great Lakes ports and related navigation infrastructure. Inadequate funding and growing maintenance needs pose serious economic consequences in the Great Lakes and elsewhere throughout our nation. We need to invest in upgrading and maintaining vital locks, repairing breakwaters, and ensuring that harbors and channels are properly dredged.

I want to see more traffic moving into and out of the Lakes. A 2010 economic impact study found that Great Lakes shipping supported over 128,000 U.S. jobs, generating \$18.1 billion in business revenue, and another \$2.7 billion to federal, state and local tax coffers. Those numbers have only grown since then.

That's not going to happen without adequately funding the Army Corps of Engineers' operation and maintenance activities in the region, such as regular dredging of harbors, maintenance of breakwaters, and operation and upgrading of critical navigation infrastructure such as the Soo Locks.

Despite progress, the region still suffers hundreds of millions of backlogs in dredging, breakwater repairs that are critical to protecting harbors and waterfronts, and upgrades to other necessary infrastructure.

Businesses, farmers, port workers and all who depend on being able to ship and receive materials will be impacted by the inability of the Corps to dredge and keep navigation infrastructure in a state of good repair.

One way to do that is to ensure that all of the taxes paid on cargo going through our ports are used to support the needed investments. Almost three decades ago, Congress created the Harbor Maintenance Trust Fund to collect these taxes with the intention that the funds would pay dredging and other navigation investments. However, the annual decision on how to spend those funds was left to Congress which failed to direct all the revenues for the purpose of supporting the maritime trade infrastructure. As a result, the balance in the Trust Fund is growing (nearly \$9 billion currently) while many port and navigation needs go unaddressed. I fully support the efforts by Chairman DeFazio to ensure that this funding is unlocked in order to help address needs in the Great Lakes and across the nation. Hopefully, this WRDA provides an opportunity to enact those proposals into law.

#### ENVIRONMENTAL JUSTICE

Any new WRDA must continue to reiterate to the Army Corps the importance of ensuring that all communities affected by its policies and activities, especially minority, tribal, and low-resourced communities, have a meaningful say in those decisions.

I urge the Committee to include a provision requiring and reaffirming that the Army Corps of Engineers shall make every effort to seek to actively identify and address any disproportionate and adverse health or environmental effects of its programs, policies, practices, and activities on communities of color, low-income communities, rural communities, and Tribal and indigenous communities and to promote meaningful involvement and consultation with these communities in the development, implementation, and enforcement of Corps projects and other activities such as permitting.

I also urge the committee to include a provision in the new WRDA to ensure that the Corps completes and makes publicly available the report on community engagement required in section 1214 of Public Law 115-270 and the status of the Corps implementation of any recommendations springing from that report.

I hope that you share my concern that given the scope of the Corps involvement in communities across the nation, it is critical that the Corps have strong policies in place to meaningfully engage and work with communities of all demographics and address community concerns, rather than dismiss them.

#### SECTION 219

States and local communities are increasingly looking for ways to partner with the Corps to address pressing water and environmental needs. Under Section 219, the Secretary is authorized to provide assistance to non-Federal interests for carrying out water-related environmental infrastructure and resource protection and

development projects, including wastewater treatment and related facilities and water supply, storage, treatment, and distribution facilities.

This authority has been used in the past to help advance water related projects throughout the country. However, the use of this provision has declined over the years given that Congress has not added any new projects in some time. The Corps has no discretionary authority to commence new projects without project specific authorizations which has not been forthcoming. Many communities, including my own, realize this is a valuable authority that could be used to undertake needed environmental projects. Unfortunately, the current reality is that there is no way for the corps to tap this authority for new projects. Any final bill should address this reality in a way that recognizes and complies with House Rules, including adopting or adapting the provision from the last Senate committee approved WRDA bill that would facilitate new feasibility studies under Section 219.

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**Prepared Statement of Hon. Jimmy Panetta, a Representative in Congress  
from the State of California**

Chair Napolitano, Ranking Member Westerman, and Members of the Water Resources and Environment Subcommittee, thank you for giving me the opportunity to testify about my priorities for a Water Resources Development Act of 2020.

This legislation governs a project that I have been dedicated to supporting since my first day in Congress, the Pajaro River Flood Risk Reduction Project on the central coast of California. I have worked closely with the project's local sponsors in Monterey and Santa Cruz Counties, and with the Army Corps of Engineers, to move this project from inactive to active.

The Pajaro River project was first authorized by the Federal Flood Control Act of 1966, but it was only in December of last year that we were able to secure a final feasibility report to move this project from its feasibility stage to its pre-construction, engineering, and design (PED) phase. And while this was a critical step in the right direction, we have a lot of work to do before this project reaches completion.

The work ahead is certainly doable, but it will be difficult, in large part because the Pajaro River project is in an economically-disadvantaged community. And when the Corps makes funding decisions, it relies on a "Benefit-to-Cost Ratio," or BCR, that does not always reflect the true benefits and true costs of every project.

Economically-disadvantaged areas, however, do not necessarily imply a lack of economic returns. While per capita income in the Pajaro Valley is less than half of both the state and national averages, local communities provide the work force and infrastructure for some of the most productive farmland in the world.

Here, agriculture is a \$1 billion per year industry, supplying 80% of the nation's strawberries. More importantly, the undersized and fragile Corps levees on the Pajaro River have failed four times since their construction in 1949, resulting in loss of life, causing hundreds of millions of dollars in damage, and placing thousands of people at risk. By historically prioritizing flood control projects in affluent areas, the Corps is putting projects that protect property values ahead of projects that save lives.

For my communities on the Central Coast, this is personal. The city of Watsonville and Town of Pajaro have been subject to multiple major flooding events since 1949, and they simply cannot afford future damage.

Investing in communities like Pajaro is not only the right thing to do—the investment is worth it. For every \$1 invested in flood mitigation, we save \$6 dollars in long-term benefits.

As the Subcommittee takes steps to author the Water Resources Development Act of 2020, I implore you to think critically about how to better ensure projects like Pajaro receive the federal funding they need to provide safety to our communities.

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**Prepared Statement of Hon. Bill Pascrell, Jr., a Representative in Congress  
from the State of New Jersey**

Chairman Peter DeFazio and Chairman Grace Napolitano and Ranking Members Sam Graves and Bruce Westerman, thank you for the opportunity to testify at in support of efforts to manage historically significant flooding in northern New Jersey. Today, I wish to highlight the U.S. Army Corps of Engineers' (USACE) work in the Peckman River Basin to address extensive damage that has led to flood and ecosystem degradation during or immediately following intense precipitation events.



Flooding issues along the Peckman River came to my attention in the wake of damage inflicted by Hurricane Floyd in 1999, which caused severe damage in some Passaic County communities and cost the life of one local resident. While a member of this committee, I authored the resolution authorizing the initial reconnaissance report on the Peckman and worked to secure several million dollars for the feasibility study. I have also been very vocal in fighting development on the banks of this river that could exacerbate these flash flood events.

A favorable reconnaissance report was completed in July 2001, which recommended a feasibility study to develop alternatives for flood risk management in the Peckman River Basin. A Feasibility Cost Sharing Agreement (FCSA) was executed on March 14, 2002 between the Corps and the New Jersey Department of Environmental Protection (NJDEP). In 2016, the NJDEP Land Use Regulatory Program indicated their permitting support for the Tentatively Selected Plan (TSP). USACE worked diligently to update the previously released DIFR/EA. The revised DIFR/EA was released for public review on October 9, 2019.

To address the issues raised in the updated DIFR/EA, the USACE proposed alternative 10b, which appears to be the best solution. The combination of a diversion culvert, barriers, and nonstructural measures should appropriately address the persistent flooding challenges in the community. A Final Integrated Feasibility Report/Environmental Assessment was transmitted to USACE headquarters on December 10, 2019 and an approved Chief's Report is scheduled for April 2020.

I understand the USACE is closely coordinating with all relevant stakeholders, including local, county, state and federal representatives to ensure the final proposal will benefit those living in the area. Close coordination is critical to making sure that the final proposal will not negatively impact longstanding regional flood reduction projects, such as Rebuild By Design, and flooding in the Passaic River.

I look forward to reviewing an approved Chief's Report in April to ensure it means the goals and needs of our community in North Jersey. If so, I hope you will consider including this project in this year's Water Resources and Development Act (WRDA). Thank you for your time and attention to this matter. I look forward to working with the Committee on Transportation and Infrastructure as it continues to develop this year's WRDA.

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**Prepared Statement of Hon. Scott H. Peters, a Representative in Congress  
from the State of California**

Chair Napolitano and Ranking Member Westerman:

Thank you for hosting "Member Day" for your colleagues like me who have important requests for the Water Resources and Development Act.

I'm here to highlight a few priorities that impact my district and the country as a whole, including

1. the deauthorization of a section of a levee in the San Diego River;
2. ongoing sewage spills along the U.S.-Mexico coastal border; and
3. improving water reclamation in San Diego.

In my district, we have the San Diego River Levee System, constructed in 1958. The levee system extends for a distance of 4.6 miles throughout the San Diego River. The most upstream segment of the levee system has been modified by infrastructure, including a police station; regional transit station; multiple bridge crossings, including I-5; and a major thoroughfare, Friars Road. This portion of the levee system no longer convey the flows for which it was originally designed, but it does convey a storm event with a one percent chance of occurring any given year. The impact of climate change practically guarantees these storms will occur and grow stronger and more frequent.

An inspection by the US Army Corps of Engineers in 2016 determined that the system poses an unacceptable risk to public safety. In order to properly and comprehensively evaluate the needed modifications to address system deficiencies, we are working with Army Corps to deauthorize the most upstream segment that has been irreparably modified by infrastructure. Army Corps are working with my office to prepare legislative language to deauthorize this segment of the levee system, and I ask the Committee include this urgent request in WRDA.

Additionally, the San Diego delegation is continuing to tackle cross border pollution. Since at least 1944, the federal government has tried, and failed, to stop flows of treated and untreated sewage in the U.S. from the Tijuana river in Mexico. It has not been for lack of trying. I want to thank the Committee for its past efforts in 2000, 2004, and a hearing in 2007 to address the problem.

We just learned that implementing legislation for the approval of the United States-Mexico-Canada Agreement (USMCA) will provide a new authorization of \$300 million, in equal installments of \$75 million over four years, to fund Environmental Protection Agency (EPA) grants under the Border Water Infrastructure Program (BWIP) to address wastewater infrastructure problems along the U.S.-Mexico border. In addition, the Delegation secured an additional \$25 million in funding for BWIP in the FY 2020 Omnibus. The BWIP makes critical investment to improve sewage infrastructure along the border and prevent dangerous sewage spills that threaten public health and damage San Diegans' quality of life in the future.

Inter-agency coordination will be critically important as local, state and federal stakeholders start to allocate funding for new project construction. On behalf of the San Diego delegation, I thank the Army Corps of Engineers for authorizing the 2017 Tijuana River Feasibility study and the Committee's continued support helping the City of San Diego to solve this complex issue along the Tijuana River watershed.

Finally, I would like to address briefly the matter of water supply. Historic drought conditions combined with a shortage of melting snow have created a water supply crisis in western states, including California. To meet projected water demands, the City of San Diego is making a long-term investment in the Pure Water Program, a multi-year, multi-billion-dollar program that will use proven water purification technology to provide one-third of San Diego's water supply by 2035.

Pure Water is a cost-effective investment to address San Diego's water needs and will provide a reliable, sustainable water supply, reducing the City's reliance on Northern California and Colorado River resources. It will also significantly reduce ocean discharge by diverting wastewater from the nearby Point Loma Wastewater Treatment Plant. Currently, Point Loma meets alternate discharge standards in a modified National Pollutant Discharge Elimination System (NPDES) permit approved by EPA. Although the City has never failed to renew its modified permit, the renewal process creates unnecessary regulatory uncertainty for ratepayers and municipal water and sewer authorities.

I introduced the Ocean Pollution Reduction Act II of 2019 with the San Diego delegation to provide the City with regulatory certainty as it continues to make significant progress, as well as major investments, in enhancing its water and wastewater systems. The bill simply clarifies that the City of San Diego can apply for a permit under the standard NPDES renewal process without a waiver. The clarification will provide the City with regulatory certainty as it continues to make significant progress, as well as major investments, in enhancing its water and wastewater systems.

I would appreciate the Committee's consideration of this important issue as part of any legislation authorizing investments in water and sanitation infrastructure.

Thank you for your time and consideration of these matters. I look forward to continuing to work with you on these and other issues.

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**Prepared Statement of Hon. Guy Reschenthaler, a Representative in  
Congress from the Commonwealth of Pennsylvania**

Dear Chairman DeFazio, Ranking Member Graves, Chairman Napolitano, and Ranking Member Westerman:

Thank you for the opportunity to share my priorities for the Water Resources Development Act (WRDA) of 2020. Pennsylvania's 14th Congressional District is home to four locks and dams along the Monongahela River, as well as numerous flood protection projects. The larger Pittsburgh District includes 10 significant river systems and 328 miles of navigable waterways which support industries ranging from mining, steel, and manufacturing. It is critical we invest in this aging system and our inland waterways as a whole in order to grow our economy and maintain our competitive edge on the global stage. Therefore, I would like to share the following proposals for WRDA 2020:

- Adjust the cost share for construction of inland waterways infrastructure projects to 25 percent from the Inland Waterways Trust Fund and 75 percent from general funds, similar to the WRDA 2016 change for deep draft ports. Currently, the inland waterways system has a portfolio of more than 15 authorized high priority inland projects awaiting construction. Adjusting the cost share will accelerate project delivery on these critical projects.
- Increase the authorization limit for Section 313, which authorizes the Army Corps to provide support to communities for projects like wastewater treatment and water supply distribution. The current limit of \$200 million will soon be met and will limit the Army Corps' ability help communities in my district.

- Authorize new construction activities for the Upper Ohio River Navigation Project, which is critical for freight movement at the Port of Pittsburgh and on the Monongahela and Allegheny River Navigation Systems.
- Assist communities in responding to and recovering from flooding and other disasters that affect our inland waterways and ports, including providing guidance on working with federal, state, and local partners.

I appreciate the opportunity to share my WRDA 2020 priorities with you. If you or your staff have any questions, please do not hesitate to contact me or my legislative director, Emily Ackerman.

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**Prepared Statement of Hon. Tom Rice, a Representative in Congress from  
the State of South Carolina**

Chairman DeFazio and Ranking Member Graves, thank you for allowing me to testify regarding water resource development projects and studies conducted by the U.S. Army Corps of Engineers. In my district we appreciate all of the work the U.S. Army Corps of Engineers has assisted us with in the past. I come before you today to discuss two studies that are very important to my district.

Myrtle Beach and the surrounding areas are visited by millions of tourists each year and tourism is a multibillion dollar industry in the state. Unfortunately, our state has been hit by five major disasters in the last five years. These intense storms and natural disasters have led to increased concern for protecting tourists and residents during this time.

Local leaders in Myrtle Beach and Horry County through the Coastal Alliance have requested the U.S. Army Corps of Engineer conduct a feasibility study to evaluate and reformulate the Myrtle Beach Shoreline Protection Project on the risks to property and public safety. Due to increased number of storms in my district they have asked to evaluate the existing project design to become more resilient to these natural events. They have requested the U.S. Army Corps of Engineers, among other items, to evaluate potential measures from dunes, berm height, permanent structures to beach renourishment as well as review erosion hotspots.

Another project that the U.S. Army Corps has been involved with in my district is the Port of Georgetown. The Georgetown Port continues to experience a build up of silting and material and due to this, maintaining the navigable depths throughout the length of the inner harbor is difficult. It is crucial to our commercial fishing industry and our tourism industry that we find a solution so that the harbor is not constantly in need of dredging. Additionally, maintaining the depths of the port affects the manufacturing industry that is dependent on barging raw materials into and out of the port. The city and county are invested in finding a solution and have commissioned on their own an initial study to investigate the severity and the rate of silting in the inner harbor. However, the city and county have requested the U.S. Army Corps of Engineers conduct a feasibility study to evaluate the initial report and examine solutions.

Although the Myrtle Beach Shoreline Protection Project and Georgetown Harbor Deep Draft Navigation Project currently need no further act by Congress and are authorized projects, I respectfully recommend that the Committee includes an expedited completion section of feasibility reports in the upcoming legislation. This language would be similar to Section 1203 of WRDA 2018, where it stated: *“Expedited Completion—Feasibility Reports.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project: . . .”*

I respectfully request that the following two projects: 1) “Project for coastal storm risk management, Myrtle Beach, South Carolina” and 2) “Project for navigation, Georgetown Harbor, South Carolina” be included as expedited completion feasibility reports in this legislation. The inclusion of these projects in this section would ensure these projects move quickly through the process and begin providing solutions that will provide public safety and economic prosperity for the areas.

Mr. Chairman, thank you for your work to address these issues. And thank you for the opportunity to testify before you today.

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**Prepared Statement of Hon. Harold Rogers, a Representative in Congress  
from the Commonwealth of Kentucky**

Chairman Napolitano, Ranking Member Westerman, and other distinguished Members of the subcommittee, I would like to thank you for your consideration of my priorities for the 2020 Water Resources Development Act (WRDA). I know your Committee works diligently to ensure that all Americans can benefit from our nation's incredible water resources and infrastructure—whether through the transportation of goods on our waterways, locks, and dams, flood control projects that protect our communities from disaster, and also incredible recreational opportunities. Previous WRDA bills have done a great deal to help the people of my district in southern and eastern Kentucky across each of the aforementioned areas. Whether it is the importance of locks and dams on the Kentucky and Ohio Rivers to the Kentucky economy, Wolf Creek Dam on Lake Cumberland, the incredible flood control projects in many of my towns and communities, and our Corps lakes' many recreational uses, we benefit greatly from these resources. As you begin the 2020 WRDA process, I would like to raise three specific priorities that will benefit those in my district in Kentucky. Legislative Language for each of these proposals is attached.

**INCREASE THE AUTHORIZED FUNDING LEVEL AND MODIFY THE SERVICE AREA FOR  
THE SECTION 531 ENVIRONMENTAL INFRASTRUCTURE PROGRAM**

First, I am requesting two modifications to the Section 531 Environmental Infrastructure Program for Southern and Eastern Kentucky—(1) increasing the authorization level from \$40 million to \$80 million, and (2) adding additional Kentucky counties that could benefit from improved environmental infrastructure.

Section 531 was originally authorized in the 104th Congress. It has provided great benefit to my district by bringing reliable wastewater treatment and collection systems to thousands of Kentucky households, schools, and businesses. This program not only helps create much needed jobs, but also enhances our region's potential for future economic development. While the need for this program continues, Section 531 unfortunately reached its authorized funding level of \$40 million in FY19. Increasing this authorization level to \$80 million would help ensure that this program can continue to improve access to safe drinking water and wastewater systems.

This language would also add four additional Kentucky counties to the program—Boyd, Carter, Elliott, and Lincoln Counties. These counties were not included in the original Section 531 program, but they have serious environmental infrastructure issues, and their inclusion in Section 531 would dramatically increase our ability to address these issues.

**CONCESSIONAIRE GROSS REVENUE FEES**

Second, I am seeking the inclusion of language that caps the amount of fees that the Corps can charge concessionaires for revenues from the sale of commoditized items like fuel and food items. Currently, the Corps charges concessionaires escalating fees based on how much gross revenue they earn in a given year, and this can reach as high as 4.6 percent of gross revenues. Fuel and food sales are very important amenities that the general public expects at these facilities, but these items are typically sold with a margin of only one or two percent. More importantly, this rate structure provides a disincentive for concessionaires to provide, expand, or enhance food sales locations, which could directly impact the quality of the public's enjoyment of these facilities. To rectify this situation, my proposed language would provide a cap of 1 percent on the amount of revenue fees charged for the sale of commoditized items, including food and fuel sales, at a concessionaire's operation.

**CONCESSIONAIRE AUTHORIZED LEASE LENGTH & APPROVAL AUTHORITY**

Finally, I am seeking the inclusion of language that would modernize the lease term length between the Corps and concessionaires. Under current law, the lease terms the Corps provides to concessionaires may be inconsistent and inadequate for the Corps to meet their Congressional mandates of enhancing the public access and enjoyment of federal resources. Private concessionaire investment, which helps the Corps meet these mandates, is dependent upon adequate and affordable financing. The current length of time that the Corps provides to concessionaires is problematic in that the term varies from district to district, and is generally insufficient to allow for traditional financing.

As a result, I request that the term for a lease provided by the Corps to concessionaires be modified to provide for a base 25-year lease and then the option of additional 25-year extensions if agreed upon by both the Corps and the concessionaire.

This will allow for a consistent national leasing structure and provide a period of time that allows concessionaires to seek and receive the financing they need to start-up, expand or improve their facilities.

Further, the Corps currently requires any lease of 50 or more years to be approved by Headquarters, USACE. This level of decision authority dramatically increases the bureaucratic hurdles faced by concessionaires, when it is the local Corps districts and divisions that have the best understanding of what would best serve that region's interests. As such, my proposed language would also direct the Secretary to delegate this authority, when appropriate, to lower levels of Corps leadership.

Thank you again for your consideration of my 2020 WRDA requests. I look forward to working with you as this process unfolds, so we can continue to maximize both Kentucky and our nation's water resources. If you or your staff have any questions, please do not hesitate to contact me or my staff.

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**Prepared Statement of Hon. Peter J. Visclosky, a Representative in  
Congress from the State of Indiana**

I would like to first thank Full Committee Chair Peter DeFazio and Ranking Member Sam Graves, Subcommittee Chair Grace Napolitano and Ranking Member Bruce Westerman, and all of the members of the House Subcommittee on Water Resources and Environment for holding today's hearing and providing this opportunity for myself and all Members to advocate for our priorities for the Water Resources Development Act of 2020 (WRDA 2020).

While I intend to submit a number of proposals to the Subcommittee for the upcoming WRDA, my reason for submitting this testimony is to discuss the vital importance of preserving and promoting Section 219 Environmental Infrastructure authority and related projects. As you know, Section 219 of WRDA 1992 authorizes the U.S. Army Corps of Engineers (Corps) to assist non-federal sponsors at a 75/25 percent cost share in the planning, design, and construction of municipal drinking water and wastewater infrastructure projects. Since Fiscal Year 2014, the Corps has funded Section 219 projects across 27 states, including Calumet Region projects in Indiana's First Congressional District. This Section 219 authority has been integral to the efforts of numerous communities in my district as they have sought to improve their quality of place, safeguard the public health of their citizens, and sustainably utilize their water resources.

One such municipality is my home, the City of Gary, which has experienced serious economic difficulties. Nevertheless, Gary has been working successfully with the State of Indiana and federal partners to ensure that the city's best days are indeed still ahead of it, not behind. An essential partner in particular is the U.S. Army Corps of Engineers, which due to a mandate from Congress in annual appropriations measures, has continued to prioritize Section 219 projects that, among other things, seek to revitalize and invest in communities with high poverty or current financial distress.

For example, in April 2018, the Corps and the City of Gary, Indiana, completed a substantive forcemain replacement project. The project included the construction of a brand new 24-inch steel sanitary sewer forcemain, leading to improved sanitary sewer system flow and a reduction in pipe breaks and system shutdowns across the city.

Additionally, in September 2019, the Corps worked with the City of Gary to complete a significant sewer infrastructure project, which included the rehabilitation of approximately 4,000 linear feet of combined sewers and 21 existing manholes. Further, the project supported the installation of 600 feet of new sanitary sewer, 813 linear feet of percolation type storm sewers, and over 2,300 feet of new storm sewer. Due to these tremendous investments, the City of Gary is more fully prepared for flooding events and the stresses placed on municipal infrastructure.

Most recently, in December 2019, the Corps completed another major sewer improvement project in Gary, resulting in the restoration of over 16,600 feet of sewer lines in the city's Ambridge neighborhood. This successful effort will result in a reduction in sewer overflows and basement backups, and ultimately will lead to long-term savings to the city and residents on public infrastructure and private property repair costs, respectively.

In the over 20 years since my district has been authorized to receive environmental infrastructure assistance through the Corps, Section 219 authorized projects have continued to make a substantial, positive difference in Gary and a number of other local communities in my district. Therefore, as both the Full Committee and

the Subcommittee on Water Resources and Environment work to develop proposals for WRDA 2020, I would implore you to maintain the long-term viability of current Section 219 authority, including by considering allowing Members to submit proposals to increase total project authorization levels for Section 219 accounts. For reference, without such an increase, the current funding pace for local Section 219 projects suggests that total authorization for these efforts in Gary and the rest of my district could run out within approximately eight years.

In conclusion, thank you Chair DeFazio, Ranking Member Graves, Chair Napolitano, Ranking Member Westerman, and members of the Subcommittee for allowing me to the opportunity to discuss this important topic. I believe Section 219 authority remains an indispensable tool to distressed, recovering, and growing municipalities as they seek to invest in local infrastructure, and maintaining and strengthening this authority deserves strong consideration as Congress moves forward with WRDA 2020. I remain wholly available to you all as a colleague and partner in this regard.

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