

WATER RESOURCES DEVELOPMENT ACT OF 2026: STAKEHOLDER PRIORITIES

(119-34)

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

FIRST SESSION

DECEMBER 17, 2025

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U.S. House of Representatives
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DECEMBER 12, 2025

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Water Resources and Environment
FROM: Staff, Subcommittee on Water Resources and Environment
RE: Subcommittee Hearing on “*Water Resources Development Act of 2026: Stakeholder Priorities*”

I. PURPOSE

The Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure will meet on Wednesday, December 17, 2025, at 10:00 a.m. EST in 2167 of the Rayburn House Office Building to receive testimony at a hearing entitled, “*Water Resources Development Act of 2026: Stakeholder Priorities*.” The hearing will allow Members to receive testimony from water resources stakeholders, such as local officials, levee district managers, and others to discuss priorities related to primary mission areas of the United States Army Corps of Engineers (Corps) for the Water Resources Development Act (WRDA) of 2026.

II. BACKGROUND

THE UNITED STATES ARMY CORPS OF ENGINEERS—CIVIL WORKS

The Corps is the Federal Government’s lead water resource development and management agency.¹ Its mission is to deliver “vital engineering solutions, in collaboration with [their] partners, to secure our Nation, energize our economy, and reduce disaster risk.”² The Corps water resource program dates back to 1824 when it was established for the purpose of improving river navigation.³ The role of the Corps has evolved and expanded since then to include other main water resource responsibilities.

Today, the Corps’ primary civil works responsibilities are to support coastal and river navigation, address flood risk management and storm damage, and protect and restore aquatic ecosystems.⁴ Specifically, through its eight divisions and 38 dis-

¹ CORPS, *About Corps Water Resources Planning*, (last accessed Nov. 25, 2025), available at <https://planning.erd.c.dren.mil/toolbox/guidance.cfm?Id=0&Option=Planning%20Fundamentals&Type=About#:-:text=The%20U.%20S.%20Army%20Corps%20of>.

² CORPS, *Mission and Vision*, (last accessed Nov. 25, 2025), available at <https://www.usace.army.mil/About/Mission-and-Vision/>.

³ *Id.*

⁴ See generally ANNA NORMAND & NICOLE CARTER, CONG. RSCH. SERV. (IF13112), WATER RESOURCES DEVELOPMENT ACTS: PRIMER AND ACTION IN THE 119TH CONGRESS (Sept. 25, 2025), available at <https://www.congress.gov/crs-product/IF13112> [hereinafter CRS REPORT IF13112].

tract offices, the Corps manages over 14,000 miles of levees, 740 dams, 12,000 miles of inland and intercoastal waterways, and 218 lock chambers.⁵

The Corps also provides outdoor recreation opportunities, offers water supply storage to state and local partners, assists in emergency response, and is a leading producer of hydropower in the United States.⁶ Many Corps projects are multipurpose, incorporating navigation, flood risk management, and/or ecosystem restoration in conjunction with water supply and conservation, recreation, and/or hydropower into their design, construction, and operation.⁷ The Corps, at its sites, sees 269 million recreational visitors a year, provides 25 percent of the country’s hydropower output, and manages 135 reservoirs with municipal and industrial water supply.⁸ The Corps also provides support in responding to natural disasters by supporting the Federal Emergency Management Agency (FEMA) when requested or through the Flood Control and Coastal Emergencies program (often referred to as “P.L. 84–99”).⁹

The Corps’ infrastructure portfolio is currently valued at \$227 billion.¹⁰ This valuation is referred to as its “capital stock” and includes all water resources infrastructure built by the Corps since 1928.¹¹ The estimated capital stock value increased \$7.1 billion on average each year until 1982 when it peaked at \$393 billion.¹² The Corps has reported that deterioration, general wear and tear of infrastructure needs, and asset retirements have contributed to a decline in the value of the capital stock.¹³ Furthermore, the Corps has a growing construction backlog in addition to various authorized but unfunded studies and operation and maintenance activities.¹⁴

To achieve its civil works mission, the Corps plans, designs, and constructs water resources development projects, typically in partnership with, and utilizing the financial support of, non-Federal interests, commonly referred to as project sponsors. The Corps’ planning process requires that Federal water resources investments reflect national priorities, encourage economic development, and protect the environment, and that the Corps seek to maximize net public benefits to society.

WATER RESOURCE DEVELOPMENT ACTS

Congress generally authorizes Corps studies, projects, and programs and makes changes to agency policies through legislation referred to as Water Resources Development Acts (WRDAs). Congress has developed and enacted WRDAs intermittently since the 1980s and has biennially enacted a WRDA since 2014.¹⁵

Authorizing provisions in WRDAs can be project-specific, programmatic, or general directives for the Corps. Project-specific authorizations most often fall into one of three broad categories: project studies, construction projects, or modifications to existing projects. Furthermore, water resource projects typically require two types of Congressional authorization: (1) authority to study the feasibility of the project and (2) authority to construct (and operate and maintain, as applicable) the project.¹⁶

Most recently, WRDA 2024 was signed into law as Division A of the Thomas R. Carper Water Resources Development Act of 2024 (P.L. 118–272) in January 2025.¹⁷ WRDA 2024 authorized 17 new construction projects, four project modifications, one project for construction based on a feasibility study carried out by a non-Federal interest, and over 200 new or modified feasibility studies.¹⁸

WRDA 2024 made policy reforms to empower the non-Federal sponsors of projects, increase transparency, and improve project delivery. For example, WRDA 2024 facilitated the creation of Continuing Authorities Program (CAP), a new pilot program for alternative project delivery. Additionally, the legislation amended sections 203 and 204 of WRDA 1986 to clarify and enhance the responsibilities of non-Federal

⁵ CORPS, *Value to the Nation*, (last accessed Nov. 25, 2025), available at <https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/>.

⁶ *Id.*

⁷ CRS REPORT IF13112, *supra* note 4.

⁸ CORPS, *Value to the Nation*, (last accessed Nov. 25, 2025), available at <https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/>.

⁹ *Id.*

¹⁰ CORPS, *Capital Stock: Summary*, (last accessed Nov. 25, 2025), available at <https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/Fast-Facts/Capital-Stock/Summary/>.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ CRS REPORT IF13112, *supra* note 4.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ WRDA 2024, Pub. L. 118–272, 138 Stat. 2996.

¹⁸ *Id.*

interests in conducting studies and construction activities for authorized projects.¹⁹ WRDA 2024 also improved transparency and consistency to assist non-Federal entities achieve compliance with the P.L. 84–99 program and the process to modify existing projects under Section 408.²⁰

Further, WRDA 2024 included the Grace F. Napolitano Priority for Water Supply, Water Conservation, and Drought Resiliency Act, which emphasizes the Corps’ role in water supply and water resiliency efforts.²¹ WRDA 2024 instructed the Corps to prioritize and maximize water supply, water conservation, and drought resiliency efforts that are in alignment with the authorized purposes of water resources development projects.²²

IDENTIFYING WATER RESOURCE NEEDS

Generally, the first step in developing a project through the Corps is to study the feasibility of the proposed project, which typically requires Congressional authorization. Once authorized, the Corps enters into a cost-sharing agreement with a non-Federal project sponsor to initiate the feasibility process. The cost of a feasibility study is usually split evenly between the Federal Government, which is subject to appropriations, and the non-Federal project sponsor.²³

Under current law, the feasibility reports should generally be produced within four years with a Federal cost of no more than \$5 million.²⁴ Waivers of the feasibility criteria for project studies are available under section 1001 of the Water Resources Reform and Development Act (WRRDA) of 2014.²⁵

During a feasibility study phase, the Corps’ district office prepares a draft study report containing a detailed analysis on the economic costs and benefits of carrying out the project and identifies any associated environmental, social, or cultural impacts. The feasibility study typically describes, with reasonable certainty, the economic, social, and environmental benefits and detriments of project alternatives being considered, and identifies the engineering features, public acceptability, and the purpose, scope, and scale of each.²⁶ It also contains the views of other Federal and non-Federal agencies on project alternatives, a description of non-structural alternatives to the recommended plans, and a description of the anticipated Federal and non-Federal participation in the project.²⁷

After a full feasibility study is completed, the results and recommendations of the study are submitted to Congress in the form of a *Report of the United States Army Corps of Engineers Chief of Engineers* (more commonly referred to as a Chief’s Report).²⁸ If the results and recommendations on the proposed project are favorable, then the next step is Congressional authorization for construction of the project, which is typically given in a WRDA.

Section 902 of WRDA 1986, as amended, generally allows for increases in total project costs of up to 20 percent (after accounting for inflation of construction costs) without additional Congressional authorization.²⁹ A Post-Authorization Change Report (PACR) is developed when an authorized project encounters a cost increase greater than 20 percent of the authorized amount, changes in scope of the project, location, or design modifications.³⁰ Typically, Congress will then consider the PACR for inclusion in a WRDA.

¹⁹ *Id.*, at §1107(a), 1109, 1110.

²⁰ *Id.*, at §1105, 1146.

²¹ See Subtitle B, Title I, Division A of WRDA 2024, *supra* note 14.

²² *Id.*, at §1161, 1162, 1108.

²³ CRS REPORT IF13112, *supra* note 4.

²⁴ WRDA 2024, Pub. L. 118–272, 138 Stat. 2996.

²⁵ 33 U.S.C. 2282c.

²⁶ *Id.*

²⁷ *Id.*

²⁸ CORPS, *Planner’s Library*, (last accessed Nov. 25, 2025), available at <https://planning.ercd.dren.mil/toolbox/library.cfm?Option=Direct&Group=Main&Item=Chief%20Report&Sub=None&Sort=Default>.

²⁹ ANNA NORMAND & NICOLE CARTER, CONG. RSCH. SERV. (R47946), PROCESS FOR U.S. ARMY CORPS OF ENGINEERS PROJECTS (Aug. 29, 2025), available at <https://www.congress.gov/crs-product/R47946>.

³⁰ Wes Coleman & Jeremy LaDart, Post Authorization Change Reports (PACRS)—Myths, Mysteries, and Legends, UNITED STATES ARMY CORPS OF ENGINEERS, (May 20, 2021), available at <https://planning.ercd.dren.mil/toolbox/webinars/20May21-PACRs.pdf>.

ADDITIONAL CORPS AUTHORITIES

The CAP program enables the Corps to undertake small-scale projects with limited scope and cost without requiring project-specific Congressional authorization.³¹ These projects typically require a cost-share with a non-Federal project sponsor.³²

There are currently nine CAP categories:

- Streambank erosion and shoreline protection;³³
- Beach erosion control;³⁴
- Navigation improvement;³⁵
- Mitigation of shore damage by Federal navigation projects;³⁶
- Regional sediment management/beneficial use of dredged material;³⁷
- Flood control;³⁸
- Aquatic ecosystem restoration;³⁹
- Removal of obstructions and clearing channels for flood control;⁴⁰ and
- Project modifications for improvement of the environment or drought resiliency;⁴¹ and
- Stormwater management projects.⁴²

Congress has also provided authority for the Corps to assist with the planning, design, and construction of drinking water and wastewater projects in specified areas, known broadly as Environmental Infrastructure (EI) assistance.⁴³ The EI programs support publicly owned and operated facilities, such as distribution and collection works, stormwater collection and recycled water distribution, and surface water protection and development projects.⁴⁴

III. OUTLOOK FOR WRDA 2026

PENDING CHIEF'S REPORTS

Currently, the Committee is in possession of two Chief's Reports for possible inclusion in WRDA 2026: Surf City, Onslow and Pender Counties, NC (coastal storm risk management) and Columbia River Turning Basin (navigation). The Committee maintains a list of all Chief's Reports submitted by the Secretary of the Army possible for WRDA 2026 consideration on its website at <https://transportation.house.gov/wrda-2026/>.

ANNUAL 7001 REPORTS

Section 7001 of WRRDA 2014 (P.L. 113–121) required the Corps to transmit an annual report to the authorizing committees that identifies, for potential Congressional authorization, completed feasibility reports, proposed feasibility studies submitted by non-Federal interests through a public comment period, proposed modifications to authorized water resources development projects or feasibility studies, and proposed modifications to environmental infrastructure program authorities. This report is entitled “*Report to Congress on Future Water Resources Development*” and is due by February 1st of each year. The Committee has not officially received the 2025 Section 7001 report. The non-Federal proposal submission period for the 2026 Section 7001 report was open from April 17, 2025, through August 15, 2025.⁴⁵ The Committee maintains a list of all existing Section 7001 Reports on its website at <https://transportation.house.gov/wrda-2026/>.

³¹ See generally ANNA NORMAND, CONG. RSCH. SERV. (IF12635), CONTINUING AUTHORITIES PROGRAMS OF THE U.S. ARMY CORPS OF ENGINEERS, (updated Aug. 6, 2025), available at <https://www.congress.gov/crs-product/IF12635>.

³² *Id.*

³³ See the Flood Control Act of 1946, 33 U.S.C. 701r § 14.

³⁴ See the Act of August 13, 1946, 33 U.S.C. 426g § 3.

³⁵ See the River and Harbor Act of 1960, 33 U.S.C. 577 § 107.

³⁶ See the River and Harbor Act of 1968, 33 U.S.C. 426(i) § 11.

³⁷ See the WRDA 1992, 33 U.S.C. 2326 § 204.

³⁸ See the Flood Control Act of 1948, 33 U.S.C. 701s § 205.

³⁹ See the WRDA 1996, 33 U.S.C. 2330 § 206.

⁴⁰ See the Act of August 28, 1937, 33 U.S.C. 701g § 2.

⁴¹ See the WRDA 1986, 33 U.S.C. 2309a § 1135.

⁴² See section 1108 of the WRDA 2024, 33 U.S.C. 2289b.

⁴³ WRDA of 1992, Pub. L. No. 102–580, 106 Stat. 4835, § 219.; WRDA of 1999, Pub. L. No. 106–53, 113 Stat. 352, § 552.; WRDA of 2022, Pub. L. No. 117–263, 136 Stat. 3819, § 8376.

⁴⁴ CORPS, *Environmental Infrastructure*, (last accessed Nov. 25, 2025), available at <https://www.nap.usace.army.mil/Missions/Civil-Works/Environmental-Infrastructure/>.

⁴⁵ Proposals by Non-Federal Interests for Inclusion in the Annual Report to Congress on Future Water Resources Development, 90 Fed. Reg 16114 (Apr. 17, 2025).

IV. WITNESSES

- Julie Ufner, President and Chief Executive Officer (CEO), National Waterways Conference
- Charles Camillo, Executive Vice President, Midwest Flood Control Association
- Bryan Jones, President, Mid-Atlantic Division, HNTB Corporation
- Noel Hacegaba, Chief Operating Officer, Port of Long Beach, California

WATER RESOURCES DEVELOPMENT ACT OF 2026: STAKEHOLDER PRIORITIES

WEDNESDAY, DECEMBER 17, 2025

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

The subcommittee met, pursuant to call, at 10 a.m., in Room 2167, Rayburn House Office Building, Hon. Mike Collins (Chairman of the subcommittee) presiding.

Mr. COLLINS. The Subcommittee on Water Resources and Environment will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during today's hearing. Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions. Without objection, so ordered.

As a reminder, if Members wish to insert a document into the record, please also email it to DocumentsTI@mail.house.gov.

I now recognize myself for the purpose of an opening statement for 5 minutes.

OPENING STATEMENT OF HON. MIKE COLLINS OF GEORGIA, CHAIRMAN, SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

Mr. COLLINS. Today's hearing is the first of a series that this subcommittee will hold before drafting a Water Resources Development Act, WRDA, for 2026. To kick off the WRDA 2026 process, today we have the opportunity to hear from stakeholders from across the Nation about the importance of Army Corps Civil Works programs and maintaining a consistent 2-year WRDA schedule.

WRDA is one of the most important pieces of legislation that we work to draft and pass here at the Transportation and Infrastructure Committee, and we are proud to do so regularly. Every 2 years since 2014, Congress has passed a bipartisan, consensus WRDA bill into law, helping communities across this country. I look forward to working once again with my colleagues on both sides of the aisle to continue this important tradition.

WRDA is a critical vehicle to meet the water resources needs in the communities nationwide. Reliable water navigation systems allow for the safe and efficient shipping of cargo that is fueling our economy. Levees protect homes and businesses from flooding. Dams

and reservoirs, like Lake Lanier in Georgia where I grew up visiting with my family, also provide flood control for communities, electricity, and opportunities for recreation.

WRDA 2024 included several important provisions for water needs in the State of Georgia and the country as a whole. Specifically, WRDA 2024 authorized a feasibility study for Tybee Island ecosystem restoration and storm damage risk reduction and modified the feasibility studies for Savannah Harbor and New Savannah Bluff Lock and Dam, updating these prior authorizations to effectively and efficiently meet changing needs.

In Georgia, 2025 was the busiest year on record for the Port of Savannah, and the Port of Brunswick became America's number one port for automobiles. A consistent 2-year WRDA process is essential in helping our ports keep up with growing demand and grow our Nation's economy.

An important part of the WRDA process is the partnership between the Federal Government and non-Federal partners and stakeholders who come together to solve local water resources needs. It is great to see a panel of witnesses today representing diverse interests and geographic areas, but who are brought together not only by water resources issues, but also by the solutions that WRDAs can provide.

I look forward to hearing from each of you today on the importance of WRDA in assisting with flood control, inland waterway navigation, coastal restoration, beach renourishment, and ensuring safe movement of goods through maritime transportation.

[Mr. Collins' prepared statement follows:]

Prepared Statement of Hon. Mike Collins, a Representative in Congress from the State of Georgia, and Chairman, Subcommittee on Water Resources and Environment

Today's hearing is the first of a series that this subcommittee will hold before drafting a Water Resources Development Act (WRDA) for 2026. To kick off the WRDA 2026 process, today we have the opportunity to hear from stakeholders from across the nation about the importance of Army Corps Civil Works programs and maintaining a consistent two-year WRDA schedule.

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WRDA is a critical vehicle to meet the water resources needs in communities nationwide. Reliable water navigation systems allow for the safe and efficient shipping of cargo, fueling our economy. Levees protect homes and businesses from flooding. Dams and reservoirs, like Lake Lanier in Georgia—where I grew up visiting with my family—also provide flood control for communities, electricity, and opportunities for recreation.

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I look forward to hearing from each of you today on the importance of WRDA in assisting with flood control, inland waterway navigation, coastal restoration, beach renourishment, and ensuring safe movement of goods through maritime transportation.

Mr. COLLINS. I now recognize Ranking Member Wilson for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. FREDERICA S. WILSON OF FLORIDA, RANKING MEMBER, SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

Ms. WILSON OF FLORIDA. Thank you, Mr. Chairman, for holding today's hearing.

Through biennial enactment of Water Resources Development Acts, this committee is addressing the water-related needs of our States and local communities. WRDAs are a shining example of how Congress can efficiently and effectively meet the bipartisan needs of our communities when we decide it is better to work together than apart. Again, I look forward to continuing my partnership with you, with Chairman Graves, and with Ranking Member Larsen to get this done.

Mr. Chairman, each of our communities experience unique water resources challenges. We seek to address these challenges through predictable enactment of WRDAs, providing the Corps with the tools necessary to address community needs. As stressors or local priorities change over time, this committee has stayed vigilant to ensure that the Corps has the authority and resources necessary to address local needs.

The history of the Corps bears this out. The Corps' Civil Works responsibility was initially focused primarily on navigation, developing the coastal and inland harbors necessary for the efficient movement of goods to our young Nation. That responsibility was later expanded to incorporate large-scale flood control, in part, due to widespread flooding along the Mississippi River that devastated communities and livelihoods.

More recently, as more communities realized the economic, environmental, and public health benefits from restoring their environment, Congress expanded the Corps' responsibility to include watershed and ecosystem restoration, the benefits that can be seen in the Florida Everglades, coastal Louisiana, and in the Great Lakes.

In fact, just last week, we celebrated the 25th anniversary of enactment of the Comprehensive Everglades Restoration Plan through WRDA 2000. This decades-long partnership between the Corps, the State, and other non-Federal partners shows how large-scale environmental restoration projects can have a tangible, dramatic, and lasting benefit to our communities, our economies, our human and environmental health, and our quality of life.

Lastly, in WRDA 2024, the Congress gave the Corps new direction to work with communities to support local efforts to enhance water supply, water conservation, and drought resiliency needs.

Mr. Chairman, as we develop a new WRDA bill for 2026, we need to build on the successes of the last few WRDA bills and the enhanced direction for the Corps to partner with communities of all types—large and small; urban, rural, and Tribal; economically well-off and communities that struggle to make ends meet—to address their local water resources challenges.

It is my hope that WRDA 2026 will continue to ensure that the next generation of flood control, navigation, environmental restoration, and water supply and conservation projects and studies are authorized and allowed to proceed.

We must continue to promote community resilience to the challenges faced by extreme weather events and changes to climate conditions on the ground, whether there is too much water, including coastal and inland flooding events, or too little water, such as areas facing increased frequencies of drought conditions.

And we must ensure that all communities are given the opportunity to work with the Corps to resolve their water resources challenges.

Finally, Mr. Chairman, we have started to hear concerns from Members on both sides of the aisle that recent changes in the communication policies of the Corps have led to delays and denials of sharing even the most basic information about Corps projects in Members' districts. As the chairman knows, seamless communication between the Corps and Members' offices is essential for successful development and implementation of WRDA laws and projects. I hope that these bureaucratic holdups can be quickly dispensed with, lest they cause challenges in this committee completing its critical work to develop a new WRDA.

I look forward to working with you on this proposal and on our continued partnership to develop another successful WRDA this Congress. So, let's get to work.

And I yield back.

[Ms. Wilson of Florida's prepared statement follows:]

Prepared Statement of Hon. Frederica S. Wilson, a Representative in Congress from the State of Florida, and Ranking Member, Subcommittee on Water Resources and Environment

Thank you, Mr. Chairman, for holding today's hearing.

Through biennial enactment of Water Resources Development Acts, this committee is addressing the water related needs of our states and local communities.

WRDAs are a shining example of how Congress can efficiently and effectively meet the bipartisan needs of our communities when we decide it is better to work together than apart.

Again, I look forward to continuing my partnership with you, with Chairman Graves and with Ranking Member Larsen to get this done.

Mr. Chairman, each of our communities experience unique water resources challenges. We seek to address these challenges through predictable enactment of WRDAs—providing the Corps with the tools necessary to address community needs.

As stressors or local priorities change over time, this Committee has stayed vigilant to ensure that the Corps has the authority and resources necessary to address local needs.

The history of the Corps bears this out. The Corps' civil works responsibility was initially focused primarily on navigation—developing the coastal and inland harbors necessary for the efficient movement of goods to our young nation.

That responsibility was later expanded to incorporate large-scale flood control, in part, due to widespread flooding along the Mississippi River that devastated communities and livelihoods.

More recently, as more communities realized the economic, environmental and public health benefits from restoring their environment, Congress expanded the Corps' responsibility to include watershed and ecosystem restoration—the benefits that can be seen in the Florida Everglades, Coastal Louisiana, and the Great Lakes.

In fact, just last week, we celebrated the 25th anniversary of enactment of the Comprehensive Everglades Restoration Plan through WRDA 2000.

This decades-long partnership between the Corps, the state, and other non-federal partners shows how large-scale environmental restoration projects can have a tangible, dramatic, and lasting benefit to our communities, our economies, our human and environmental health, and our quality of life.

Lastly, in WRDA 2024, the Congress gave the Corps new direction to work with communities to support local efforts to enhance water supply, water conservation, and drought resiliency needs.

Mr. Chairman, as we develop a new WRDA bill for 2026, we need to build on the successes of the last few WRDA bills and the enhanced direction for the Corps to partner with communities of all types—large and small; urban, rural, and tribal; economically-well-off and communities that struggle to make ends meet—to address their local water resources challenges.

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As the Chairman knows, seamless communication between the Corps and members' offices is essential for successful development and implementation of WRDA laws and projects.

I hope that these bureaucratic holdups can be quickly dispensed with, lest they cause challenges in this Committee completing its critical work to develop a new WRDA.

I look forward to working with you on this proposal, and on our continued partnership to develop another successful WRDA this Congress.

Let's get to work, and I yield back.

Mr. COLLINS. I now recognize the ranking member of the full committee, Mr. Larsen, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you, Mr. Chair.

In the interest of time, we are voting around 10:30, I am going to ask unanimous consent to put my full statement in the record.

But I do want to reiterate a point that the ranking member made. I too have heard concerns on both sides of the aisle about changes in the communication policies of the Corps that are actually driven out of the Department of Defense, and it seems that this is a ridiculous policy. It is a shortsighted policy.

My district this past weekend has been the victim of major flooding where the Corps is on the ground working side by side with the local emergency operations center folks. My staff is on the ground working side by side with the emergency operations center folks in order to birddog problems, and those include problems with the Corps.

Are the Corps of Engineers folks supposed to run, scurrying away like rats, when my staff approaches them in a room to ask for help in order to get culverts cleared out, in order to get dikes inspected, in order to get levees inspected? We have to go ask the Secretary of Defense, Pete Hegseth, for permission to save lives in my district?

This is the practical impact of a ridiculous, shortsighted policy that is being applied to the Corps of Engineers. How the rest of the DoD wants to handle it is up to them, but we are in flood season where I am from, and we can't have delays waiting for the DoD to sign off on my staff talking to the local Corps of Engineers folks about the problems we are facing. I wanted to be sure to get that across.

Other than that, I really do look forward to the testimony we have here today, and I yield back. Thank you.

Mr. COLLINS. I thank Mr. Larsen. And as to your unanimous consent request, without objection, so ordered.

Mr. LARSEN OF WASHINGTON. I appreciate that.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chairman Collins, for starting the development of a new Water Resources Development Act (WRDA).

In the Pacific Northwest and across the country, businesses and communities understand the critical importance of ports, harbors and inland waterways to keep the goods we rely on moving.

These critical investments are needed not only to sustain our current businesses, communities, and local economies, but also to prepare our region for anticipated growth in populations over the next few decades.

A recent Association of Washington Businesses report forecasts that the population of the state of Washington will grow to 10 million people by 2050, from about eight million today.

While recent federal and state efforts have helped address some of the critical infrastructure backlog, robust investment is needed to keep pace with forecast growth, to embrace emerging industries and to maintain the region's quality of life.

The report identifies an estimated need for over \$9 billion in critical port investment, \$4 billion for fish habitat, and over \$70 billion in water, wastewater, and stormwater infrastructure investments for just the State of Washington—showing the magnitude of the investment challenges ahead.

Since 2014, this Committee has addressed local water resource challenges through regular enactment of bipartisan WRDAs.

WRDAs support projects that address local water resource needs—such as maintaining levees and expanding port capacity—to create jobs in construction and support industries and businesses that benefit directly from Corps projects.

Regular, predictable enactment of WRDA bills also allows for the implementation of critical and timely policy reforms that improve the function and flexibility of the Corps to respond to local water resources challenges.

WRDAs are a great example of the strong bipartisan work this Committee can produce.

In WRDA 2024, this Committee successfully authorized the construction of 21 new projects covering every facet of the Corps' missions, as well as 162 new feasibility studies for future water resource development projects.

WRDA 2024 also authorized or modified more than \$5 billion in environmental infrastructure assistance for community driven projects, including \$242 million for locally supported water and wastewater infrastructure projects in western Washington state.

These federal, state and local partnerships are critical to help address the growing water and wastewater infrastructure needs throughout the country.

WRDA 2026 is an opportunity to build on the bipartisan successes of the last few bills.

We can continue to advance efforts to expand America's navigational capacity and strengthen its supply chains through port, harbor and inland waterways development.

We can continue to work on job-creating investments that address the water resources challenges facing communities and support national, regional and local economies.

We can continue to help communities prepare to face the challenges posed by climate change, including extreme weather events and drought.

We can continue to give all communities access to the Corps' technical and planning expertise, including Tribal, minority and disadvantaged communities.

Beyond the regular enactment of WRDAs, Congress also provides funding to the Corps for project planning, construction, operation and maintenance so communities can quickly benefit from water resources improvements.

The \$17 billion downpayment made by the Bipartisan Infrastructure Law was a great start, but Congress and the administration need to continue robust investment in our water infrastructure in the future.

Lastly, I have started to hear concerns from members on both sides of the aisle that recent changes to the communication policies of the Corps have led to delays and denials of sharing even the most basic information about Corps projects in members' districts.

As the Chairman knows, seamless communication between the Corps and members offices is essential for successful development and implementation of WRDA laws and projects.

I hope that these concerns can be quickly addressed.

I look forward to the continued partnership with Chairman Graves, Chairman Collins, and Ranking Member Wilson in developing a bipartisan WRDA 2026.

With that, I yield back.

Mr. COLLINS. I was trying to remember what I was supposed to say.

I would like to now welcome our witnesses, and thank them for being here today. You probably know, but I am going to just briefly go over and explain the lighting system. There are three lights in front of you. The green means go, yellow means you are running out of time, and when it turns red, please conclude your remarks.

I ask unanimous consent that the witnesses' full statements be included in the record. Without objection, so ordered.

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. Without objection, so ordered.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing. Without objection, so ordered.

I also ask unanimous consent to enter into the record a letter from the American Coastal Coalition dated December 15, 2025; a letter from the American Association of Port Authorities dated December 15, 2025; and a letter from the New York City Economic Development Corporation dated December 16, 2025. Without objection, so ordered.

[The information follows:]



**Statement of Dan Ginolfi, Executive Director, American Coastal Coalition,
Submitted for the Record by Hon. Mike Collins**

Mr. Chairman and Ranking Member Wilson, thank you for this opportunity to provide the Committee with the views of the American Coastal Coalition on priorities for the Water Resources Development Act of 2026.

The American Coastal Coalition represents America's coastal communities with federal beach nourishment projects and other coastal sustainability needs. Along America's developed coasts, beach nourishment is the most effective means for protecting against coastal storms and flooding. Many of the provisions in WRDA have impacts on our members and their coastal projects, and we are pleased to offer this testimony to help the committee craft water resources policy to better serve our nation's coastal communities.

3x3x3 PROCESS

In WRDA 2014, the 3x3x3 "SMART Planning" process was established in law, meaning that all Corps studies should require 3 years, cost a maximum of \$3 million, and involve all 3 levels of the Corps. When it comes to beach nourishment projects, some are complex while some are quite simple to plan and implement. However, \$3 million dollars and 3 years of time quickly became the *baseline* for all types of studies and modifications, including Limited and General Revaluation Reports, regardless of their complexity.

Prior to WRDA 2024, the Corps already had a process to allow studies to exceed the 3x3x3 framework when necessary. Nonetheless, Section 1103 of WRDA 2024 expanded studies to allow them to take up to 4 years and cost \$5 million. This expansion was driven by demands from higher levels of the Corps to achieve a design level closer to 100% before moving into Pre-construction Engineering and Design (PED) and Construction.¹

Despite that WRDA provision, current Corps policy still adheres to the 3x3x3 baseline. The American Coastal Coalition's position is that the duration and cost of a study should not be dictated by legislation.

The true solution is proper study management by all three levels of the Corps. While we acknowledge that some Corps studies are justly long and expensive, legislating their cost and duration, though well-intentioned, has proven to be an error. We urge the Committee to correct this in WRDA 2026 by simply deleting the previous legislative provisions.

FUNDING FOR DISTRICT STAFF

District staff salaries are paid primarily through study funding. Relying on project studies to fund Corps personnel is neither good policy nor an effective strategy. We urge the appropriators to provide for a dedicated funding stream for District Corps personnel to enable the agency to deliver its services at the highest level possible.

PLANNING CENTERS OF EXPERTISE

The ACC and its members often rely on the expertise provided by the Corps' Coastal Planning Center of Expertise (PCX). Many years ago, the Corps created PCXs for its various Business Lines. Coastal storm risk management projects are currently categorized under the flood control business line, but a separate Coastal PCX was created and has successfully overseen much of the coastal project portfolio.

Unfortunately, it has now been determined that each PCX must be moved from its Division home to a District. The ACC believes this is a bad idea, at least for the Coastal PCX, which is proposed to be moved to the New York District from the North Atlantic Division.

The PCX performs essential planning, engineering, and project management functions and cannot effectively maintain a national capacity when relocated to the district level. The Coastal PCX should function as an arm of Corps Headquarters with a national scope, rather than inheriting the limited vision of a single district whose staff salaries are tied primarily to specific local projects.

¹The Committee has previously received testimony from both the Assistant Secretary of the Army and the Chief of Engineers which has tangentially dealt with the time and cost issue. Secretary Telle wants to assure that studies get completed more quickly, and the Chief has expressed his desire that the level of planning design of feasibility studies be increased so that Congress and non-Federal interests can have a more accurate idea of the final cost of projects. Those two goals are inherently at odds since it will take more time and money to get to a higher level of design. Once again, proper study management by all three levels of the Corps is the best answer to managing both study duration and cost.

We respectfully urge this Committee to adopt an amendment to Section 2033(e) of WRRDA 2007 which will enable at least the Coastal Planning Center of Expertise to perform its advocacy and oversight roles for all coastal studies nationally as a part of Corps Headquarters.

Thank you for your attention to our testimony.

Statement of Chett Chiasson, Chairman of the Board of Directors, American Association of Port Authorities, Submitted for the Record by Hon. Mike Collins

Chairman Collins, Ranking Member Wilson, and distinguished members of the Subcommittee, thank you for the opportunity to submit testimony on the development of the Water Resources Development Act (WRDA) of 2026 and the needs of the United States maritime transportation system.

The American Association of Port Authorities (AAPA) represents the public port authorities that handle the vast majority of the nation's overseas trade. America relies on its ports to move essential goods, support local and regional economies, and provide the infrastructure that sustains twenty six percent of the nation's gross domestic product. The partnership between ports and the federal government, and particularly the United States Army Corps of Engineers, is fundamental to maintaining safe, efficient, and globally competitive navigation channels.

AAPA appreciates the Committee's commitment to regular, biennial WRDA legislation. Consistent authorization cycles allow ports, states, and the Corps to plan, finance, and deliver projects that strengthen economic competitiveness and national security. The federal government must remain a strong partner in these efforts so our nation's waterways can continue to serve as reliable gateways for commerce and community resilience.

Even with the significant investments made through the Infrastructure Investment and Jobs Act, there remain billions of dollars needed across the nation's waterways. The demand for modern, resilient, and efficient maritime infrastructure continues to grow as vessel sizes increase, global supply chains evolve, and coastal communities face more frequent extreme weather events. AAPA urges Congress to enact a robust WRDA that makes the best use of federal and non-federal investments and advances practical policy reforms that accelerate project delivery.

AAPA recommends several measures for inclusion in WRDA 2026 that would improve federal navigation. First, Congress should examine the requirement under WRDA 1986 that non-federal sponsors repay an additional ten percent of navigation construction costs at the end of construction. This charge was originally intended to cover administrative expenses, yet non-federal partners have no role in overseeing those costs. Other Corps mission areas do not require such repayment. Eliminating this outdated provision would reduce unnecessary burdens on local sponsors and support the advancement of critical navigation improvements.

Second, Congress should ensure predictable and sustainable Harbor Maintenance Trust Fund allocations for Donor and Energy Transfer Ports. Donor ports collectively generate more than half of total Harbor Maintenance Tax collections and Energy ports play a central role in America's energy independence and strategy. While WRDA 2020 set a goal that at least twelve percent of annual Harbor Maintenance Trust Fund appropriations should support these ports, qualifiers in the law have led to inconsistent implementation. Removing these qualifiers and directing the Secretary to follow congressional intent would provide stability and ensure that these critical hubs receive the support needed to maintain safe and efficient operations.

Third, AAPA encourages Congress to authorize expedited contributed funds authority for small navigation projects. Many smaller projects encounter delays when bids slightly exceed the authorized cost, often due to routine inflation and market fluctuations. Allowing a non-federal sponsor, with Corps concurrence, to contribute up to five million dollars within the partnership agreement would provide the flexibility needed to award contracts and advance projects without requiring additional legislative action. This approach would reduce the growing backlog of modification requests and help more communities benefit from timely completion of needed improvements.

Fourth, AAPA recommends additional flexibility within the statutory 902 cost limit for small navigation projects. Raising the allowable contract award threshold from twenty percent to thirty percent above the government estimate for projects under fifty million dollars would address inflation pressures and give the Corps practical tools to award contracts without repeated statutory adjustments. This re-

form would provide local sponsors and the Corps with flexibility that reflects real world project delivery conditions.

AAPA supports a WRDA that builds on past successes and strengthens the ability of ports and the Corps to partner effectively. The federal government plays an indispensable role in sustaining the nation's navigation system, and continued investment in this infrastructure is critical for economic growth, supply chain stability, and community protection. Strong, predictable WRDA legislation ensures that ports can plan responsibly, address emerging needs, and maintain the safe movement of goods that Americans rely on every day.

Chairman Collins, Ranking Member Wilson, and members of the Subcommittee, thank you for your leadership and for the opportunity to share the views of the American port industry. AAPA looks forward to working with you throughout the WRDA process and to supporting policies that keep our nation's maritime gateways strong, secure, and globally competitive.

Thank you.

Statement of Andrew Kimball, President, New York City Economic Development Corporation, Submitted for the Record by Hon. Mike Collins

Chairman Graves, Ranking Member Larsen, and Members of the Subcommittee, thank you for the opportunity to testify in support of the Water Resources Development Act (WRDA). This biennial, bipartisan legislation is essential to advancing our nation's economic growth and infrastructure while safeguarding the environment. A strong federal partnership is critical to ensuring America's maritime competitiveness, reinforcing transportation systems, and fostering the industries that drive our economy.

I serve as President of the New York City Economic Development Corporation (NYCEDC), a mission-driven nonprofit dedicated to building a vibrant, inclusive, and globally competitive economy for all New Yorkers. As part of this work, NYCEDC manages the Manhattan Cruise Terminal on the Hudson River and supports the development of New York City's greenways, including the Manhattan Waterfront Greenway. I submit this testimony to underscore the importance of the WRDA process and to request two specific actions in WRDA 2026: first, the deauthorization of a portion of the Hudson River federal navigation channel to enable modernization of the Manhattan Cruise Terminal; and second, the deauthorization of a portion of the Harlem River to advance the North Harlem Waterfront Greenway, closing a critical gap in a low-income community currently cut off from waterfront access, thereby impeding long-term economic growth through a continuous greenway. These projects advance WRDA's core purpose: modernizing waterfront infrastructure that serves both economic and strategic national interests. The 2026 cycle offers a unique opportunity to deliver on that vision.

The cruise industry is a key component of the nation's economic and strategic advantage. As the Bureau of Economic Analysis reports, the travel and tourism industry accounted for 3.03% of US GDP in 2023, contributing more than \$585 billion in tax revenue annually and accounting for almost 7% of all government income. In the US alone, the cruise industry supported over \$65 billion in total economic impact in 2023, nearly 300,000 jobs and \$25 billion in wages. This growth reflects the continued recovery and expansion of the cruise sector post-COVID, helping to channel spending into lodging, dining, entertainment, retail, and local transportation in port communities.

The Manhattan Cruise Terminal (MCT) plays a large part in this economic generation, serving as the country's oldest municipal cruise terminal and 5th largest cruising homeport. From its days at the turn of the 20th century receiving ocean liners, to the modern-day cruise vessels that connect Americans and international visitors from the Caribbean to Canada and across the Atlantic, the Manhattan Cruise Terminal is a key port that is uniquely positioned to drive economic impact across the Eastern Seaboard. In 2024, MCT handled approximately 1.15 million passengers and served as a vital economic engine for New York City, contributing \$500 million in economic impact, and supporting 3,000 jobs across the maritime, hospitality, and transportation sectors.

Beyond its economic and historical significance, MCT is a strategic national asset. Situated in the heart of the Port of New York, a deepdraft gateway with direct access to major road, rail, and air corridors, the terminal offers unmatched connectivity to nearly 30 million people within 100 miles. Its location positions it to support commerce, defense, and emergency response. Each year, the Navy and Coast Guard berth at MCT during Fleet Week, bringing combatant, auxiliary, and

amphibious ships alongside Piers 88 and 90 for public tours and demonstrations, underscoring its ability to host modern military vessels. More broadly, the Port of New York and New Jersey ranks among the nation's largest deepwater hubs, with maintained channels for oceangoing ships and extensive intermodal links to inland destinations. In contingencies, the Department of Transportation and Maritime Administration hold priority authority over civil transportation facilities for national defense, making accessible, well-equipped berths like MCT critical for rapid surge and humanitarian response. As recently as March 2020, the USNS Comfort berthed at MCT to support New York's hospital system during COVID-19, and after Hurricane Sandy, it was evaluated as a staging point for military response vessels.

For this asset to continue serving the City, region, and country, modernization is imperative. MCT's 90+ year-old infrastructure is undersized, outdated, and nearing the end of its useful life. In its current state, the terminal cannot meet the needs of the cruise industry or the surrounding community. The existing piers are unable to accommodate modern cruise vessels, fully implement shore power, integrate with the transportation network, or provide meaningful waterfront access. Without decisive action, New York risks losing its competitive edge as a homeport, forfeiting jobs, tax revenue, and tourism dollars to other cities domestically and abroad. NYCEDC's WRDA deauthorization request is essential to enable modernization of MCT and unlock significant investment to strengthen cruise infrastructure.

To address these needs, NYCEDC's Manhattan Cruise Terminal Master Plan lays out a bold vision to transform MCT into a next-generation global maritime hub. Developed after a year of engagement with community and industry stakeholders as well as a navigation and safety risk assessment, the plan focuses on four priorities:

- *Modernize and Electrify*: Replace three aging piers with two consolidated piers capable of hosting two 8,000-passenger ships and one 6,000-passenger vessel simultaneously. Implement full shore power and integrate renewable energy systems such as solar and thermal exchange cooling.
- *Enhance Public Access*: Expand waterfront open space, improve pedestrian and bike connectivity, and activate the Hudson River waterfront as a year-round public realm.
- *Advance Environmental and Economic Goals*: Reduce emissions, meet FEMA flood elevation standards, and strengthen New York's maritime economy while creating thousands of jobs and sustaining tourism growth.
- *Improve Transportation Efficiency*: Relocate passenger loading and unloading off the West Side Highway to reduce congestion and conflicts with the Greenway and Route 9A.

To realize this vision, the project will construct a consolidated passenger terminal and transportation hub, supported by a new electric substation capable of powering three berths, the terminal building, operational equipment, and harbor craft. It will also create a public plaza for waterfront access while accommodating the most modern cruise ships, preserving and expanding the industry's economic impact. To build the terminal and 1,125-foot-long piers with 350-foot mooring dolphins, WRDA deauthorization of 647 feet of the federal navigation channel is required.

Deauthorizing the portion of the federal navigation channel around the Manhattan Cruise Terminal enables the City to continue planning, designing, and permitting a project that roots the maritime industry's positive economic impact in New York City. Without deauthorization, the City will not be able to build a terminal that can accommodate the ships the cruise industry is building. Financing a project of this scale will be dependent on public-private partnerships ensuring the industry can invest in a terminal that meets its needs and the City can invest in a terminal whose infrastructure will last and serve the community for years to come. Without investment, the country risks losing the New York-based cruise industry, costing hundreds of millions in annual economic impact and thousands of jobs. Securing deauthorization in 2026 is therefore critical to avoid jeopardizing private investment and long-term planning for a project that has the potential to deliver enormous benefits to the community and the City at large.

Further supporting the continuity of modern waterfront infrastructure, NYCEDC's second request to deauthorize a portion of the Harlem River would unlock transformative infrastructure investments that connect people to the waterfront and drive long-term economic growth through a continuous greenway.

For nearly a decade, NYCEDC has worked closely with the NYC Department of Transportation and the NYC Department of Parks and Recreation to connect Manhattan Waterfront Greenway, a continuous 32-mile path for pedestrians and cyclists along the entire waterfront of Manhattan. This vision, first conceived in the 1990s, activates over 1,000 acres of continuous open space, larger than Central Park, keeping New York competitive with global waterfronts. Already, the Hudson River

Greenway is the busiest bike path in the United States with nearly 7,000 users daily.

Today, over 85% of the Manhattan Waterfront Greenway is complete, but persistent gaps remain. The North Harlem gap is one of the most challenging, where limited waterfront land and the narrowness of the Harlem River in this section complicate greenway development. Deauthorizing just 80-foot wide and one mile long from the channel's western side would allow the City to advance the greenway's development. The proposed greenway structure would be an outboard facility up to 40-foot-wide and would be similar to the East Midtown Greenway, which NYCEDC completed in 2023.

This project is the product of extensive stakeholder engagement and a rigorous Navigational Safety Risk Assessment, ensuring no impact to maritime navigation or commerce. When complete, the North Harlem segment will connect residents to an inaccessible waterfront, add nearly 2,000 linear feet of walking and biking paths, and close one of the last gaps in a network decades in the making. More than a local improvement, this milestone will demonstrate America's ability to deliver transformative infrastructure: strengthening communities, catalyzing economic development, and reaffirming our commitment to public access.

The modernization of the Manhattan Cruise Terminal and the build out of the North Harlem Greenway are commitments to the City, region and country's economic vitality and community well-being. NYCEDC urges Congress to support this WRDA action and help secure the future of New York City's working waterfront.

Thank you for your consideration.

Mr. COLLINS. As your written testimony has been made part of the record, the subcommittee asks that you limit your oral remarks to 5 minutes.

With that, Ms. Ufner, you are recognized for 5 minutes for your testimony.

TESTIMONY OF JULIE A. UFNER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, NATIONAL WATERWAYS CONFERENCE, INC.; CHARLES CAMILLO, EXECUTIVE VICE PRESIDENT, MIDWEST FLOOD CONTROL ASSOCIATION; BRYAN JONES, PRESIDENT, MID-ATLANTIC DIVISION, HNTB CORPORATION; AND NOEL HACEGABA, CHIEF OPERATING OFFICER AND INCOMING CHIEF EXECUTIVE OFFICER, PORT OF LONG BEACH, CALIFORNIA

TESTIMONY OF JULIE A. UFNER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, NATIONAL WATERWAYS CONFERENCE, INC.

Ms. UFNER. Chairman Collins, Ranking Member Larsen, Ranking Member Wilson, and members of the subcommittee, thank you for the opportunity to testify today on priorities for the Water Resources Development Act of 2026.

My name is Julie Ufner, National Waterways Conference, and I am president and CEO. NWC is the only national organization that represents, under one umbrella, all U.S. Army Corps of Engineers Civil Works business lines, from navigation, flood control, water supply, hydropower, ecosystem restoration, and recreation, before Congress and the administration.

Many of our members work directly with the Corps across the entire Civil Works arena, and many of our members are non-Federal sponsors of U.S. Army Corps of Engineers studies and projects. They are States, local, Tribal governments, as well as special purpose public districts, like ports, flood control, levee districts, water agencies. These sponsors share project costs and often assume long-

term operation and maintenance responsibilities after the project is completed.

At its core, WRDA exists because there are many water resource challenges that are too complex and too costly for local communities to handle. WRDA relies on a partnership of the Congress, Corps, and non-Federal sponsors. Congress provides projects, sets policy, and appropriates Federal funding. The Corps provides technical expertise, conducts studies, develops guidance, and delivers projects. And non-Federal sponsors bring local funding, knowledge, and long-term responsibility. WRDA works best when all three are aligned.

This brings me to the first major theme we are hearing from our members, and that is communication; the importance of clear, consistent communication.

Sponsors continue to experience gaps in engagement during feasibility studies, project delivery, and permitting. In our experience, early communication often prevents issues that later become too costly or difficult to resolve.

Second, sponsors are concerned about keeping projects on track and within authorized estimates. Extended feasibility timelines, evolving design assumptions, and gaps between authorization and appropriation can compound over time.

For example, projects that are authorized may not be funded immediately, or may be funded incrementally over multiple appropriation cycles, during which costs rise even when scope doesn't change. This misalignment creates uncertainty for both the Federal and non-Federal partners.

Finally, non-Federal sponsors emphasize the importance of predictability in Corps reviews and decisions across all policies and programs. How and when determinations are made, including reviews, eligibility, real estate, and internal reviews, directly impact local planning, financial commitments, and the ability to move forward. Greater certainty equals more durable partnerships and better projects.

NWC is working through a member-driven process to develop specific recommendations for WRDA 2026. We do recognize that not every challenge requires legislation. Some issues may be more appropriately addressed through implementation, guidance, or congressional oversight.

In closing, I want to emphasize how important it is to our local communities that WRDA stay on a biennial basis. Predictability matters. When the project is consistent, communities benefit, partners can plan with confidence, and projects are better positioned to move from one WRDA cycle to another. Quite simply, WRDA is a partnership that works, and it benefits us all.

Thank you so much for the opportunity to testify, and I am happy to take any questions.

[Ms. Ufner's prepared statement follows:]

**Prepared Statement of Julie A. Ufner, President and Chief Executive
Officer, National Waterways Conference, Inc.**

Thank you, Chairman Collins and Ranking Member Wilson, and members of the Subcommittee for the opportunity to testify on the “*Water Resources Development Act of 2026: Stakeholder Priorities.*”

My name is Julie Ufner. I am President of the National Waterways Conference, Inc. (NWC). Prior to coming to NWC in 2019, I served as the Associate Legislative Director for Environment, Energy and Land Use at the National Association of Counties (NACo) for 17 years.

By way of an overview, my testimony addresses multiple policy and implementation issues relevant to the development of the Water Resources Development Act of 2026 (WRDA 2026), including but not limited to communication and coordination among Congress, the U.S. Army Corps of Engineers (USACE or Corps), and non-Federal sponsors; challenges related to project delivery, cost growth, and timelines; and the importance of predictable, reliable investment across the full range of Corps mission areas. These issues reflect concerns raised by NWC members nationwide, and the testimony is organized by topic so readers may refer directly to sections of interest.

NWC appreciates the leadership of this Subcommittee and its long tradition of cooperation and collaboration in addressing the nation’s water resources needs. On behalf of our members, we welcome the opportunity to share perspectives that may be helpful as Congress considers WRDA 2026.

While this testimony outlines a range of member-identified issues, NWC is currently engaged in a member-driven process to develop formal WRDA policy recommendations. We appreciate the Committee’s openness to exploring both legislative and non-legislative options to ensure the Civil Works program continues to deliver effectively across Corps mission areas and across the country, and we look forward to continued engagement as that process moves forward.

ABOUT NWC

Established in 1960, NWC is the only national organization to advocate in favor of national policy and laws that recognize the vital importance of America’s water resources infrastructure to our nation’s well-being and quality of life. Supporting a sound balance between economic and human needs and environmental and ecological considerations, our mission is to effect common sense policies and programs, recognizing the public value of our nation’s water resources and their contribution to public safety, a competitive economy, national security, environmental quality and energy conservation.

NWC membership is comprised of the full spectrum of water and waterways resource infrastructure stakeholders, including port authorities, flood control associations, levee boards, water supply districts, waterways shippers and carriers, national and regional associations, port authorities, agriculture, dredging contractors, hydropower producers, engineering consultants and state and local governments. We proudly say we represent all of the Corps Civil Works business lines. Many of our members are non-Federal sponsors of Corps Civil Works projects, and responsible for significant financial commitments for the construction and maintenance of these projects. We work diligently and collaboratively with our Federal partners to ensure the nation can reap the multiple benefits provided by these investments. To that end, our membership is keenly interested in the enactment of comprehensive water resources legislation, and we look forward to working with the Committee as it moves forward in this process.

In support of that collaborative partnership, NWC maintains a Memorandum of Understanding with the Corps that establishes a framework for engagement, information exchange, and coordination, and recognizes the respective roles and responsibilities of each organization in advancing the Corps Civil Works program and related water resources infrastructure activities.

WHY WRDA MATTERS

WRDA is the statute through which Congress authorizes the Civil Works missions of the Corps. It establishes the authorities for studies, projects, and policy updates that support navigation, flood risk management, ecosystem restoration, water supply, hydropower, and recreation. WRDA provides the authority, and the annual Energy and Water Appropriations Acts provides the funding. Both are required for work to advance.

WRDA ensures that the nation’s water resources infrastructure keeps pace with changing economic, environmental, and community needs. Ports depend on naviga-

tion reliability. Communities depend on levee and flood control programs that protect lives and property. States and local governments rely on clear authorities for water supply, restoration, and coastal protection. Without a regular WRDA, planning becomes uncertain, project delivery slows, and communities face greater risks and higher costs.

WRDA also connects Federal policy with local reality. Communities and the Corps work together to identify risks, develop solutions, and ensure that projects reflect both national purpose and local needs. WRDA gives Congress the opportunity to review and authorize this work in a transparent and deliberative way.

We appreciate the committee's leadership in maintaining a dependable two-year WRDA cycle. Since the Water Resources Reform and Development Act of 2014 (WRRDA 2014), this consistency has allowed partners to plan budgets, advance feasibility studies, make informed business decisions, and respond to emerging risks with greater confidence. A missed WRDA cycle delays new authorizations, increases cost escalation, and undermines navigation and flood risk management decisions that depend on timely Federal action. The nation is better served when WRDA remains regular, reliable, and aligned with community needs.

WHO NON-FEDERAL SPONSORS ARE AND HOW THE PARTNERSHIP WORKS

Non-Federal sponsors are generally state, local, or tribal governments, as well as special districts that function as extensions of state or local government and are funded directly by the communities they serve. Special districts are established under state law, governed by public boards, and carry out responsibilities delegated by the state. Examples include port authorities, levee districts, and water and flood control districts, along with regional agencies that manage navigation, water supply, or flood protection. Together, these governmental entities bring statutory authority, local funding, and long-term stewardship to the WRDA partnership.

Most Corps projects require a shared investment between the Federal government and non-Federal sponsors. Sponsors contribute funding, acquire and provide real estate, coordinate locally, and assume long term operation and maintenance responsibilities once construction is complete. These commitments ensure that Federally authorized projects reflect both national purpose and community needs, and they also represent substantial public investments at the state and local levels.

Non-Federal sponsors work closely with the Corps before construction ever begins. They help define risks, supply essential data, shape feasibility studies, and determine whether solutions are appropriate for consideration in WRDA. They also coordinate with their Congressional delegations to ensure that WRDA proposals align with local priorities and national objectives. This early and continuous engagement is central to ensuring that projects are technically sound, economically justified, environmentally responsible, and grounded in the realities of the communities that will carry them forward.

The WRDA process depends on this partnership. When Congress, the Corps, and non-Federal sponsors communicate clearly, consistently, and freely, projects advance more efficiently and with greater certainty. This alignment helps keep Federal water resources policy responsive, balanced, and connected to the communities responsible for long term implementation.

THE WRDA PARTNERSHIP MODEL AND WHY IT WORKS WHEN ALL THREE POINTS COMMUNICATE

WRDA is built on a partnership among Congress, the Corps, and non-Federal sponsors. Each carries responsibilities that are distinct but interdependent, and the effectiveness of the WRDA process depends on open communication among all three. Congress provides the authorities for studies and projects, establishes national policy direction, and conducts oversight of how Civil Works missions are carried out. The Corps provides the technical foundation for these decisions, evaluating feasibility, engineering, environmental considerations, and economic justification. Non-Federal sponsors provide the local context, cost-sharing, and long-term stewardship that allow authorized projects to move from planning to construction and operation.

This model works because each partner depends on the others to supply information that only they can provide. Congressional staff rely on the Corps for accurate technical details, and on non-Federal sponsors for the community perspective that informs whether a potential WRDA provision is workable or needed. The Corps relies on sponsors to identify risks, provide local data, and carry out responsibilities that cannot be fulfilled at the Federal level. Sponsors, in turn, rely on both Congress and the Corps for clear authorities, transparent processes, and predictable guidance so they can plan budgets, acquire real estate, coordinate utilities, and meet their contractual and long-term obligations.

When these channels of communication function as intended, the WRDA process produces projects and policies that are technically sound and grounded in community needs. Studies advance more efficiently, project delivery is more predictable, and communities can plan responsibly for long term investment. When communication is restricted, delayed, or inconsistent, key information may not reach Congress, sponsors cannot plan effectively, and the alignment that WRDA depends on becomes strained. Uncertainty increases, timelines slip, and the quality of potential WRDA submissions may suffer because partners lack access to the information needed to shape proposals.

Maintaining consistent and open communication among Congress, the Corps, and non-Federal sponsors is therefore essential. It ensures that Federal water resources policy reflects both national priorities and the realities on the ground, and it preserves the integrity of a partnership model that has supported infrastructure, navigation, flood protection, and ecosystem restoration efforts for decades.

CHALLENGES IDENTIFIED BY NON-FEDERAL SPONSORS IN PREPARING FOR WRDA 2026

As Congress prepares for WRDA 2026, NWC has been gathering input from non-Federal sponsors across every region of the country. These sponsors include state and local governments, levee districts, water agencies, navigation districts, and port authorities who partner directly with the Corps to plan, fund, and deliver Federally authorized water resources projects. Their experience provides an essential perspective on how Federal policies and implementation practices affect the ability of communities to participate in and benefit from the WRDA process.

The purpose of this section is to share the challenges that non-Federal sponsors are currently encountering as they work with the Corps to advance feasibility studies, navigate real estate requirements, comply with program rules, and deliver authorized projects. Some of these challenges arise from long-standing policies that predate recent WRDA reforms. Others relate to newer provisions in WRDA 2024 that are still awaiting implementation by the Assistant Secretary of the Army for Civil Works (ASACW). In still other cases, sponsors are responding to evolving Federal practices or administrative directives that are creating uncertainty in planning and project delivery.

Not every issue highlighted here will require legislation. Some may be addressed through implementation guidance, administrative actions, or focused Congressional oversight. However, each issue represents a real-world barrier encountered by the partners who carry significant financial responsibility and legal obligations under Federally authorized projects. The WRDA partnership model depends on transparency, predictability, and shared understanding among Congress, the Corps, and non-Federal sponsors. Identifying these challenges early in the WRDA 2026 process helps ensure that all three points of the partnership can work together to maintain a responsive and effective national water resources program.

1. *Minimum Necessary Real Estate Interests and LERRDs Practices*

Non-Federal sponsors must provide land, easements, rights-of-way, relocations, and disposal areas for Corps projects, collectively known as “LERRDs.” These requirements are governed by long-standing USACE real estate regulations and standard estates, many of which predate recent WRDA reforms. Sponsors have repeatedly expressed concern that these requirements often mandate fee title or perpetual easements even when a lesser estate would fully support project construction, access, and long-term function.

In WRDA 2024, Congress included a provision (Section 1104) directing the Corps to obtain only the minimum real estate interest necessary for a project. The ASACW identified this provision as requiring policy development before it can be implemented—the guidance has not been issued yet. Until it is released, districts must continue relying on existing requirements, including templates that often require more expansive or permanent interests than a project may truly need. Implementing this section should be fairly straightforward for the Corps, as it is noted that the Corps has already required, in its own guidance, that minimum interests in real property necessary to support various types of projects be identified, and that if a non-standard estate or real estate policy deviation is needed, it needs to be coordinated with the Corps division and headquarters Real Estate offices, with the aim of ensuring that the justification is sound, the proposed action is within the law, and project authority will serve the project’s purposes. (*See, e.g.*, USACE, Real Estate Policy Guidance Letter No. 31—Real Estate Support to Civil Works Planning.)

As a result, non-Federal sponsors remain concerned about higher acquisition costs, reduced landowner cooperation, and delays associated with larger or more

burdensome real estate requirements. Some districts also prohibit real estate acquisitions until late-stage design, which compresses schedules and increases local risk. Sponsors stress that these challenges will persist until the WRDA 2024 provision is implemented.

NWC Member Concerns and Suggestions to Consider:

- WRDA 2024's minimum interest provision has not yet been implemented, and Corps districts continue to require fee title or perpetual easements where lesser interests may be sufficient.
- Larger-than-necessary easements raise costs and reduce landowner participation.
- Some districts delay authorization for acquisition until late-stage design.
- Continuing variation in real estate practices across districts.

Members request stronger alignment between WRDA 2024 and district practice, including:

- Clear guidance reinforcing the use of easements when they provide adequate access and long-term project performance, with fee title reserved for cases where it is truly necessary.
- Flexibility for sponsors to select nonperpetual or smaller area easements for time limited projects such as beach renourishment.
- Reconsideration of district policies that categorically require fee title for dredged material placement sites.
- Updated crediting approaches for very large or Mega Projects, including valuation of land at the time of real estate certification for each construction package, within defined criteria.

2. Streambank Stabilization and Restoration Easements

Section 14 of the Rivers and Harbors Act authorizes small projects to stabilize streambanks and protect infrastructure such as roads, bridges, utilities, and agricultural lands. Many non-Federal sponsors rely on this authority because it allows rapid, targeted intervention at locations vulnerable to erosion. Sponsors report, however, that current real estate requirements for certain stream or habitat restoration projects may require fee title above the ordinary high-water mark even when a stabilization or conservation easement would support long-term project access and durability.

This creates obstacles for projects in rural, agricultural, or privately owned corridors where landowners are unwilling to convey full ownership. Sponsors emphasize that streambank stabilization often succeeds when landowners trust that the government will take only what is necessary. Requirements that exceed project needs can discourage participation, raise costs, and delay projects intended to prevent infrastructure failure.

NWC Member Concerns and Suggestions to Consider:

- Fee title required above the ordinary high-water mark even for limited stabilization features.
- Higher acquisition costs and reduced landowner willingness to participate in projects.
- Delays that increase erosion risk or force local governments and special districts to self-fund interim measures.
- A need to clarify when habitat or restoration components do and do not trigger different real estate interest requirements above the ordinary high-water mark.
- Encourage use of stabilization or conservation easements as the default interest unless a documented engineering need requires fee title.
- Allow sponsors to propose corridor tailored easement templates for multi-landowner reaches where fee title is impractical.
- Provide flexibility for phased real estate acquisition in areas with accelerating erosion so sponsors are not delayed by late-stage design requirements.
- Improve coordination between real estate and engineering teams to ensure real estate requirements match the project's actual stabilization footprint.
- Encourage alignment between Corps real estate requirements and existing state conservation or agricultural easement programs.
- Allow the Corps to accept pre-existing easements or state held interests when they offer equivalent access and long term protection needed for project maintenance.

3. Section 408 Review Requirements and Delays

Section 408 of the Rivers and Harbors Act of 1899 requires Corps approval before any entity alters or affects Federal Civil Works infrastructure. This applies not only

to large projects but also to local improvements such as bridge replacements, levee tie-ins, municipal utility crossings, and highway construction. Non-Federal sponsors acknowledge the importance of protecting Federal assets but report significant variation across districts in how Section 408 is applied and how long reviews take.

Because sponsors must coordinate 408 approvals with local contracting, state permitting, and regulatory deadlines, inconsistent or prolonged reviews create cost and schedule risks. Some sponsors report uncertainty about whether 408 applies when a Federal project has been deauthorized or substantially modified, or how fees and cost recovery are calculated. These uncertainties complicate planning and can delay essential local improvements.

WRDA 2024 Section 1105 (Section 408 Program Review Process) addresses Section 408. It aims to standardize and streamline the review process by directing USACE to establish clear, concise, and specific guidance to ensure consistency across districts; provide pre-application meetings upon request by non-Federal entities to discuss design standards, recommend design package submissions, and identify potential conflicts and authorize use of contributed funds. However, this provision has not yet been implemented.

Additionally, WRDA 2024 Section 1244(c) requires the Government Accountability Office (GAO) to conduct a thorough review of the Section 408 program. GAO is beginning this study. Separately, USACE has undertaken rulemaking on Section 408; a proposed rule was issued and comments received, but a final rule has not been released.

NWC Member Concerns and Suggestions to Consider:

- Major variation in Section 408 expectations across districts; 408 reviews continue to be a major source of delay and inconsistency for many NWC members.
- A need for clear, concise, and specific guidelines on when and how Section 408 applies, to ensure consistency across districts.
- A need to clarify whether, when, and how Section 408 applies after project deauthorization or modification, or to legacy footprints.
- Unpredictable timelines that disrupt local contracting.
- Uncertainty about applicable fees or cost recovery procedures.
- Consider whether non-Federal sponsors could play a greater role in 408 reviews, for example, whether a certified engineer could perform a 408-certified analysis on behalf of the non-Federal sponsor, under USACE standards, to improve timeliness while maintaining safety.

4. P.L. 84–99 Emergency Levee Repair and Dual Levee Systems

P.L. 84–99 authorizes the Corps to provide emergency assistance for the repair and rehabilitation of eligible levees and flood control works following floods and coastal storms. For non-Federal sponsors, this program is a core Federal safety net that helps restore damaged infrastructure quickly, reducing local financial burdens and maintaining protection for communities, agriculture, and critical infrastructure.

Established in 1976, the P.L. 84–99 Rehabilitation and Inspection Program has operated for nearly 50 years with a clear emergency response purpose: to repair flood-damaged levees as efficiently as possible so communities are not left exposed for extended periods of time.

In recent years, NWC members report that the program has increasingly shifted away from its Congressionally intended emergency response mission and toward a more prospective planning and compliance framework. Sponsors describe heightened documentation demands, expanded eligibility reviews, stricter expectations related to systemwide improvement frameworks, and longer pre-approval processes before repairs can begin. NWC has consistently stressed the need to keep P.L. 84–99 aligned with its original purpose and to avoid layering on requirements that Congress did not authorize.

Rather than focusing on rapid rehabilitation after flood events, districts are increasingly applying requirements more typical of long-term construction programs. As a result, sponsors report that it can take 2 to 3 flood seasons to complete repairs that were intended to be addressed on an emergency basis.

For communities with limited budgets and narrow construction windows, these delays increase financial risk, prolong exposure to flood hazards, and raise local costs. Sponsors also report uncertainty regarding reimbursement timing and whether emergency or interim repairs can be undertaken with confidence while awaiting Federal action.

One example of how eligibility has been narrowed through policy rather than statute involves dual levee configurations. In some river systems, non-Federal sponsors design flood protection using two levees based on topography, existing land uses, or the need to protect critical infrastructure, agricultural assets, or developed areas.

Under current P.L. 84–99 policy, when a Federally constructed levee is located landward of a non-Federal levee, the Federal levee is designated as the primary levee. The non-Federal levee is designated as secondary unless it is the levee that directly protects life safety. Once designated as secondary, the non-Federal levee loses eligibility for P.L. 84–99 rehabilitation assistance.

NWC members report that this policy can discourage appropriate dual levee designs and create inequities for sponsors that construct and maintain levees to Corps standards but are excluded from emergency assistance solely because of system configuration. Significant commercial, agricultural, and residential investments may rely on the outer or non-Federal levee, yet that levee may remain ineligible for rehabilitation assistance following flood damage.

This approach undermines local flood risk management strategies and leaves communities exposed during future flood seasons despite substantial local investment in flood protection infrastructure.

WRDA 2024 included Section 1146 (Systemwide improvement framework and encroachments), which addresses the P.L. 84–99 program. Among other changes, this provision amends the program to establish criteria for non-Federal interests to remain eligible for repair and rehabilitation assistance for levee systems under a systemwide improvement framework. This provision has not yet been implemented.

In the meantime, sponsors report uncertainty about whether districts are accepting new P.L. 84–99 submissions or whether additional requirements may apply. Several districts appear to be in a transitional posture as program guidance evolves following the recent WRDA provisions and internal policy reviews. In some cases, sponsors have been told informally that additional documentation may be required or that reviews may take longer, even though no formal changes have been made.

This variation across districts leaves sponsors unsure how their requests will be evaluated or what timelines to expect, making it difficult for sponsors to plan for upcoming flood seasons or initiate repairs with confidence while district-level expectations remain in flux.

NWC Member Concerns and Suggestions to Consider:

- The Corps' shift of the P.L. 84–99 program away from its Congressionally intended emergency response focus towards a more prospective planning and compliance framework.
- Short windows of time to use funds and persistent problems with timely delivery for repair projects.
- Longer and slower review processes delaying essential repairs.
- Expanded documentation requirements not specified in statute.
- Unpredictable and slow reimbursement timelines.
- Difficulty performing sponsor-led interim repairs with confidence in reimbursement.
- Loss of eligibility based on system configuration rather than function or condition.
- Inconsistent district-level expectations and uncertainty about eligibility as guidance continues to evolve.
- A need to establish a longer window and clearer process for using P.L. 84–99 funds, faster contracting authority, and more opportunities for non-Federal sponsor-led implementation of repairs.
- A need to solve the problem of communities either operating damaged facilities or self-funding repairs without certainty of reimbursement, by allowing a waiver or exemption for non-Federal sponsors, in circumstances where disaster funding is delayed, to ensure rehabilitation reimbursement for repairs undertaken in good faith while waiting for Federal approval.

5. Section 902 Cost Limits and Construction Pauses

Section 902 of the Water Resources Development Act of 1986 establishes the maximum allowable total cost for a Corps project. This is commonly referred to as the Section 902 limit. It serves as a statutory cap that prevents the Corps from obligating or expending funds on a project once total costs exceed a defined threshold. Congress intended Section 902 to promote fiscal discipline and ensure that major Federal investments do not move forward without updated Congressional approval when costs rise significantly.

The Section 902 limit is based on several factors, including the authorized project cost, inflation adjustments, and certain cost estimate updates. Although the calculation framework appears straightforward, it has become increasingly difficult to manage in practice. Projects now experience long timelines between feasibility, authorization, and construction. Inflation, supply chain conditions, labor costs, environmental compliance requirements, and evolving engineering data can all push project

costs upward over time. Even when non-Federal sponsors maintain strong controls on their side, external factors can increase the total project cost and place the project near or over the 902 limit.

When a project approaches or exceeds its Section 902 limit, USACE cannot award contracts or continue progressing major elements of work. The Corps must prepare a Post-Authorization Change Report (PACR), secure approval from the Assistant Secretary of the Army for Civil Works, and ultimately obtain a new Congressional authorization. This process can take years. In the meantime, contractors reprice bids, schedules slip, and communities wait for projects that have already demonstrated Federal interest and national benefit.

These delays directly affect non-Federal sponsors. Local governments, state agencies, and special districts often have legal obligations, real estate commitments, and community expectations that continue regardless of pauses in the Federal share. Project interruptions can disrupt local planning cycles, complicate financial commitments, and create uncertainty for industry partners and residents. These challenges occur with navigation, flood risk management, coastal resilience, ecosystem restoration, and water supply projects.

NWC members report that Section 902 is particularly difficult for smaller projects under approximately \$50 million. Smaller projects tend to have tight cost margins, and even moderate price adjustments can bring them close to or above the statutory cap. When this happens, work must pause until Congress provides new authority. For non-Federal sponsors, a project that was intended to move quickly can stall for a year or longer, despite the availability of the local cost-share and clear operational need. These smaller investments often support regional and rural economies. Delays can cause missed construction windows, disrupt dredging schedules, and undermine the reliability of the water resources infrastructure system.

The underlying issue is not a conflict with the Section 902 goal of fiscal discipline. Rather, the challenge is ensuring that necessary infrastructure projects do not become stuck due to statutory caps that may not reflect current economic conditions or real-world project timelines. The question for Congress is whether targeted updates could help the Corps and non-Federal sponsors manage risk more effectively while preserving Congressional oversight. Flexibility for inflation, improved tools for phased or incremental delivery, or clearer processes for smaller projects could help maintain accountability without slowing delivery of nationally significant infrastructure.

NWC Member Concerns and Suggestions to Consider:

- Concerns about project delivery delays tied to Corps processes that halt or slow construction.
- Rising project costs and uncertainty created by inflation, supply chain pressures, and changing Federal requirements.
- Challenges with inconsistent application of Corps policies across districts, leading to unclear expectations for planning and budgeting.
- The need for greater predictability in Corps timelines, decision points, and Federal approvals.
- Frustration when local cost-share obligations continue while Federal progress stalls.
- Concern that long pauses in Corps processes undermine local planning cycles, public expectations, and financing.
- Strong interest in ensuring that all project categories, including small navigation and flood risk reduction projects, maintain steady progress once authorized.
- Difficulty aligning local budgets with Federal pauses or reauthorizations, especially when sponsors have contractual or legal obligations they cannot delay.
- A need for expedited contributed-funds authority for small projects; consider increasing allowable contract award flexibility by raising the Section 902 limit variance, or allowing non-Federal sponsors to pre-authorize contributed funds within the PPA, with USACE concurrence, so contracts can be awarded when bids come in slightly above the 902 limit without waiting for new legislation.

6. Recognizing and Advancing Multi-Use Benefits in Corps Projects

Many Corps Civil Works projects provide benefits that extend well beyond the single business line under which they are authorized or evaluated. For non-Federal sponsors, these multi-use benefits are often essential to securing local financing, building public support, achieving resilience goals, and meeting state and regional requirements. However, Federal policy and Corps planning guidance do not always fully recognize or capture these broader benefits, which can complicate project justification, funding eligibility, and long-term implementation.

Non-Federal sponsors increasingly propose and design projects that address multiple regional needs at once, such as reducing flood risk while restoring habitat, improving water quality, enhancing recreation, or supporting navigation reliability. Local sponsors may also invest their own funds to incorporate multi-use features that provide social, environmental, and economic value to their communities. When Federal evaluation processes narrowly categorize benefits under a single Corps mission area, it can understate the full value of a project and create obstacles to Federal participation.

This issue has gained visibility across multiple WRDA cycles. Project sponsors have consistently highlighted the practical challenges. For example, multi-benefit flood risk reduction projects often deliver measurable environmental, recreational, and water management outcomes that are not fully reflected in a traditional single-purpose benefit cost analysis. As a result, sponsors face difficulties advancing solutions that align with both local priorities and modern resilience needs.

Non-Federal sponsors emphasize that the Corps' current evaluation framework may not fully capture:

- The ecosystem and water quality benefits embedded in flood risk reduction and stream restoration projects.
- The groundwater recharge and habitat outcomes associated with levee setback projects.
- The economic and community benefits of recreation facilities that accompany ecosystem or resiliency improvements.
- The navigation-reliability benefits associated with nature-based features that also provide habitat or erosion reduction.
- The climate adaptation value of projects designed to provide overlapping protections across multiple risk categories.

Sponsors note that when multi-use benefits are not recognized or counted, projects may appear less cost-effective at the Federal level even though they deliver significant regional and national value. This can limit the use of innovative solutions, discourage integrated project designs, and reduce the ability of sponsors to pursue the most resilient and sustainable approaches.

Non-Federal sponsors believe this issue is especially important as communities face increasing climate-related hazards, aging water infrastructure, and pressures to maximize the value of public investments. Multi-use solutions often represent the most efficient way to meet overlapping community needs, and improved recognition of these benefits would better align Corps practices with modern integrated water management.

NWC Member Concerns and Suggestions to Consider:

- Narrow benefit classification that does not reflect the full set of outcomes a project provides.
- Difficulties justifying multi-benefit project features when benefits fall outside the Corps' primary mission area for the study.
- Challenges aligning Corps planning criteria with state and local requirements for integrated water management.
- Limited flexibility in incorporating sponsor-funded enhancements that improve resilience or environmental performance.
- Risks that multi-use features may not receive Federal credit or may complicate the approval process.
- A need to recognize and advance multi-use benefits in the evaluation and implementation of Corps projects.

7. Cost Overruns and Delays and Design Maturity Expectations

Non-Federal sponsors are experiencing growing delays, rising costs, and significant uncertainty due to evolving expectations about design maturity at the feasibility stage.

NWC shares Congress's and the Corps' goal of delivering authorized water resources projects efficiently, predictably, and in a manner that reflects responsible stewardship of Federal and local resources. Our members recognize the complexity of the Civil Works program and the constraints under which both Congress and the Corps operate.

Cost growth and schedule delays across the Civil Works portfolio are not confined to the construction phase. In many cases, these challenges begin earlier, during feasibility studies and the transition from study to design, and compound over time as projects move through authorization and funding.

Non-Federal sponsors care deeply about this issue because they are full partners throughout the project lifecycle. Sponsors include states, local governments, tribal governments, and special purpose public entities established under state law, such

as flood control districts, port authorities, water districts, levee districts, and similar public agencies. Many of these special purpose districts function as extensions of state or local government and are funded directly by the communities they serve.

Non-Federal sponsors share costs during feasibility studies, design, and construction and assume responsibility for long-term operation and maintenance once projects are completed. These entities often operate within fixed or voter-approved revenue structures and must plan and budget years in advance based on anticipated scopes, schedules, and cost estimates. When studies extend, design assumptions change, or timelines shift, the financial and planning impacts are felt immediately at the local level.

The Corps has taken meaningful steps to address cost growth and schedule risk, including reassessing how much design detail is completed earlier in the process. The recently adopted 35 percent design standard reflects a good-faith effort by Corps leadership to improve cost certainty and reduce downstream risk. At this time, NWC is not taking a position on the 35 percent design standard and believes additional discussion with the Corps and non-Federal sponsors is warranted.

Members have raised concerns, however, about how the 35 percent design standard fits within existing feasibility study and project delivery frameworks. In particular, sponsors have noted uncertainty about how design expectations at the feasibility stage interact with schedule targets and cost assumptions under the 3x3x3 framework, as well as how this approach would align with the 5x5x3 authority included in the Water Resources Development Act of 2024, which has not yet been implemented. Additional guidance on how these elements are intended to work together would support more consistent application and clearer expectations.

Regardless of whether projects proceed under 3x3x3 or a future 5x5x3 framework, non-Federal sponsors remain concerned that the fundamental drivers of cost overruns and delays persist. These challenges stem from the cumulative effects of extended feasibility studies, evolving design assumptions, gaps between authorization and appropriation, and incremental funding over multiple years.

In many cases, Chief's Reports are authorized years before construction funding becomes available. During this period, inflation, labor and materials pricing, real estate requirements, and staffing costs continue to rise. Over the past five years, these increases have been substantial, meaning that cost estimates developed during feasibility or early design frequently no longer reflect construction realities by the time funding is available.

Once projects enter construction, incremental appropriations further extend schedules and compound cost growth. While these funding practices reflect broader budget constraints and competing national priorities, they directly affect both Federal and non-Federal partners and limit the ability of sponsors to plan with certainty.

NWC recognizes that the feasibility, authorization, and appropriations processes each serve important and distinct purposes, and we do not suggest that any single element is flawed in isolation. However, when these phases operate on disconnected timelines, cost growth and schedule delays become systemic rather than exceptional, regardless of design standards or delivery frameworks.

In that spirit, NWC has reached out to the Corps to request a partnership discussion with non-Federal sponsors focused on feasibility, design, funding alignment, and cost growth. Our members want to be part of the solution and bring practical, real-world project delivery experience. NWC believes continued collaboration among Congress, the Corps, and non-Federal sponsors is essential to improving outcomes while preserving the integrity of the Civil Works program.

NWC Member Concerns and Suggestions to Consider:

- Applying a 35 percent design standard across the board may present challenges for larger, more complex, or phased projects, where design progression and risks evolve over time.
- There is an inherent balance that must be struck between keeping feasibility studies streamlined and affordable while also advancing sufficient design detail to support authorization decisions.
- Some sponsors have indicated that expectations for design detail during feasibility may, in certain cases, exceed what can be supported within available feasibility study funding.
- One size does not fit all for project cost estimating because projects differ widely in scope, uncertainty, complexity, schedule, and institutional context.
- The disconnect between authorization and appropriation means that even a refined estimate at authorization can become outdated if a project waits multiple fiscal years for construction funding.

- Members worry that the current approach drives risk-averse cost estimating and higher contingencies without truly reducing cost risk and may make it impractical to bring large projects forward for authorization.
- For some sponsors, the additional design work required upfront may increase non-Federal costs that cannot be recouped if the project does not ultimately receive appropriation.
- Sponsors also seek clarity on how 35 percent design maturity will interact with the statutory 5x5x3 framework, once implemented, and what flexibilities may exist for projects where the required level of design cannot be reasonably achieved within feasibility constraints.
- They also need clarity on what flexibilities may exist for projects where the required level of design maturity cannot be reasonably achieved within feasibility constraints, and how these expectations will be applied consistently across Corps districts.
- A need for clarity on what flexibilities may exist for projects where the required level of design maturity cannot be reasonably achieved within feasibility constraints, and how these expectations will be applied consistently across Corps districts.
- A need to consider the differences between uncertainty (how well we know internal and external factors) and complexity (size, time horizon, number and interactions of elements) and how these factors can affect the determination of project costs.
- Whether a tiered design-maturity framework should be considered that differentiates small, moderate, and large or phased projects.

8. *Non-Federal Delivery Tools and Corps Governance*

For decades, Congress has provided a set of authorities that allows non-Federal sponsors to participate more directly in delivering water resources projects, when doing so can save time, reduce cost, or accelerate public benefits. These include Section 203 feasibility studies, Section 204 construction projects, Section 1043(b) project implementation pilots, and other authorities such as Section 211. Each was created to recognize that many local partners have technical capacity, local knowledge, and capital resources that can be mobilized more quickly than the Federal process allows. The core concept behind these tools is partnership. When structured well, they give non-Federal sponsors flexibility to advance work within the parameters of Federal law while preserving the Federal interest, safety standards, and environmental compliance.

However, the implementation of these authorities often falls short of Congressional intent. Non-Federal sponsors report that the delivery tools do not function as intended because of internal Corps governance practices that add layers of review, introduce procedural uncertainty, and delay decision-making. Although Congress designed these authorities to decentralize and streamline delivery, in practice the Corps applies many of the same planning, policy, and technical review requirements that apply to Federally executed projects. This can make alternative delivery functionally indistinguishable from the traditional Corps process, erasing the benefits Congress intended.

A central part of the challenge relates to the Corps' internal governance structure. The agency operates through a hierarchy that flows from headquarters to divisions to districts. While this structure supports national consistency, it can create bottlenecks when decision authority is not delegated to the level closest to the work. Many non-Federal sponsors report that districts are willing to make decisions or approve work, but divisions require extensive policy reviews, iterative resubmittals, or elevate decisions to headquarters. In some cases, even routine approvals must move through multiple layers, adding months or years to schedules. When this occurs, the non-Federal delivery tools established by Congress cannot be used efficiently because sponsors are still subject to lengthy Federal internal processes that were never designed for decentralized delivery.

This situation creates several practical problems for non-Federal sponsors. First, uncertainty in approval timelines makes it difficult to plan financing, maintain contractor availability, or coordinate with state and local permitting processes. Second, Federal review delays can increase project costs and jeopardize the ability of local governments to meet their cost share obligations. Third, each district and division may interpret Congressional authorities differently, creating regional inconsistencies that complicate long-term planning and create inequities among project sponsors. Fourth, when internal Corps reviews extend for months or years, the benefit of alternative delivery is lost entirely, making it more difficult for communities to address urgent flood, navigation, ecosystem, or water supply needs.

Finally, the absence of a clear path for timely policy decisions is a recurring barrier. Non-Federal sponsors report that unresolved legal or policy questions can sit for years without clear guidance or elevation. Without a predictable way to resolve these issues, sponsors cannot proceed with design, right-of-way acquisition, or contracting. As a result, Congressional intent to encourage non-Federal initiatives and shorten delivery timelines remains largely unrealized.

NWC Member Concerns and Suggestions to Consider:

- Lengthy Corps district and division reviews slow sponsor-led progress.
- Policy questions not elevated promptly by districts for resolution.
- Challenges using Section 203, 204, and Section 1043(b) effectively.
- Sponsors facing uncertainty, despite Congressional intent to streamline delivery.
- A need for an output-based delivery approach, where sponsors commit to deliver defined outputs and USACE limits its review to life safety, National Environmental Policy Act (NEPA), and authorization compliance.
- A need to allow sponsors to begin acquiring rights-of-way at the design maturity level they are comfortable with, with USACE crediting only those interests actually needed for the project; and for audit-based approaches for real estate acquisitions, focusing USACE review on a sample of transactions and ensuring systems are in place for tracking and access.
- A need for more efficient decision-making and review, including setting timelines for division decisions and allowing waivers to bypass division review in specified circumstances.
- A need to clarify and, where necessary, strengthen authorities like Sections 203, 204, and 1043(b), and improve work-in-kind and contributed-funds policies so sponsors can advance work when Federal appropriations are uncertain.
- A need for PACR reform, including developing a faster, more focused mechanism to handle cost and scope changes, targeting decision timelines of months rather than years.

9. Project Partnership Agreements and Permitting Requirements

A Project Partnership Agreement (PPA) is the core legal contract between the Corps and a non-Federal sponsor that establishes the cost share, assigns responsibilities, and incorporates the Federal laws and policies that govern delivery of a water resources project.

For sponsors, signing a PPA is a major legal and financial commitment that triggers local appropriations, bonding, real estate acquisition, and long-term operation and maintenance obligations. Because of this, sponsors must be able to rely on the terms of the agreement and understand the requirements they are accepting. In recent years, however, PPAs have become increasingly complex as more layers of Federal guidance, interpretation, and evolving policy get folded into the agreements. This can create significant uncertainty when sponsors are preparing to sign and proceed.

In practice, sponsors report that the PPA process has become slower and less predictable. Routine agreements often require multiple rounds of review not only at the district level but also at the division and headquarters levels, which adds time and introduces inconsistent interpretations of the same statutory or policy language. When districts and divisions are not aligned, PPA execution can stall for months or years even when sponsors are ready to advance work. This uncertainty creates real consequences for local governments that must coordinate their own procurement schedules, contracting requirements, and financing timelines with Federal sequencing.

Another challenge is that the PPA often incorporates Federal requirements that did not exist when the feasibility study was completed or when the project was authorized. This can place non-Federal sponsors in difficult positions because they are legally bound by state budgeting cycles and must explain to elected officials and local taxpayers why costs or obligations have shifted late in the process. These changing requirements also create cases where a PPA includes provisions that differ from what sponsors understood during feasibility or authorization, making it harder to maintain local support for Federally authorized projects.

Inconsistency across Corps districts is also a recurring issue. Sponsors describe cases where one district interprets a WRDA provision broadly, allowing a reasonable path forward, while another district interprets the same provision in a far more restrictive way. This makes it difficult for multi-jurisdictional sponsors, regional consortiums, or sponsors who work with multiple districts to plan effectively. It also creates inequity across the country, because similarly situated communities can experience very different timelines and requirements.

In addition, sponsors note that, when they wish to advance work with local funds, the Corps sometimes requires additional Federal permits or approvals even after NEPA compliance is complete. This undermines the purpose of project partnership, which is to allow Federal and local entities to work together to advance an authorized project efficiently. Congress has provided tools that allow sponsors to move forward when they have the capacity, but if the Corps requires duplicated reviews or new permits, those tools cannot be used as intended.

Overall, sponsors view PPAs as essential, but they need the process to be predictable, transparent, and grounded in clear Federal guidance. When the terms of a PPA shift late in the process, or when agreements sit unexecuted because internal Corps governance requires multiple layers of review, communities face delayed benefits and increased costs. Sponsors have emphasized that they respect Federal standards and oversight but believe the current PPA process could be streamlined in ways that preserve accountability while better aligning with Congressional intent and local fiscal realities. The goal is not to weaken Federal review but to improve efficiency, consistency, and fairness so that authorized projects can move into construction and deliver the national and local benefits Congress intended.

NWC Member Concerns and Suggestions to Consider:

- Inconsistent inclusion and application of PPA provisions across districts.
- Whether there should be a requirement for a non-Federal sponsor, which wants to carry out design or construction work after execution of an agreement, to obtain additional Federal permits beyond those that would have been required if USACE constructed the work (assuming that NEPA and related Federal laws have been satisfied).
- Difficulty aligning and incorporating updated WRDA provisions with current PPAs.
- Challenges interpreting which requirements control during construction.

10. Navigation Funding Metrics and Access to the Harbor Maintenance Trust Fund

Navigation projects depend on stable and predictable Federal funding, yet the current approach for prioritizing and allocating dollars does not always reflect the national economic and strategic value of certain waterways. Historically, ton miles have been the primary metric used to determine funding priority for maintenance dredging and navigation needs. While ton miles are an important measure of cargo movement by weight and distance, they do not capture the broader economic, national security, and supply chain importance of waterways that move high value, high consequence, or strategically essential goods. Several non-Federal sponsors have raised concerns that relying on ton miles alone disadvantages shorter waterways and regions where the commodities moved are critical to national energy reliability, fuel distribution, or specific industrial sectors, even if the total cargo tonnage is lower. When the funding model does not recognize these dimensions, channels that serve vital national interests can remain underfunded, which increases the risk of service interruptions, economic instability, and loss of Federal investment already made in those systems.

These concerns intersect with how the Harbor Maintenance Trust Fund (HMTF) operates. The HMTF was designed to provide a stable, formula-driven source of funding for harbor maintenance. Under the statutory framework established through the CARES Act and WRDA 2022, HMTF receipts are treated by Congress as off-budget and are supposed to be appropriated according to a formula that grows with collections. When Congress passes a full-year Continuing Resolution instead of a new appropriations bill, however, the Corps receives only the prior-year HMTF appropriation rather than the higher formula amount that Congress could have appropriated. The off-budget treatment cannot be retroactively applied in the following year, which strands funding capacity that Congress intended to make available.

This occurred in fiscal year 2025 when the Corps received \$2.771 billion, the fiscal year 2024 level, instead of the \$3.087 billion permitted by the formula. Approximately \$316 million could not be accessed and could not be recovered in fiscal year 2026 because the Energy and Water Appropriations funding for that year only applies the fiscal year 2026 formula amount. For port authorities, navigation districts, local governments, and the dredging industry that rely on stable dredging cycles and Federal predictability, stranded HMTF authority creates vulnerabilities that complicate planning, increase maintenance backlogs, and undermine the national interest in safe and reliable navigation channels.

For non-Federal sponsors, the problem is two-fold. First, the funding priority system does not fully account for the economic or strategic value of certain waterways, which results in chronic underfunding maintenance of projects that carry high-consequence goods or serve critical regional infrastructure. Second, even when Congress

intends to provide adequate funding through the HMTF, continuing resolutions can prevent the Corps from accessing the full amount the law allows, leaving sponsors without the maintenance support they rely on to keep channels open, safe, and competitive. These combined pressures create uncertainty, increase local financial burdens, and place additional strain on inland and coastal systems that are essential to national commerce.

Non-Federal sponsors have emphasized that reliable access to the HMTF and funding metrics that more accurately reflect national priorities are crucial for long-term planning, economic stability, and resilience. The underlying issue is not a lack of Federal commitment but a misalignment between statutory intent, appropriations mechanics, and the metrics used to determine which waterways rise to the top of the funding queue. Realigning these elements would allow navigation projects across the country to be maintained according to their true national importance, rather than solely their tonnage characteristics, and would provide the predictability needed for communities to sustain safe and efficient navigation systems.

NWC Member Concerns and Suggestions to Consider:

- Ton-mile metrics that undervalue high-importance or shorter navigation systems.
- Stranded HMTF authority during continuing resolutions, including \$316 million in fiscal year 2025, and a need to allow future appropriations bills to reach back and apply off-budget treatment to HMTF amounts that were stranded during a full-year continuing resolution.
- Missed dredging windows that increase cost and reduce reliability.
- Difficulty planning maintenance cycles without predictable funding.

11. The Importance of Meaningful Consultation and Clear Communication with Non-Federal Sponsors.

Non-Federal sponsors serve as essential partners in carrying out Federally authorized water resources projects. They bring local resources, technical capacity, and long-term operational responsibility to projects that serve national economic, environmental, and safety interests. Because of this partnership, sponsors depend on clear, timely communication from the Federal government to plan effectively and meet their obligations. Federal actions that alter project scope, delivery timelines, funding availability, or compliance requirements directly affect the sponsors tasked with managing these responsibilities at the local level.

This importance of consultation is also grounded in Federal policy. Executive Order 13132 on Federalism requires Federal agencies to engage with state and local governments when Federal actions have direct effects on their responsibilities or impose compliance costs. The Unfunded Mandates Reform Act (P.L. 104–4) reinforces this principle by directing agencies to avoid shifting substantial costs or burdens to state, local, or special district governments without early and meaningful dialogue. These frameworks reflect the same shared-responsibility model at the core of WRDA, where Federal and non-Federal partners must coordinate to deliver infrastructure that serves national and regional needs.

When communication is delayed or incomplete, sponsors may face contract complications, unanticipated local cost increases, scheduling disruptions, or legal constraints that make compliance difficult. Recent developments have underscored how quickly uncertainty can grow when sponsors do not have reliable visibility into how Federal decisions are made or how they will be implemented in the field. The subsections below highlight specific areas where communication challenges have created real impacts for sponsors and where strengthened consultation is essential for WRDA 2026.

A. Federal Funding Pauses and the Need for Transparency

In October 2025, the Office of Management and Budget announced that an estimated \$11 billion in Corps Civil Works projects were being paused. No public list identifying the affected projects has been released. Non-Federal sponsors, industry partners, and even some Congressional offices report learning about potential impacts only through informal, need-to-know conversations with the agency. This level of uncertainty is highly unusual in a program where projects have already been authorized by Congress and appropriated through annual Energy and Water Development Appropriations Acts.

For sponsors, the practical concern is how potential delays may affect ongoing planning, contracting, and project execution. Many sponsors have already signed Project Partnership Agreements, committed local funding, acquired real estate, and prepared to move forward based on Congressional authorization and appropriations. When questions arise about Federal timing or contract actions, sponsors may need

to adjust schedules, revisit contracting assumptions, or prepare for potential changes in project sequencing.

These uncertainties can also affect the communities and industries that rely on water resources infrastructure. For example, if a port is preparing for a channel deepening project and has already invested in landside facilities to support larger vessels, a delay in Federal channel work could affect when those facilities can be fully utilized. Industries planning to route goods through that port may need to adjust their logistics. Similar considerations apply to flood risk reduction, ecosystem restoration, or water supply projects, where changes in timing may affect local preparedness, construction windows, or project benefits.

The concern being raised is not about the merits of any individual pause, nor about the decision-making process itself. Rather, sponsors are seeking clarity where possible so they can manage their local obligations responsibly, communicate with governing bodies, and plan for potential adjustments in project delivery.

NWC Member Concerns and Suggestions to Consider:

- No public list identifying the projects subject to the estimated \$11 billion pause.
- Sponsors learning of impacts only through informal, need-to-know communication channels.
- Financial risk for obligations being undertaken pursuant to signed PPAs.
- Uncertainty affecting navigation reliability, dredging schedules, flood risk reduction, and other nationally significant missions.
- Difficulty managing construction seasons, local budgets, and contracting timelines.
- Reduced confidence in the predictability of the partnership model for both WRDA and Energy and Water Development Appropriations.

B. Communication Protocol Changes Affecting Congressional and Sponsor Engagement

Earlier in this testimony, WRDA was described as a three-way partnership among Congress, the Corps, and non-Federal sponsors. That partnership only works when all three are able to communicate openly about project needs, technical issues, and implementation challenges. On October 15, 2025, the Department of War issued a directive requiring Corps districts to obtain approval from the Office of the Assistant Secretary of War for Legislative Affairs (ASW(LA)) before engagement with Federal or state elected officials or their staff. While we understand the intent to ensure consistent messaging, this change has raised concerns about how it may impede the quality and completeness of information available to Congress as it prepares to develop WRDA 2026 and establish FY2026 appropriations.

Congressional staff have historically relied on technical assistance from Corps district, division, and headquarters offices and non-Federal sponsor input to understand project status and needs, technical constraints, and regional priorities. That information helps staff evaluate potential WRDA provisions, weigh the implications of proposed changes, and respond to constituents.

Since the October 15th Department of War directive, non-Federal sponsors and others have reported situations where districts are hesitant or unable to discuss project details, feasibility status, cost pressures, or implementation concerns without higher-level approval. If non-Federal sponsors or Congressional staff cannot readily engage with the Corps on these sorts of issues, the result may be fewer, less detailed, or less accurate WRDA proposals and a weaker factual foundation for committee deliberations and appropriations.

At the same time, our members in the field report that they are experiencing more difficulty obtaining information from their local Corps offices on project timelines and needs, implementation of recent WRDA provisions, and the status of specific studies or construction efforts. Sponsors depend on this information to manage local budgets, plan contracts, communicate with their own governing bodies, and coordinate with their Congressional delegations. When information moves more slowly or becomes harder to access, it complicates both oversight and day-to-day project management.

NWC Member Concerns and Suggestions to Consider:

- Congressional staff have more difficulty obtaining timely, detailed information from districts to support WRDA proposals and oversight.
- Districts indicate they cannot discuss project history, status, or technical details without higher-level pre-approval.
- Sponsors encountering delays or limitations when seeking basic information on study milestones, construction schedules, and implementation of WRDA provisions.

- Risks that incomplete or outdated information will reach Congress, affecting the quality of WRDA submissions and decision-making.
- Slower identification and resolution of issues that could otherwise be addressed early through direct engagement among Congress, the Corps, and non-Federal sponsors.

C. Additional Areas Where Early Consultation Is Essential

Beyond these specific examples, sponsors consistently stress that timely and meaningful consultation is vital whenever Federal actions have direct implications for local planning or financial commitments. This includes implementation of new WRDA provisions, updates to guidance documents, shifts in national funding priorities, or changes in program execution that affect real estate requirements, permitting expectations, or project sequencing.

Early communication allows sponsors to plan responsibly, manage risks, and align Federal actions with local obligations. When consultation occurs late or not at all, the consequences fall disproportionately on communities that must absorb financial exposure, renegotiate contracts, or delay critical infrastructure improvements.

In many cases, these impacts raise the same federalism and unfunded mandate concerns that Executive Order 13132 and the UMRA were designed to address. While the Corps primarily implements policy through guidance, memoranda, and program execution rather than formal rulemaking, the practical effect on non-Federal sponsors can be comparable to regulatory action, particularly where Federal decisions alter cost exposure, project sequencing, or local financial commitments.

EPA has established a formal, structured Federalism consultation process to implement Executive Order 13132, entitled *EPA's Action Development Process. Guidance on Executive Order 13132: Federalism*, (Nov. 2008), which governs how the agency engages state and local governments early when Federal actions have Federalism implications. While EPA's actions are often regulatory, the underlying principle is directly relevant to Civil Works implementation, where guidance, memoranda, and program execution decisions can have comparable fiscal and planning impacts on non-Federal sponsors. A similarly structured, predictable consultation framework within the Corps, tailored to the Civil Works mission, would help surface issues earlier, reduce downstream friction, and improve shared understanding across headquarters, divisions, districts, and non-Federal sponsors.

This kind of top-down awareness paired with bottom-up input would improve transparency, reduce unintended consequences, and support more effective project delivery.

NWC Member Concerns and Suggestions to Consider:

- Limited visibility into WRDA implementation timelines.
- Inconsistent and late-stage communication about policy updates or guidance development.
- Difficulty planning long-term capital budgets without reliable scheduling information.
- Delays in identifying and addressing implementation challenges at the district level.
- Strengthen early consultation when Corps actions impact state and local and public districts responsibilities.
- Use consultation to improve outcome rather than slow decision-making.
- Lack of a consistent early consultation framework for guidance or implementation actions with federalism or cost implications for non-Federal sponsors.

CLOSING

Thank you for the opportunity to share the perspectives of NWC and the non-Federal sponsors we represent. The challenges outlined in this testimony reflect the real-world experience of communities that partner with the Corps every day to plan, fund, and deliver projects that serve national needs. We recognize that not every issue raised here will require legislative action, and we are continuing to work closely with our members to develop practical solutions for those areas the committee believes are appropriate for WRDA 2026. We appreciate the committee's continued commitment to a strong and effective WRDA partnership, and we look forward to working with you as WRDA 2026 moves forward.

Mr. COLLINS. Thank you.

Mr. Camillo, you are now recognized for 5 minutes for your testimony.

**TESTIMONY OF CHARLES CAMILLO, EXECUTIVE VICE
PRESIDENT, MIDWEST FLOOD CONTROL ASSOCIATION**

Mr. CAMILLO. Mr. Chairman, Ranking Member Larsen, Ranking Member Wilson, members of the subcommittee, thank you for the opportunity to be here today to participate in this time-honored tradition of public participation in the legislative process.

I am Charles Camillo, executive vice president of the Midwest Flood Control Association. Our mission is to be a leading advocate to shape policy and secure investments that protect people and safeguard communities from destructive floods.

We are at a pivotal moment on the upper Mississippi River. With the implementation of navigation and ecosystem improvements authorized through NESP [Navigation and Ecosystem Sustainability Program] and UMR [Upper Mississippi River Restoration Program], our region now has two of the three necessary components to implement a holistic approach on the upper Mississippi River. All that remains is the third leg of that stool: systematic flood control.

The Great Flood of 1993 devastated the Midwest. The flood caused anywhere from \$15 billion to \$20 billion in economic damages. It is important to note, though, as we gather here today, that the existing flood control infrastructure in place at that time that was authorized and funded by Congress, designed and implemented by the U.S. Army Corps of Engineers, and maintained and nurtured by the local levee districts, prevented an additional \$19 billion in economic damages. This highlights in a very real way the criticality of undergoing the authorization process that we are participating in today.

Flood control advocates came close to realizing the dream of achieving the third leg of the stool when Congress authorized a thorough study through the Upper Mississippi River Comprehensive Plan authorized by WRDA in 1999. But the stakeholders across the region could not really agree on a plan, and we failed to reach the necessary benefit-to-cost justification thresholds through the study. So here we are today, 32 years after the devastation caused by the Great Flood of 1993, and our risk remains unchanged.

To this end, the long-term objective of the Midwest Flood Control Association is to build lasting relationships to find a long-term comprehensive solution to the flood problems on the upper Mississippi and Missouri Rivers that we can all agree upon.

We applaud recent legislation advanced through this committee. WRDA 2022 authorized the Upper Miss Flow Frequency Study, while WRDA 2024 authorized the Upper Mississippi River System Flood Risk and Resiliency Study. We see those studies as the potential first steps to achieving the long-sought vision for systematic flood protection. We pledge our commitment to being a good partner to find an acceptable long-term solution.

But in the meantime, our immediate near-term objective is to help our levee and drainage districts—there are 74 of them—to preserve and maintain their current level of protection and accreditation.

We have some reservations with the flow frequency study and its potential impact on current levels of protection and accreditation.

We maintain the position that flow frequency studies should not be done in a vacuum.

We understand and appreciate that the Corps of Engineers needs the flow frequency data to understand what is happening on the river, but we want the Corps of Engineers to also use that data to develop actionable solutions to offset changes to flood profiles. Releasing new profiles without actual solutions will impact levee accreditation and cause significant increases in flood insurance rates and significant decreases in property values.

The Midwest Flood Control Association strongly supports the passage of a WRDA bill in 2026. Our immediate priorities for such a bill are included in our formal written statement submitted for the record.

The Midwest Flood Control Association is very optimistic about the future. We like what we are hearing from our engagements with the Office of the Assistant Secretary of the Army for Civil Works. We also applaud the leadership at the headquarters, U.S. Army Corps of Engineers. They asked stakeholders to challenge them on policy and legislation and to give them realistic proposals with specifics, something the Corps of Engineers can sink their teeth into. We feel the priorities we set forth above do just that.

We also thank the division and districts for their willingness to meet and exchange ideas. At the end of the day, they will be the ones who will need to deliver for us.

Again, the Midwest Flood Control Association thanks this committee for your dedication to the bipartisan approach and to improving the lives of Americans from across the country and for giving us this opportunity to present our views today.

[Mr. Camillo's prepared statement follows:]

Prepared Statement of Charles Camillo, Executive Vice President, Midwest Flood Control Association

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to be here today in the Nation's Capitol and for allowing us to participate in this time-honored tradition of public participation in the legislative process. I am humbled to be here today to represent a sample of the local people who live, work and thrive along our Nation's waterways in the American Heartland. The people I represent commend this committee's unyielding commitment to a bipartisan approach and look forward to working with you to develop sustainable solutions to water resources challenges across the country.

I am Charles Camillo, Executive Vice-President of the Midwest Flood Control Association. Our association represents around 75 levee and drainage districts along the Missouri, Illinois and Upper Mississippi Rivers. The Midwest Flood Control Association's mission is to be a leading advocate to shape strategic policies and secure federal and local investments that protect people, safeguard communities and secure the regional economies across Iowa, Illinois, Missouri and the greater Midwest from destructive floods. While we strongly support and advocate for our allies in the navigation industry, our partner ports and harbors, and our friends in the conservation and environmental stewardship arenas, I am here today as a champion for flood control.

We are at a pivotal moment on the Upper Mississippi River. With the implementation of the Navigation and Ecosystem Sustainability Program—first authorized through WRDA 07—and the continuation of the Upper Mississippi River Restoration Program—first authorized in WRDA 86—our region now has two of the three necessary components to implement a holistic approach to address the needs of the Greater Upper Mississippi River drainage basin. All that remains is the third leg of that stool—systematic flood control.

The Great Flood of 1993 devastated the Midwest. According to the U.S. Army Corps of Engineers, the flood led to the deaths of 47 people, damaged or destroyed more than 70,000 homes and caused the evacuation of approximately 74,000 people. The flood also caused anywhere from \$15 billion to \$20 billion in economic damages. Adjusted for inflation that amount would be more than doubled in today's dollars. It is important to note, though, as we gather here today that the existing flood control infrastructure at that time—that was authorized and funded by Congress, designed and implemented by the U.S. Army Corps of Engineers, and maintained and nurtured by the local people through their levee and drainage districts—prevented an additional \$19 billion in economic damages. This highlights in a very real way the criticality of undergoing the authorization process that we are participating in today.

Flood control advocates on the Upper Mississippi River came close to realizing their dream of achieving the third leg of the stool when Congress authorized a thorough study through the Upper Mississippi River Comprehensive Plan Study authorized by WRDA 99. When the U.S. Army Corps of Engineers released that study in 2008, they did not recommend a plan due to the inability of any alternatives to reach the necessary benefit-to-cost justification thresholds. So here we are today, 32 years after the devastation caused by the Great Flood of 1993, and our risk remains unchanged.

To this end, the long-term objective of the Midwest Flood Control Association is to build lasting relationships and work with the U.S. Army Corps of Engineers and the other regional stakeholder groups—Upper Mississippi River Basin Association, the Mississippi River Cities and Town Initiative, Neighbors of the Mississippi and other levee districts and associations—to find a long-term comprehensive solution to the flood problem that we can all agree upon.

The Midwest Flood Control Association applauds recent legislation advanced through this Committee and WRDA. Section 8219 of WRDA 2022 authorized a Hydraulic Evaluation of the Upper Mississippi and Illinois Rivers, commonly referred to as the Upper Miss Flow Frequency Study; while Section 1227 of WRDA 2024 authorized the Upper Mississippi River System Flood Risk and Resiliency Study. We see those studies as the first steps to achieving the long-sought vision for systemic flood protection. The Midwest Flood Control Association supports both studies and pledges its commitment to be a good partner with the U.S. Army Corps of Engineers and other regional stakeholders to find an acceptable long-term solution.

The Midwest Flood Control Association also recognizes that it could take the U.S. Army Corps of Engineers up to 10 years from now to complete both the Flow Frequency Study and the Upper Miss Flood Risk and Resiliency Study; and even that is dependent on securing funding and finding a non-Federal cost-share sponsor. To that end, the immediate near-term objective of the Midwest Flood Control Association is to help our levee and drainage districts preserve and maintain their current levels of protection and accreditation until the long-term objective can be achieved.

The Midwest Flood Control Association certainly has some reservations with the ongoing Flow Frequency Study and its potential impact on the current levels of protection and accreditation. We maintain the position that Flow Frequency Studies should not be done in a vacuum. We understand and appreciate that the U.S. Army Corps of Engineers needs the flow frequency data to understand what is happening on the river, to establish a new water surface and flood profiles and to inform the larger, but separate, Flood Risk and Resiliency Study. To be clear, we want the Corps of Engineers to have that data. We want the Corps of Engineers to use that data. But we want the Corps of Engineers to have and use that data to develop realistic, actionable solutions to offset or mitigate any resultant changes to the water surface and flood profiles. Releasing new flood profiles without actionable solutions will impact levee accreditation and cause significant increases in flood insurance rates and significant decreases in property values.

For instance, many of our agricultural districts estimate that they would see a reduction in property values ranging from \$1,000–\$2,000 per acre. For a levee district of 15,000 acres—the average size of our agricultural districts—that represents a reduction of \$15 to \$30 million in property values. Our urban districts on the other end of the spectrum also face severe impacts. The Southwestern Illinois Flood Prevention District represents the crown-jewel of our association's membership from the standpoint of risk/consequences as it protects more than 150,000 people living in 25 separate communities that support roughly 60,000 jobs. The district also protects refineries, manufacturing sites and portions of interstates 55, 64, and 70 from inundation. All told, the Southwestern Illinois Flood Prevention District protects more than \$18 billion in property values. It is estimated that the district will see a 20–30% reduction in property values—\$3.6 billion to \$5.4 billion—if it were to lose its 500-year level of protection.

Further, if the Flow Frequency Study results in changes to the water surface and flood profiles and the Flood Resiliency Study does not receive funding or does not find a non-Federal sponsor willing to provide the necessary cost-share, it serves few other purposes than to be used as a regulatory tool for PL 84–99 compliance or FEMA accreditation.

There is an existing tool or solution to address changes in flood protection—the 408—permission process. Our membership, however, knows from experience that the way the U.S. Army Corps of Engineers interprets and implements 408 permissions—at least on the mainstem upper Mississippi River—negatively alters the process and leaves it useless for maintaining existing levels of protection and levee accreditation.

With this in mind, the Midwest Flood Control Association strongly supports the passage of a WRDA bill in 2026. Our immediate priorities for such a bill include:

- 1) Limiting the applicability/use of the results of the Flow Frequency Study to planning purposes only until the U.S. Army Corps of Engineers develops actionable solutions to address or offset any potential changes to water surface elevations and flood profiles.
- 2) Designating the results of the Flow Frequency Study as preliminary until the final disposition of the Upper Mississippi River System Flood Risk and Resiliency Study or any spin-off studies that posit actionable solutions to address or offset any changes to water surface elevations and flood profiles.
- 3) Preventing agencies from using the preliminary data from the Flow Frequency Study as a regulatory enforcement tool for P.L. 84–99 eligibility/enforcement or FEMA accreditation while the Flow Frequency Study is deemed preliminary.
- 4) Developing a means for levee and drainage districts to maintain the current level of protection and accreditation at their own expense when Flow Frequency Studies result in documented changes to water surface elevations.
- 5) Calling on the Administration to bring a commonsense approach to standardize and streamline the 408 permission process.

The Midwest Flood Control Association is very optimistic about the future. We like what we are hearing during our engagements with the Office of the Assistant Secretary of the Army for Civil Works. We look forward to working with the Honorable Assistant Secretary, Adam Telle, as they prepare to launch their initiatives to deliver quality infrastructure across the nation.

We also applaud the leadership at the Headquarters, U.S. Army Corps of Engineers. Major General Jason Kelly, the Deputy Commanding General for Civil Works has publicly emphasized his commitment to get creative to address stakeholder concerns where the Corps of Engineers can. He asked us to challenge them on policy and legislation, to give them clean asks, to give them realistic proposals with specifics, something the Corps of Engineers “can sink their teeth into”. We feel the priorities we set forth above do just that.

Again, the Midwest Flood Control Association thanks this Committee for your dedication to improving the lives of Americans from across the county and for giving us this opportunity to present our views today.

Mr. COLLINS. Thank you.

Mr. Jones, you are now recognized for 5 minutes for your testimony.

**TESTIMONY OF BRYAN JONES, PRESIDENT, MID-ATLANTIC
DIVISION, HNTB CORPORATION**

Mr. JONES. Thank you, Chairman Collins, Ranking Member Larsen—good to see you—Ranking Member Wilson, and members of the subcommittee. Thank you for the opportunity to testify today on the importance of WRDA.

We appreciate the committee’s commitment to enact this important bill into law every 2 years, a regular cadence that keeps projects moving, provides greater certainty to local communities, and ensures that the U.S. Army Corps of Engineers responds effectively to the Nation’s evolving needs. This legislation helps make our communities safer, increases the resilience of our infrastruc-

ture, and strengthens our supply chain and trade routes through strategic investments in America's ports and waterways.

My name is Bryan Jones. I am president of HNTB's Mid-Atlantic Division. HNTB is an employee-owned infrastructure solutions firm that has provided planning, design, and construction management for large-scale public and private projects across the United States for more than 110 years. We are a longstanding partner to the Corps, delivering Civil Works projects that reduce flood risk, strengthen communities, and support economic resilience.

Members of the subcommittee, this work is personal to me. I grew up on a farm in rural south Louisiana near the confluence of three rivers that were essential to my family's livelihood getting our grain from farm to market every single year. I also witnessed firsthand the consequences of catastrophic system failures from hurricanes like Katrina and Rita in 2005, to the devastating inland floods of south Louisiana in 2016.

These experiences and many others have shaped my conviction that reliable water infrastructure supported by WRDA's predictable authorization cycle is essential to the safety and security of our communities, as well as our national competitiveness.

Those in this room know all too well that there is no such thing as "fast enough" when it comes to delivering infrastructure improvements. As the Corps and non-Federal sponsors see growing demands to deliver projects quickly with limited resources, Congress can help by ensuring that they have the flexibility to leverage private-sector expertise through a broad range of delivery and financing tools that reflect the scale and the complexity of today's Civil Works program.

Integrated design-build contracts, for example, enhance coordination between design and construction on technically complex projects, accelerate delivery, and reduce schedule risk while maintaining cost discipline. Incremental funding approaches also allow large multiyear projects to move forward efficiently with an annual appropriation.

Public-private partnerships and other collaborative delivery models can further the Corps' capacity, enabling more work to be delivered faster with more effective risk allocation.

Broader and more consistent use of these tools represent a prudent evolution of the Civil Works program, supporting timely public benefits, limiting long-term cost growth, and maximizing the return on Federal and non-Federal investment.

HNTB is proud to support the Corps' work by delivering on-time and on-budget for projects nationwide.

With tremendous thanks to this committee and Chairman Sam Graves for their work in authorizing the project, one example of this work is with the Kansas City District of the Corps to design levee, floodwall, and railroad closures, reducing flood risk to the community and protecting more than \$10 billion in infrastructure.

Another highlight of our work is in New Orleans, which is a vital gateway, as you well know, for U.S. commerce, requiring flood risk reduction systems and navigation projects to support one of the world's busiest ports and waterways. HNTB planned and designed projects, such as the West Closure Complex Pump Station, the Seabrook Gate Complex, and the Morganza to the gulf floodwalls,

which strengthen storm surge defense while safeguarding key shipping routes.

As we look ahead—in closing—to WRDA 2026, I ask that the subcommittee, one, continue to support streamline permitting reforms that enable efficient Corps delivery; two, ensure adequate feasibility phase funding to allow timely and technically sound outcomes for complex projects; three, to continue and expand authorities that promote concurrent reviews, programmatic approaches, and pilot innovations; four, to allocate resources to advance innovative funding and financing tools, including public-private partnerships, to optimize project delivery.

It has been an honor, Mr. Chairman, to speak with you today, and the committee, about WRDA's role in shaping our communities and supporting economic growth, and at the proper time, I welcome any questions that you may have. Thank you, sir.

[Mr. Jones' prepared statement follows:]

**Prepared Statement of Bryan Jones, President, Mid-Atlantic Division,
HNTB Corporation**

Chairman Collins, Ranking Member Wilson, and Members of the Subcommittee, thank you for the opportunity to testify this morning on the importance of the Water Resources Development Act (WRDA). We appreciate the Committee's commitment to enact this important bill into law every two years—a vital cadence that keeps critical water infrastructure projects moving, provides certainty to local communities and ensures the U.S. Army Corps of Engineers, along with state and local partners, can respond effectively to the nation's evolving needs. This legislation advances goals we all share: making our communities safer, increasing the resilience of our infrastructure and improving our supply chain and trade routes through strategic investments in America's ports and waterways.

My name is Bryan Jones, and I am the President of HNTB's Mid-Atlantic Division. HNTB is a U.S. employee-owned infrastructure solutions firm that has provided planning, design and construction management for large-scale public and private projects for more than 110 years. We have extensive experience partnering with the Corps to design and deliver major civil works and military construction projects—building stronger levees, smarter drainage systems and resilient ports. The bottom line is driving outcomes: reducing flood risk to communities, keeping local economies moving after storms and strengthening America's competitiveness. As the President of our Mid-Atlantic Division, I directly oversee our work across seven East Coast states, from Pennsylvania to South Carolina, and support our work with the Corps firmwide.

This work is personal to me. I grew up in south Louisiana. I've seen what a storm surge or stalled rainstorms can do when defenses fall short—specifically Katrina in 2005 and the catastrophic flooding in 2016. Those experiences shaped my understanding of water resource policy and belief that well designed water systems are foundational to resilient transportation systems and a strong American economy.

These systems are critical to our nation's economic competitiveness, and WRDA's dependable two-year authorization cycle provides for the necessary long-term planning and investment that sustain them. The work of this subcommittee in reliably enacting WRDA allows private-sector partners such as HNTB to support communities, local leaders and the Corps in advancing projects that drive economic growth and strengthen supply chains.

Members of this subcommittee know all too well that this work is never finished and there's no such thing as "fast enough" when it comes to infrastructure improvements. We continue to see greater demand for investments in infrastructure to meet needs we have now, as well as the needs of future generations. Proactively addressing these needs at the Federal level helps maximize local investments as well and reduces the likelihood of having to rebuild following disaster events, increasing the stability of local communities; this is critical in an environment where every dollar counts.

As agencies such as the Corps are challenged to move quickly and stretch limited resources, expanding private-sector partnerships and innovative financing and deliv-

ery tools are critical to meeting the nation's growing water resource challenges. Firms such as HNTB are essential to providing necessary experience and capacity both to the Corps and its non-Federal sponsors. We have a deep bench of talent nationwide, and are efficient and nimble, with the ability to respond and adapt to evolving market conditions.

Legislation that supports tools such as non-traditional funding and innovative project implementation approaches within the Civil Works program can accelerate project delivery, reduce risk and improve overall outcomes without diminishing accountability. The Fargo-Moorhead Flood Diversion Project provides an example of how public-private partnerships can leverage non-Federal capital and expertise to advance a complex, nationally significant project, while preserving the Corps' central role in safety, engineering oversight, environmental compliance and protection of the Federal interest. Similarly, authorities enacted by Congress, including section 1043(b) of the Water Resources Reform and Development Act of 2014, allow non-Federal entities to carry out water resources projects consistent with Corps standards when Federal appropriations, alone, are insufficient to meet pressing infrastructure needs.

Stakeholders also strongly support the Corps' expanded use of innovative contracting and funding mechanisms that reflect the scale and complexity of the Civil Works portfolio. Integrated Design and Construction contracts offer important advantages on technically challenging projects by improving coordination between the design and construction phases, accelerating timelines and reducing schedule risk while promoting cost discipline. In addition, incremental funding approaches—such as those currently being demonstrated on the Everglades Agricultural Area Reservoir—provide a practical means of sustaining progress on large, multi-year projects in the context of annual appropriations. The use of P3 structures and other collaborative contracting methods, when applied thoughtfully, can enable delivery of more work, faster, and with more sophisticated risk transfer.

From the standpoint of project sponsors and external partners, broader and more consistent use of these tools represents a prudent evolution of the Civil Works program, enabling the timely delivery of public benefits, reducing long-term cost escalation and maximizing the return on both Federal and non-Federal investments.

Delivering on time and on budget is important to HNTB because we know that communities can't afford delays. With tremendous thanks to this committee and Chairman Sam Graves for their work in authorizing the project, HNTB was able to build on our decades of working with the Kansas City District Corps of Engineers to design levee, floodwall and railroad closures. This project made huge strides in reducing flood risk to the community and in protecting more than \$10B in infrastructure. Our team partnered closely with the exceptionally capable Corps team, combining our collective deep expertise with our innovative approaches to deliver resilient, risk-informed solutions for the community.

Another key project to highlight is our work in New Orleans, which is a vital gateway for U.S. commerce, requiring flood risk reduction systems and navigation projects to support one of the world's busiest ports. HNTB planned and designed projects such as the West Closure Complex Pump Station, Seabrook Gate Complex and Morganza to the Gulf floodwalls, which strengthen storm surge defenses while safeguarding shipping routes. The upcoming IHNC Lock Replacement—long overdue after being authorized in 1956—will modernize failing infrastructure, remove persistent navigation bottlenecks and protect the reliability of cargo movement vital to the Mississippi River system and the national economy.

While outside the purview of WRDA, HNTB is also proud to support the expansion of Arlington National Cemetery, preserving its sacred legacy. In partnership with the Corps, we honor the military community while leveraging private-sector innovation to deliver timeless solutions that accelerate progress for our nation's military families.

As we look ahead to WRDA 2026, we ask this subcommittee . . .

- To support clear and streamlined permitting reforms to enable the Corps to deliver its regulatory mission efficiently, promoting economic development with the appropriate protection for the aquatic environment;
- To recognize that design maturity funded adequately during the feasibility phase enables a more robust, timely and technically accurate outcome and to seek ways to reform the feasibility study paradigm allowing sufficient authorization to complete large-scale, technically complex engineering analyses in support of national needs;
- To continue enabling the Corps to focus on delivery of complex, large-scale water resources infrastructure solutions, including by expanding authorities enabling concurrent reviews, greater use of programmatic approaches and pilot innovations; and

- To support allocation of resources for initiatives and tools that facilitate use of innovative funding and financing methods (including public-private partnerships) to optimize project delivery.

Thank you for your time, consideration and work in shaping the future of our nation's water resources infrastructure. It has been an honor to speak with you today about WRDA's role in shaping our communities and supporting economic growth. I welcome any questions that you may have.

Mr. COLLINS. Thank you, Mr. Jones.

I now recognize Mr. Garcia to introduce our next witness.

Mr. GARCIA OF CALIFORNIA. Thank you, Mr. Chairman. Thank you for the opportunity to waive onto the subcommittee today. I know that votes were just called, but I am grateful that we get to have our final witness today.

I want to introduce Dr. Noel Hacegaba.

Noel, thanks for being here. First, let me start by personally congratulating you. Dr. Hacegaba is our new CEO at the Port of Long Beach and comes well prepared to do that job. And we just want to congratulate you and are excited to work with you, as we have for many years.

The port and the city are very lucky to have your leadership. We know that you are going to continue to do great work at our port. Had the privilege of working with Noel when I was mayor of Long Beach for 8 years, and Noel and I actually had a chance to work together in city hall even prior to that work.

You have been an incredible advocate for ports and for trade. You have been a driving force in our port for some of the most impactful projects, including a number of terminal projects planned and underway that will grow the ability to move cargo across the country and, of course, around the world.

Noel also directed the port's response to the global supply chain disruptions during the pandemic, and he helped establish a supply chain information highway, a digital platform to improve efficiency and data sharing across our national freight network.

Couldn't be more grateful to have him here today. And with that, Mr. Chairman, thanks again for waiving on, and I would like to yield back.

Mr. COLLINS. Dr. Hacegaba, you are now recognized for 5 minutes.

**TESTIMONY OF NOEL HACEGABA, CHIEF OPERATING OFFICER
AND INCOMING CHIEF EXECUTIVE OFFICER, PORT OF LONG
BEACH, CALIFORNIA**

Mr. HACEGABA. Thank you, Congressman Garcia, for your very generous introduction and for your longstanding support for a strong American port system.

Good morning, Chairman Graves, Chairman Collins, Ranking Member Larsen, Ranking Member Wilson, and members of the committee. It is an honor and a privilege to testify before this distinguished subcommittee today.

My name is Noel Hacegaba, and as Representative Garcia said, I currently serve as chief operating officer, but on January 1, I have the great pleasure of assuming the role of chief executive officer at the Port of Long Beach.

Together with the men and women of the International Longshore and Warehouse Union, and our marine terminal operators and supply chain partners, the Port of Long Beach moves more than \$300 billion in cargo annually through every congressional district, supporting 2.7 million jobs across America. In the first quarter of 2025, we moved the most containers of any U.S. port.

Though we are a California port, we have moved billions of dollars worth of cargo through many of your home States, including Georgia, Missouri, Washington, and Florida. We export soybeans from the Midwest, hay from Arizona, cotton from Texas, almonds from California, and pork and beef from Texas, Colorado, Kansas, and the Midwest.

Additionally, the Port of Long Beach is one of 18 federally designated commercial strategic seaports, which means our infrastructure directly supports national security needs in time of crisis.

I am here today to present priorities, not just on behalf of the Port of Long Beach, but in partnership with a broader port community, including the California Association of Port Authorities, who just elected me as their president, as well as the American Association of Port Authorities and the Coalition for America's Gateways and Trade Corridors.

The policies this committee advances through the Water Resources Development Act are essential for our economy and national security. Thank you for working to deliver a bipartisan bill every 2 years.

The first priority I will outline for WRDA 2026 is a need for re-authorizing our Deep Draft Navigation Project. This project will deepen and expand the Federal channels at our port to 80 feet, improving safety and enhancing efficiency for vessel operations, particularly larger and heavier ships.

Long Beach is the only west coast port capable of berthing very large crude carriers which hold more than 1 million barrels of oil each. We bring in over 200 million barrels of oil annually, and this project will enhance energy security by facilitating safer navigation.

Thanks to WRDA 2022, the project has an authorized Chief's Report and received full preconstruction engineering design funding from the Bipartisan Infrastructure Law. Our request for WRDA 2026 is the approval of a Post-Authorization Change Report, or PACR, which we have been diligently working on with our partners at the Corps.

Second, I want to thank this committee for its work over the years to ensure Harbor Maintenance Trust Fund dollars are fully allocated for their intended purpose. The port respectfully requests your continued support to ensure that annual distribution of these funds is not viewed as optional.

As both a donor and energy transfer port, we estimate that the Port of Long Beach alone generated \$400 million in HMT revenues in 2024. We are asking for equitable funding for donor and energy ports.

Funds for in-water expanded uses were authorized in WRDA 2020, but have been received only once by qualifying donor and energy ports in the fiscal year 2024 Army Corps workplan. This resulted in \$49 million for Long Beach, which we are using for dredg-

ing as well as critical seismic and safety improvements at our wharves and quays.

Ports need reliable HMT expanded use funding to complete safety improvements, and we ask for the committee's help in advancing this priority through WRDA.

While today's hearing is on WRDA, I also want to thank the committee for your work on the surface transportation reauthorization bill, as ports need both strong water and landside networks to support critical supply chains.

In closing, the Port of Long Beach appreciates the committee's leadership to ensure America's maritime infrastructure remains strong and globally competitive through WRDA. There is no substitute to seeing port operations firsthand, so I personally invite each of you to tour the Port of Long Beach, including those of you who have already done so, as there is always something new to see. And I promise the weather will be perfect.

Mr. Chairman, Ranking Member, and members of the committee, thank you again so much for the opportunity to testify, and I would be pleased to answer any questions at the appropriate time.

[Mr. Hacegaba's prepared statement follows:]

Prepared Statement of Noel Hacegaba, Chief Operating Officer and Incoming Chief Executive Officer, Port of Long Beach, California

Good morning, Chairman Graves, Chairman Collins, Ranking Member Larsen, Ranking Member Wilson and Members of the Committee, it is an honor and a privilege to testify before this distinguished subcommittee today.

My name is Noel Hacegaba, and I serve as the current Chief Operating Officer and incoming Chief Executive Officer of the Port of Long Beach. The Port of Long Beach is a nationally significant trade gateway, moving more than \$300 billion in cargo annually and supporting 2.7 million jobs across the United States. We moved the most containers of any port in the U.S. in the first quarter of 2025 and continue to move the most tonnage of any port on the West Coast. Approximately half of that tonnage consists of energy commodities that fuel our national economy.

Before addressing the Port of Long Beach's specific Water Resources Development Act (WRDA) priorities, I would like to thank Congressman Garcia, the Port's hometown Representative, for his steadfast support of the Port and for his leadership on the Congressional PORTS Caucus. As the Congressman can attest, seeing port operations first hand is the best way to understand the enormity of the Port of Long Beach's contributions to the nation and I would like to personally invite each of you to pay us a visit in Long Beach. Many of you have already done so, and I thank you for that, and I welcome you back as there is always something new to see as we continue to grow and modernize our Port.

I also want to thank the Committee for its commitment to delivering the bipartisan WRDA bill on a biennial basis. WRDA plays a critical role in strengthening America's economy, supply chain resilience, and national security by providing federal investments in our nation's ports and waterways. From the Port of Long Beach's perspective, WRDA is must-pass legislation and we applaud the Committee's leadership in advancing these critical infrastructure investments for all Americans.

I am here today on behalf of the Port of Long Beach and in partnership with the broader port community, including the American Association of Port Authorities, the California Association of Port Authorities (CAPA), California Marine Affairs and Navigation Conference, and the Coalition for America's Gateways and Trade Corridors. Just last week, I was elected President of CAPA by our State's 11 ports, so I am highlighting priorities that benefit not only the Port of Long Beach, but more broadly American ports and our partners along the supply chain.

America's seaports are essential national assets. Our seaports connect American producers and consumers to global markets, support millions of jobs nationwide, and serve as a cornerstone of our industrial and economic competitiveness. The Port of Long Beach, together with our strong workforce anchored by the men and women

in the International Longshore and Warehouse Union (ILWU), marine terminal operators and regional and national partners, moves cargo to and from communities in every congressional district and supports strong, resilient supply chains across the country. With 6,000 refrigeration spaces, the Port of Long Beach is the leading gateway on the West Coast to transport perishable cargo such as meats, seafood and produce from California's breadbasket and America's heartland. We export soybeans from the Upper Midwest, hay from Arizona, cotton from Texas and the Atlantic South, almonds from California, and pork and beef from Texas, Colorado, Kansas and the Midwest.

In fact, the Port of Long Beach manages billions of dollars in trade for many of your home states. Georgia ranks seventh in the nation in total trade value supported by the Port of Long Beach, with cargo valued at more than \$3.6 billion including cars, car parts, fork lifts, bulldozers, and clothing. We move more than \$2.3 billion in cargo to and from Florida including clothing, electronic equipment, medical equipment, and vehicle tires. \$2.1 billion in cargo through Washington, including clothing, consumer electronics, suitcases, and lamps. Finally, \$2.1 billion across Missouri including clothes, aluminum, electronics, furniture, and energy commodities. While the bulk of the value represented is on the import side, hundreds of millions in value is also for exports, and all this trade supports thousands of American jobs in your home districts.

There is a good chance that many that people watching today's hearing are doing so on a screen that came through the Port of Long Beach, as more than 80% of U.S. televisions move through the San Pedro Bay ports complex.

WRDA is essential to keeping the flow of imports and U.S. exports moving and to keep our gateways safe, efficient, and competitive.

At the Port of Long Beach, our ability to safely accommodate modern vessels, move cargo efficiently, and compete in the global supply market depends on safe, navigable deep water channels and supporting in-water infrastructure. Consistent federal partnership through WRDA ensures that the U.S. Army Corps of Engineers (USACE) can plan, authorize, and deliver the projects that keep our channels and harbors ready to ensure America is leading the global economy.

Last year, the Port of Long Beach moved nearly 10 million containers, and more than 200 million barrels of oil. The main channel reaches 76 feet making Long Beach the only West Coast port capable of berthing a Very Large Crude Container ship (VLCC), which can hold more than one million barrels of oil each. The Port of Long Beach is also the only port in Southern California with four terminals capable of receiving liquid bulk cargo, which includes crude oil.

The policies in WRDA that have allowed the Port of Long Beach to work with the USACE to support these commercial maritime operations and safely move energy commodities are critical to America's economy and our national security. The Port of Long Beach is one of 18 federally designated Commercial Strategic Seaports. In that role the Port stands ready to protect this nation. Recently, we hosted the largest Army Reserve exercise ever, where more than 9,000 reservists underwent training across multiple sites, including the Port of Long Beach. Our participation in supporting this critical need put the safety and reliability of our maritime infrastructure on center stage for national security. Keeping American ports like Long Beach competitive not only economically benefits our nation, but is a matter of national security, and I want to thank you all for your leadership and investment in port infrastructure to ensure American ports continue to be global leaders on trade.

DEEP DRAFT NAVIGATION

A top priority for the Port of Long Beach is our Deep Draft Navigation project. This project will deepen the main federal channel from 76 to 80 feet, improving safety, and enhancing efficiency for vessel operations by allowing VLCCs to call at maximum capacity under most weather and tide conditions without waiting offshore. The project will bolster the Port's ability to deliver significant national economic benefits.

Thanks to WRDA 2022, the project has an authorized Chief's Report and received full Preconstruction Engineering and Design funding from the Infrastructure Investment and Jobs Act. Our request for WRDA 2026 is the approval of a post authorization change report (PACR) which we have been diligently working on with our partners at the Corps. Authorizing the PACR for this project in the forthcoming WRDA will help ensure our infrastructure keeps pace with evolving cargo volumes, vessel size, and global competition. We seek the Committee's assistance in ensuring that the USACE completes the PACR for inclusion in WRDA 2026.

HARBOR MAINTENANCE TRUST FUND/DONOR PORTS

I also want to thank this committee for its longstanding work over the years to ensure Harbor Maintenance Trust Fund (HMTF) dollars are fully allocated for their intended purpose. I recognize the significant work the Committee put into the distribution of these critical funds and the Port respectfully requests your continued support to ensure that annual distribution of these funds is not viewed as optional.

In particular, funds for in-water expanded uses have been received only once by qualifying donor and energy ports since they were authorized in WRDA 2020. This occurred in the FY24 USACE workplan which resulted in the distribution of \$49 million for Long Beach, which the Port is using for dredging at our berths and for critical seismic and safety improvements at our wharves and quays. For the Port of Long Beach alone, more than \$500 million in critical safety projects are planned over the next 10 years in our capital investment plan. A reliable and automatic allocation of HMT expanded use funding is essential to making sure these safety improvements are completed.

As both a donor and energy port, we estimate that the Port of Long Beach alone generated approximately \$400 million in HMT revenues in 2024. Over the last decade, the Port of Long Beach has proudly supported our fellow U.S. ports' dredging projects by generating billions to the fund. We are not seeking the creation of a new funding stream. We are simply calling for collected HMT funds to be allocated according to congressional intent to invest a mere fraction of the fund to protect our National Commercial Strategic Seaport and other ports that keep our economy moving and generate billions of dollars in revenues for their states and this country.

COMPREHENSIVE INFRASTRUCTURE INVESTMENTS

While today's hearing focuses on water infrastructure, the purview of this Committee is much more expansive and I want thank the Committee for the work that it is also doing to prepare for the next surface transportation reauthorization bill. Entities like ports rely on strong water and surface transportation networks to support critical supply chains. Modernized navigation and improved freight fluidity can reduce vessel delays and idling, improve operational efficiency, and complement our ongoing work to transition to cleaner, more sustainable goods movement. The Port of Long Beach remains committed to support a more competitive, future-ready maritime industry. Ensuring that waterside access and landside capacity grow together is vital to the country's economic prosperity.

In closing, the Port of Long Beach appreciates the Committee's leadership and bipartisan work to ensure America's maritime infrastructure remains strong, modern, and globally competitive. WRDA is a critical tool for protecting our economic vitality and keeping our supply chains moving efficiently and safely. Mr. Chairman, Ranking Member, and Members of the Committee, thank you again for the opportunity to testify. I look forward to working with you to advance this important legislation, and I would be pleased to answer any questions.

Mr. COLLINS. Thank you.

The chair has been notified there will be a series of votes occurring on the House floor. The subcommittee shall stand in recess, subject to call of the chair.

I am sorry if I didn't—Ms. Wilson wants me to clarify myself. The chair has been notified there will be a series of votes occurring on the House floor. The subcommittee shall stand in recess, subject to call of the chair.

[Recess.]

Mr. COLLINS. The Subcommittee on Water Resources and Environment will reconvene the previously recessed hearing.

I now yield myself 5 minutes for questioning.

Ms. Ufner, non-Federal sponsors are an essential part of the Army Corps of Engineers. I know that is what you were talking about in your opening statement. In your experience, how has the Corps worked effectively with these non-Federal sponsors just to carry out our Civil Works projects?

Ms. UFNER. Thank you for the question, Congressman.

Non-Federal sponsors are an integral part of getting projects on the ground. They actually work with the Corps to identify water resource challenges on the ground. And once those challenges are identified, they do enter into a formal agreement with the Corps, called a Project Partnership Agreement, which lays out their cost share as well as their Federal requirements and any long-term obligations that they have throughout the process.

And I just want to note here that the non-Federal sponsors, their funding comes from public entities, so they do share a responsibility to the taxpayer, as does the Federal Government when designing these projects.

Thank you.

Mr. COLLINS. Are there ways that the Corps can improve its budgeting process, maybe with multiyear budgets?

Ms. UFNER. Thank you for the question. So the question is, can the Corps improve their processes, correct, whether it be multiyear or—and there are many different ways that you can look at this. Primarily, we are going to say communications, that if there is the ability of the—it works best among all stages of Government if we can communicate, and this is even before policies are proposed, studies, projects, and there needs to be touch points throughout the process to really do discussion about what is working and what is not working, what is feasible, and what we can do moving forward.

Mr. COLLINS. And I know that was number one on your list when you were doing your opening statement, but can you expound on that just a tad bit more on the communication?

Ms. UFNER. What, the communication?

Mr. COLLINS. Yes, ma'am, on being more clear.

Ms. UFNER. There are a couple things that we did flag in the back on the communication. My earlier answer focused on primarily rules and regulations, but we do flag within the testimony concerns with the Department of War memo on engagement with congressional staff, especially during the WRDA process.

Taking a step back, we realize, as a non-Federal sponsor, how important Congress and the Corps is through this process, because the Corps can provide technical assistance to both our non-Federal members as well as Congress, and so it is really important that we have that engagement.

Mr. COLLINS. Okay. All right. Thank you. Thank you.

Dr. HACEGABA—I got it, didn't I?

Mr. HACEGABA. Hacegaba.

Mr. COLLINS. Hacegaba. Or Dr. Noel. In Georgia, we have seen a serious lack of operations and maintenance dredging work done in our navigability in our ports. Have you seen that at the Port of Long Beach or had similar experiences?

Mr. HACEGABA. We have, Chairman. There is an old saying that what happens in Long Beach, at our port, eventually cascades across the country, and that is how critical our port is to the Nation's transportation system.

Mr. COLLINS. Can you give me any pointers on how we can fix some of that?

Mr. HACEGABA. Well, to take this project that we brought before this committee today and the PACR that we are requesting, this Deep Draft Navigation Project would enable us to handle larger

ships that will handle more energy product. That is not only good for the Nation's economy, but it prioritizes and strengthens national security as well.

Mr. COLLINS. All right. Okay. Thank you.

I don't really have time to ask another question, but I am going to anyway.

Mr. Jones, HNTB has recently been recognized for its work on public-private partnerships with the Corps. In your experience, how has the P3 approach worked to reduce cost, accelerate schedules, or otherwise improve project outcomes?

Mr. JONES. Yes, well, thank you, Mr. Chairman. HNTB, as you noted, does have the experience with public-private partnerships. We see that, across the board, that there are opportunities to significantly expand the Corps' capacity compared to the traditional delivery model by utilization of P3s.

I think it is worth noting, though, that P3s are not a silver bullet. They are not to be used in every instance. But in working with either the Corps or the non-Federal sponsor, understanding what the project is, what the goals of the project are, and then consider what alternative delivery opportunities there may be, P3 may, in fact, be the best opportunity to one, accelerate the project delivery, get that project online quicker, and leverage private resources that can be brought to bear to accelerate often delayed project schedules.

Mr. COLLINS. All right. Thank you. Thank you.

I am definitely out of time, so I yield back.

The Chair now recognizes the ranking member, Ms. Wilson, for 5 minutes.

Ms. WILSON OF FLORIDA. Thank you, Mr. Chair.

Dr. Hacegaba, as the chair of the Florida Ports Caucus, I understand your port's goal of remaining competitive in the global market. In your testimony, you discussed your request for a Post-Authorization Change Report in WRDA 2026. Can you discuss what Congress should do to keep the PACR process predictable and timely?

Mr. HACEGABA. Ranking Member, thank you for your question. It is a great question because the reason why we are championing this PACR within the WRDA 2026 is because a project of this type supports the Nation's priorities for national security as well as supports the national economy. And when you look at the PACR, what we are doing is trying to rightsize the funding necessary to deliver this project at a time when costs have escalated for a variety of different reasons.

And as this subcommittee is well aware, over time, most projects that are under the discretion of Army Corps have also experienced escalation in costs. And what we are trying to do is rightsize the funding necessary to deliver this project in order to get this project of national significance up and running to support national security as well as the Nation's economy.

Ms. WILSON OF FLORIDA. Okay. Thank you.

Ms. Ufner, it has come to my attention that many of my colleagues are having difficulty getting information from the Corps as they are forced to wait for the Pentagon to clear the sharing of in-

formation. Can you discuss how this change in information sharing has the ability to hinder project development and delivery?

Ms. UFNER. Thank you for this question. And to your point about the Department of War memo, we are hearing about challenges both from the congressional and from the non-Federal sponsor level. From the congressional, we are definitely hearing some examples of getting the communication that they need to get from the Corps.

And one of the things we keep on stressing is that WRDA is essentially a three-legged stool or a triangle, that if one partner is unable to provide information, it makes it unsteady.

From a non-Federal sponsor angle, we have heard examples of non-Federal sponsors asking the Corps for needs assessments and other information that they have been unable to obtain due to uncertainty surrounding how the Corps can interface with entities outside the Corps with this memo.

Ms. WILSON OF FLORIDA. Okay. Thank you.

Mr. Jones, since becoming a Member of Congress, I have been pushing to move WRDA into a regular 2-year cycle. The cycle is important because it delivers certainty and routine as we process our Nation's needs.

Can you discuss how maintaining a consistent cycle helps the industries, local sponsors, and the Federal Government?

Mr. JONES. Yes, well, thank you for the question, Ranking Member.

As you alluded to, the 2-year cycle of WRDA is critical. I think you heard from all of us this morning the criticality of that 2-year cycle. What it does, Congresswoman, is it provides predictability to the Corps of Engineers as well as the non-Federal partners who are out on the ground trying to deliver projects. There is some assurity that, with the 2-year cycle, that the folks on the ground know what to expect, know how to plan, understand the funding that lies ahead for their projects, where there might be funding gaps that they can look to fill.

As in any area of business, particularly in private business of which I am fortunate to be a part of, understanding the schedule and having predictability is essential to everything that we do, and I don't see it to be any different in delivering public infrastructure projects that are delivered through WRDA.

Ms. WILSON OF FLORIDA. Okay. Thank you very much.

I ask unanimous consent that statements from the following organizations be made a part of today's hearing record: the American Public Works Association; the American Society of Civil Engineers; the National Stone, Sand, and Gravel Association; the National Wildlife Federation; and the Port of Tampa Bay.

I yield back.

Mr. COLLINS. Without objection, so ordered.

[The information follows:]



Letter of December 17, 2025, from Vic Bienes, PE, President, and Scott D. Grayson, CAE, Chief Executive Officer, American Public Works Association, to Hon. Mike Collins, Chairman, and Hon. Frederica S. Wilson, Ranking Member, Subcommittee on Water Resources and Environment, Submitted for the Record by Hon. Frederica S. Wilson

DECEMBER 17, 2025.

Congressman MIKE COLLINS,
*Chair, Water Resources and Environment Subcommittee,
Committee on Transportation and Infrastructure, 2351 Rayburn House Office Building, Washington, DC 20515-1010.*

Congresswoman FREDERICA WILSON,
*Ranking Member, Water Resources and Environment Subcommittee,
Committee on Transportation and Infrastructure, 2080 Rayburn House Office Building, Washington, DC 20515-0924.*

DEAR CHAIRMAN COLLINS AND RANKING MEMBER WILSON,

The American Public Works Association (APWA) represents 32,000 public works professionals across North America who serve in both the public and private sectors providing expertise at the local, state and federal government levels. Working in the public interest, our members are responsible for designing, building, operating, and maintaining America's vast infrastructure network that is so fundamental to our economy, environment, public health, and safety. This includes water infrastructure such as ports and harbors, inland waterway navigation, and water supply, wastewater treatment, stormwater, drainage and flood control systems. APWA members strongly value our collaboration with our federal partners, including the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers (USACE) Civil Works Program, to successfully deliver critical water resources improvements for communities across the country.

For close to 85 years, Congress has provided federal funds through vital infrastructure financing programs to municipalities to address local water quality challenges. These long-standing programs are essential to the strength of our communities and this investment, along with the \$50 billion in supplemental funding provided through the Infrastructure Investment and Jobs Act of 2021 (IIJA), has gone a long way to ensuring water systems can continue to serve their communities. Water infrastructure projects grow our economy, create jobs, protect our environment, and provide a better quality of life for all Americans. The Water Resources Development Act and associated water infrastructure programs are an essential part of this system. As we look forward, APWA urges the Committee to consider the following for its 2026 water infrastructure package.

Program Reauthorization

- Reauthorize the Clean Water and Drinking Water State Revolving Fund programs through 2031 and authorized funding at \$3.25 billion for each program.
- Reauthorize the Water Infrastructure Finance and Innovation Act (WIFIA) program and maintain the existing authorized levels and authorize funding at \$75.6 million.
- Reauthorize the Clean Water Infrastructure Resilience and Sustainability program, Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability program and Drinking Water System Infrastructure Resilience and Sustainability program through 2031.
- Reauthorize the Sewer Overflow and Stormwater Reuse Municipal Grant through 2031 and increase authorized funding to \$400 million.
- Reauthorize the Drinking Water Infrastructure Risk and Resilience program through 2031.

Legislation

- H.R. 5566—Sustainability and Resilience Program Reauthorization
- H.R. 5661—Water Preservation and Affordability Act
- H.R. 5868—Water Cybersecurity Enhancement Act
- H.R. 5730—Sewer Overflow and Stormwater Reuse Grant Reauthorization Act
- H.R. 3861—Clean Water SRF Parity Act
- H.R. 2093—To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes
- H.R. 6229—To reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes

Additional Priorities

APWA would also like to highlight to the Committee the importance of workforce development programs. The water industry's workforce is aging and not achieving a full rate of replacement. This puts a strain on employees who may be required to perform double duty merely to maintain basic operations. The Bureau of Labor Statistics estimates that the water sector will need about 220,000 new jobs annually to keep up with demand.

The Congressional intent codified in IIJA recognized the importance of ensuring a strong pipeline of skilled and diverse workers in the water and wastewater sector and the part that public works plays in establishing and growing that workforce. APWA was proud to have played a key role in incorporating that language into the law and continues to support the maintenance of dedicated programs that recruit, train, and retain new water industry professionals.

Conclusion

Each day public works professionals are diligently working to protect and maintain the critical infrastructure that is so essential to protecting our health and quality of life. Because of our shared commitment, APWA looks forward to continuing to work with you and your staff on this legislation to help public works professionals meet our water infrastructure challenges. If you have questions or comments regarding this letter or APWA's water priorities, please contact APWA Government Affairs Manager Leah Harnish.

Sincerely,
VIC BIANES, P.E.,
*President, American Public Works
Association.*

SCOTT D. GRAYSON, CAE,
*Chief Executive Officer, American Public
Works Association.*

CC: Congressman Sam Graves, Chair, Committee on Transportation and Infrastructure
Congressman Rick Larsen, Ranking Member, Committee on Transportation and Infrastructure

**Statement of the American Society of Civil Engineers, Submitted for the
Record by Hon. Frederica S. Wilson**

The American Society of Civil Engineers (ASCE) thanks the committee for the opportunity to submit the following statement for the record detailing our priorities for the Water Resources Development Act (WRDA) of 2026. We also wish to express our appreciation to the committee for its commitment to keeping WRDA on schedule for reauthorization, as it has done biennially since 2014. Doing so ensures greater certainty and predictability for new and ongoing U.S. Army Corps of Engineers (USACE) water resources projects and provides an opportunity to make needed updates to federal water resources policy. ASCE looks forward to working with the committee in the weeks and months ahead to further improve our nation's water resources infrastructure.

Over the past two WRDA cycles, Congress has enacted into law multiple key policies supporting the safety and enhancement of our nation's infrastructure. This includes reauthorization of the National Levee Safety Program, the authorization of a new national inventory of low-head dams in 2022, and reauthorization of the National Dam Safety Program along with an adjustment to the Inland Waterways Trust Fund cost share formula in 2024. In March 2025, ASCE released the latest version of its *Report Card for America's Infrastructure*. Thanks in large part to the enactment of these policies in WRDA, grades for all four of the water resources infrastructure Report Card chapters improved from 2021 to 2025, with the grades for Dams and Levees both improving from "D" to "D+", Ports improving from "B-" to "B", and Inland Waterways improving from "D+" to "C-". Congress passing effective WRDA legislation every two years is critical to the condition, capacity, resilience, and lifespan of our nation's water resources infrastructure. We are grateful for the opportunity to continue to be a part of that conversation and encourage the committee's support for the following ASCE priorities.

SUPPORT FOR HIGH HAZARD POTENTIAL DAMS

The United States is home to more than 92,000 dams serving a variety of functions from water storage and flood control to irrigation and recreation. Of those dams, 18 percent (or nearly 17,000 dams) are classified as having high-hazard potential. This means a failure of one of these dams would likely result in the loss

of life and significant destruction of property. While hazard potential is not an indicator of a dam's overall condition, almost 2,600 of the nation's 17,000 high-hazard potential dams have been assessed to be in poor or unsatisfactory condition. Since 2012, the number of high-hazard potential dams has grown by nearly 20% due to increased downstream development. Compounding the problem, the average age of the nation's dams is 64 years, which is 7 years older than in 2021, and 7 out of 10 dams nationwide are more than 50 years old according to the Association of State Dam Safety Officials (ASDSO). These trends, along with increasingly severe weather events producing higher levels of precipitation, will continue to place increased strain on the nation's high-hazard dams.

Federal programs like the National Dam Safety Program provide states with grant funding to support certain administrative and dam monitoring activities by state level dam safety programs. However, these state assistance grants may not be used to support dam rehabilitation projects or dam repairs. One of the few federal funding streams available to support dam repair and rehabilitation is the High Hazard Potential Dam Rehabilitation Grant Program, or HHPD Program. The HHPD Program was first authorized in 2016 under the Water Infrastructure Improvements for the Nation (WIIN) Act and provides competitive grants to states to support rehabilitation projects for dams that pose the greatest risk to the public. Since 2019, the HHPD Program has provided \$71.1 million in grant funding across 40 states and Puerto Rico, despite being historically underfunded through annual appropriations and having much of the funding provided through the Infrastructure Investment and Jobs Act reprogrammed or rescinded.¹

The HHPD program's legislative authority is set to lapse in September of 2026. Reauthorization of this critical program will be necessary to ensure that it is available to address the growing challenges to high-hazard dams nationwide. As such, ASCE strongly encourages the inclusion of H.R. 5414, the Dam Assessment and Mitigation Support (DAMS) Act into any WRDA legislation taken up in Congress in 2026. The DAMS Act would reauthorize the HHPD program for five years. It would also allow states to use their own risk-based priority systems, in lieu of federally created systems, to identify dams in greatest need and better prioritize grant applications in a manner that best meets the needs of their own communities.

REVISION OF NATIONAL DAM SAFETY PROGRAM STATE ASSISTANCE GRANT FORMULA

In 2024, WRDA reauthorized the National Dam Safety Program, which had lapsed at the end of Fiscal Year 2023. The National Dam Safety Program provides resources to states to support inspection and monitoring activities, staffing needs, and emergency planning through State Assistance Grants. The 2024 reauthorization of this program ensures those funds can continue to flow directly to state dam safety programs. WRDA 2024 also included provisions to incorporate low-head dams into the National Inventory of Dams. Low-head dams are small, river spanning structures which produce dangerous currents that have been shown to harm public safety. ASCE supported the incorporation of these structures into the inventory to improve the overall safety of the nation's dams. State Assistance Grant allocations to states are determined by multiple factors, including number of dams in a state. WRDA 2024 altered this formula factor by including the number of low-head dams in addition to dams (33 U.S.C. § 467j(a)(2)(A)(ii)(I) & (II)). This poses multiple challenges to states and may affect their ability to receive valuable resources for their dam safety programs.

While the development of a national inventory of low-head dams continues to be a priority for ASCE, it is a process that is still in its early stages and not yet fully developed. Additionally, many states do not regulate or collect data on low-head dams, and the federal government currently lacks the resources and proper mandate to provide incentives to states to collect and upload low-head dam data into the budding inventory. Until USACE has had time to properly develop the low-head dam inventory, including assisting states with the process of counting and collecting data on low-head dams, factoring low-head dams into the total number of dams that determine State Assistance Grant allocations may divert funding away from states that have significant dam safety needs but lack the capacity to properly account for low-head dams. These circumstances reduce the overall safety of the nation's dams. To address these challenges, *ASCE recommends striking the language incorporating low-head dams into the grant formula from the 2024 law and to instead continue supporting robust efforts to grow and develop the National Low-Head Dam Inventory.*

¹ <https://www.fema.gov/grants/mitigation/learn/dam-safety/rehabilitation-high-hazard-potential-dams/awards#2019>

REAUTHORIZATION OF THE NATIONAL LEVEE SAFETY PROGRAM

USACE has identified more than 24,000 miles of levees across the country providing flood protection to over 2,300 communities nationwide. The nation's levee systems protect more than 23 million people, and \$2 trillion worth of property value—including 7 million buildings and 5 million acres of farmland—that sit behind them. Since the creation of the National Levee Safety Program, USACE has made significant progress developing a national regulatory and support framework to improve the safety of the nation's levees.

The National Levee Safety Program was first authorized in 2014 for the purposes of supporting the standing up of state levee safety programs, creating a comprehensive database of the nation's levees, developing guidelines for levee safety best practices, and supporting repair and rehabilitation of the nation's levees. The National Levee Safety Program was last reauthorized in the 2022 WRDA and has continued to make significant progress. In 2024, USACE produced the first National Levee Safety Guidelines, providing a consistent yet flexible set of best practices for levee management, reducing flood impact, utilizing nature-based solutions to improve levee safety, and addressing the needs of underserved communities living behind levees. Additionally, USACE has made significant progress developing its National Levee Database, providing more detailed data on USACE's levee portfolio, as well as dams owned and operated at the state and local level. As previously noted, this progress played a large role in ASCE's decision to raise its grade for the nation's levees in its 2025 *Report Card for America's Infrastructure* from D to D+.

The National Levee Safety Program's legislative authority is set to expire at the end FY 2028. In 2024, the House's WRDA bill included a 4-year reauthorization of the National Levee Safety Program. That provision, however, was not included in the Senate WRDA bill, and was thus not included in the final WRDA signed into law by President Joe Biden in early 2025. To ensure that it can continue to develop and provide needed assistance to states, *ASCE strongly encourages the inclusion of a 5-year reauthorization into WRDA 2026.*

ADDRESSING THE WATER RESOURCES PROJECT BACKLOG

In each WRDA bill, Congress authorizes new navigation, ports, and flood protection projects and feasibility studies for USACE to begin work on. In 2024, Congress authorized 21 new water resources projects with an authorized total federal funding level of more than \$10 billion. While authorization of new projects every other year is essential to USACE planning, and provides the agency with a degree of predictability, Congressional appropriators have not been able to fund water resources projects at a fast enough pace, creating a current project backlog of more than \$100 billion. This backlog results in project delays, increased overall costs, and can create challenges to project development and design. *ASCE encourages Congress, including the Senate Environment & Public Works Committee, House Transportation & Infrastructure Committee, and House and Senate Appropriations Committees, to work closely with the USACE to develop plans and strategies to address and reduce the water resources project backlog.*

UTILIZE HARBOR MAINTENANCE TRUST FUND FOR MAINTENANCE DREDGING ACTIVITIES

Waterside infrastructure needs, such as maintenance dredging, are paid for through the federal Harbor Maintenance Trust Fund (HMTF). The HMTF collects revenue through a 0.125% user fee on the value of cargo shipped. The 2020 WRDA included full utilization of the \$10 billion balance of the HMTF by allowing \$500 million to be appropriated in FY 2021, with an increase of \$100 million annually until 2030. The full expenditure of the HMTF has been a longtime priority and ASCE strongly supported Congress's effort to address this issue in 2020.

Dredging is a critical and continuously needed activity for ports. Channel depth determines the size of vessels that can call at a port, and maintenance dredging is important for making sure ports can safely accommodate large ships and compete with one another.

In 2025, Ports received the highest grade on ASCE's *Report Card for America's Infrastructure*, earning a grade of B. Port investment decisions are largely driven by the need to upgrade aging facilities and maintain the depth of channels and harbors to keep them safe and navigable. *To help ensure the continued functionality of our nation's ports, ASCE urges Congress to continue to spend down the balance of the HMTF on maintenance dredging activities.*

CONCLUSION

ASCE appreciates the opportunity to provide the committee with this statement on its priorities for the 2026 Water Resources Development Act. We strongly believe that our nation must prioritize investments in its water resources infrastructure to ensure public safety, a strong economy, and the protection of environmental resources. Support for America's dams, levees, ports, and inland waterways is needed to close the growing funding gap and to ensure the country has world-class 21st century infrastructure.

Letter of December 17, 2025, from Michele Stanley, President and Chief Executive Officer, National Stone, Sand & Gravel Association, to Hon. Mike Collins, Chairman, and Hon. Frederica S. Wilson, Ranking Member, Subcommittee on Water Resources and Environment, Submitted for the Record by Hon. Frederica S. Wilson

DECEMBER 17, 2025.

The Honorable MIKE COLLINS,
Chairman,
Subcommittee on Water Resources and Environment, U.S. House of Representatives,
2165 Rayburn House Office Building, Washington, DC 20515.

The Honorable FREDERICA WILSON,
Ranking Member,
Subcommittee on Water Resources and Environment, U.S. House of Representatives,
2165 Rayburn House Office Building, Washington, DC 20515.

DEAR CHAIRMAN COLLINS AND RANKING MEMBER WILSON:

On behalf of the over 500 members of the National Stone, Sand & Gravel Association (NSSGA), I am writing to share our priorities for the Water Resources Development Act (WRDA) of 2026 ahead of the Subcommittee's upcoming stakeholder priorities hearing. NSSGA represents aggregates producers and manufacturers of equipment and services that support the construction industry. Our members employ more than 100,000 hardworking men and women responsible for producing the essential raw materials found in every home, building, road, port, dam, and public works project across the nation.

Aggregates are critical components in U.S. Army Corps of Engineers (USACE) projects authorized under WRDA. These materials are vital for improving ports and harbors, enhancing waterway infrastructure and navigation, protecting shorelines, mitigating flooding, and supporting ecosystem restoration efforts. Our industry also plays a key role in environmental applications, including erosion control, water filtration systems, wastewater management, drinking water purification, and wetland restoration.

NSSGA strongly supports the biennial reauthorization of WRDA to provide certainty and sustained funding for these essential infrastructure projects. This predictability enables aggregates producers to plan effectively and supply the building materials needed for vital water infrastructure initiatives. We applaud the Subcommittee's efforts to gather stakeholder input and urge Congress to prioritize the following in WRDA 2026:

- Continued Investment in USACE Civil Works Projects: Authorize and fully fund projects that address navigation improvements, flood risk management, coastal protection, and ecosystem restoration. These initiatives not only bolster economic competitiveness but also create jobs and support communities reliant on reliable water infrastructure.
- Streamlining Permitting and Regulatory Processes: Promote policies that expedite project reviews while maintaining environmental protections to reduce delays and costs associated with infrastructure development.
- Material Neutrality and Performance-Based Standards: Encourage the use of non-discriminatory, performance-based criteria for materials in USACE projects to foster innovation, sustainability, and cost savings for taxpayers.

NSSGA appreciates the bipartisan tradition of WRDA, and the aggregates industry stands ready to provide the essential materials to support our nation's water infrastructure projects. Please consider NSSGA as a resource as you continue your important work of advancing this legislation.

Sincerely,

MICHELE STANLEY,
President and CEO, National Stone, Sand & Gravel Association.

cc: The Honorable Sam Graves
The Honorable Rick Larsen

**Statement of Melissa Samet, Legal Director, Water Resources and Coasts,
National Wildlife Federation, Submitted for the Record by Hon. Frederica
S. Wilson**

Chairman Collins, Ranking Member Wilson, and Members of the Subcommittee, thank you for the opportunity to provide the National Wildlife Federation's priorities for the Water Resources Development Act of 2026.

The National Wildlife Federation is the nation's largest conservation advocacy organization with almost eight million members and supporters and affiliates in 52 states and territories. Our members represent the full spectrum of people who care deeply about wildlife: they are bird and wildlife watchers, hikers, gardeners, anglers, hunters, forest stewards, and farmers. The National Wildlife Federation has championed clean and healthy rivers and streams since our founding in 1936. Conserving our wetlands, streams, rivers, and shorelines for wildlife and communities is at the core of our mission.

THE NATION'S WATER RESOURCES CHALLENGES ARE GROWING AT AN ALARMING RATE

America's communities and infrastructure are being tested like never before. Increasingly severe storms and floods are wreaking havoc on communities and infrastructure, putting people at risk and causing billions of dollars of damage each year. America's treasured wildlife is in crisis, including the freshwater species most affected by water resources projects. The overwhelming societal and economic toll of these crises affects us all. The common-sense reforms outlined in this statement would build on recent Water Resources Development Acts to help keep communities safe, allow our treasured wildlife to thrive, and protect billions of dollars of federal and state investments.

Severe Storms and Floods Are Wreaking Havoc on Communities

The nation is facing increasingly severe storms and floods, extreme droughts, massive wildfires and record high temperatures. We have suffered more billion-dollar inland flood disasters in the last decade than in the prior three decades combined.¹ We have endured the highest frequency of Category 4 and 5 hurricanes over the last eight years than ever before.² The human suffering caused by these and many smaller disasters is unfathomable, with low-income communities bearing a disproportionate share of the harm.

The ever-mounting toll of human suffering and hundreds of billions of dollars in yearly economic losses³ from natural disasters shows no sign of abating and every sign that it will continue to grow. Research shows that both the intensity and number of extreme storms will continue to increase. In some locations, future extreme events could be twice as intense as historical averages.⁴ By 2050, high tides could cause "sunny day" flooding in coastal communities 25 to 75 days a year.⁵ By 2100, previously rare extreme rainstorms could happen every two years.⁶ By the end of the century, homes and commercial properties currently worth more than \$1 trillion could be at risk of chronic flood inundation.⁷ Over the next 30 years, the "risk of

¹NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2025) (<https://www.ncei.noaa.gov/access/billions/>), DOI: 10.25921/stkw-7w73.

²Id. (citing AOML, 2025) ("the U.S. has been impacted by landfalling category 4 or 5 hurricanes in six of the last eight years (Harvey, Irma, Maria, Michael, Laura, Ida, Ian, Helene), which is the highest frequency on record").

³E.g., Joint Economic Committee Report June 2024 (<https://www.jec.senate.gov/public/index.cfm/democrats/2024/6/flooding-costs-the-u-s-between-179-8-and-496-0-billion-each-year>) (The total cost of flooding in the United States is estimated to be "between \$179.8 and \$496.0 billion each year in 2023 dollars.").

⁴Madakumbura, G.D., Thackeray, C.W., Norris, J. et al. Anthropogenic influence on extreme precipitation over global land areas seen in multiple observational datasets. *Nat Commun* 12, 3944 (2021). <https://doi.org/10.1038/s41467-021-24262-x>.

⁵NOAA High Tide Flooding Report, 2021 State of High Tide Flooding and Annual Outlook.

⁶Megan C. Kirchmeier-Young, Xuebin Zhang, Human influence has intensified extreme precipitation in North America, *Proceedings of the National Academy of Sciences* June 2020, 117 (24) 13308–13313; DOI:10.1073/pnas.1921628117.

⁷Union of Concerned Scientists. *Underwater: Rising Seas, Chronic Floods, and the Implications for US Coastal Real Estate* (2018).

coastal floods damaging or destroying low-income homes will triple” resulting in the flooding of more than 25,000 affordable housing units each year.⁸

Our Treasured Wildlife Has Been Pushed to the Brink

The changing weather, combined with historic and ongoing destruction and degradation of vast swaths of habitat, have pushed America’s wildlife into crisis, helping to drive the planet’s ongoing 6th Mass Extinction of species.⁹ As many as one-third of America’s plant and wildlife species are vulnerable, with one in five imperiled and at high risk of extinction.¹⁰

America’s freshwater species, which are most affected by water resources projects, have been particularly hard hit. Approximately 40 percent of the nation’s freshwater fish species are now rare or imperiled.¹¹ Nearly 60 percent of the nation’s globally significant freshwater mussel species are imperiled or vulnerable, and an additional 10 percent are already extinct.¹²

Our wildlife crisis extends well beyond rare and endangered species, and now affects many widespread and previously abundant creatures, such as the little brown bat, monarch butterfly, and many of our most beloved songbirds. State fish and wildlife agencies have identified more than 12,000 species nationwide in need of conservation action, and fully one-third of North America’s bird species require urgent conservation attention.¹³

The historic loss and degradation of wildlife habitat across the country makes each additional acre of loss or degradation even more consequential for the long-term viability of our nation’s fish and wildlife. At least ten states have lost more than 70 percent of their wetlands, which provide essential fish and wildlife habitat, while 22 states have lost 50 percent or more of their original wetland acreage.¹⁴ The construction of levees to reduce the frequency and duration of flooding in the lower Mississippi River Valley has been identified as the single largest historic contributor to wetland losses in the country, according to the Department of the Interior.¹⁵ Fish and wildlife have also been severely harmed through the pervasive alteration of natural stream flows, including from reservoirs and locks and dams, which have occurred in 86 percent of the almost 3,000 streams assessed by the U.S. Geological Survey.¹⁶

⁸Maya K Buchanan et al, Sea level rise and coastal flooding threaten affordable housing, *Environ. Res. Lett.*, 15 124020/ (2020) (Also highlighting that even low levels of flooding can “cause profound disruptions to families already struggling to make ends meet” and can be particularly challenging to remedy in affordable housing units, which are often in poor repair to begin with.)

⁹Gerardo Ceballos, Ehrlich Paul, Raven Peter, Vertebrates on the brink as indicators of biological annihilation and the sixth mass extinction. *Proceedings of the National Academy of Sciences* June 2020, 117 (24) 13596–13602; DOI: 10.1073/pnas.1922686117 (“The ongoing sixth mass extinction may be the most serious environmental threat to the persistence of civilization, because it is irreversible. . . . the sixth mass extinction is human caused and accelerating. . .”).

¹⁰Stein, B. A., L. S. Kutner, J. S. Adams eds. 2000. *Precious Heritage: The Status of Biodiversity in the United States*. New York: Oxford University Press.

¹¹Jelks, H. L., S.J. Walsh, N.M. Burkhead, et al. 2008. Conservation status of imperiled North American freshwater and diadromous fishes. *Fisheries*. 33: 372–407.

¹²Williams, J. D., M. L. Warren, K. S. Cummings, J. L. Harris, and R. J. Neves. 1993. Conservation status of freshwater mussels of the United States and Canada. *Fisheries* 18: 6–22; Lydeard, C., R. H. Cowie, W. F. Ponder, et al. 2004. The global decline of nonmarine mollusks. *BioScience* 54 321–330.

¹³Stein, B. A., N. Edelson, L. Anderson, J. Kanter, and J. Stemler. 2018. *Reversing America’s Wildlife Crisis: Securing the Future of Our Fish and Wildlife*. Washington, DC: National Wildlife Federation.

¹⁴T.E. Dahl and S.M. Stedman. 2013. Status and trends of wetlands in the coastal watersheds of the Conterminous United States 2004 to 2009. U.S. Department of the Interior, Fish and Wildlife Service and National Oceanic and Atmospheric Administration, National Marine Fisheries Service. (46 pp); Dahl, T.E. 2006. Status and trends of wetlands in the conterminous United States 1998 to 2004. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. (112 pp); Dahl, T.E. 2000. Status and trends of wetlands in the conterminous United States 1986 to 1997. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. (82 pp); Dahl, T.E., and Johnson, C.E., 1991. Status and trends of wetlands in the conterminous United States, mid-1970’s to mid-1980’s. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. (28 pp).

¹⁵Report to Congress by the Secretary of the Interior, *The Impact of Federal Programs on Wetlands*, Volume II, at 145 (1994). Approximately 80 percent of the bottomland hardwood wetlands in the lower Mississippi River basin have already been lost approximately. Report to Congress by the Secretary of the Interior, *The Impact of Federal Programs on Wetlands*, Volume I at 39.

¹⁶U.S. Geological Survey, *Ecological Health in the Nation’s Streams*, Fact Sheet 2013–3033 (July 2013); Carlisle, D.M., Meador, M.R., Short, T.M., Tate, C.M., Gurtz, M.E., Bryant, W.L., Falcone, J.A., and Woodside, M.D., 2013, *The quality of our Nation’s waters—Ecological health in the Nation’s streams, 1993–2005*: U.S. Geological Survey Circular 1391 (120 pp).

BUILDING ON PAST REFORMS WILL IMPROVE PROJECT OUTCOMES

The Army Corps of Engineers (Corps) plays an integral role in our nation's response to these interconnected crises. The Corps is charged with bolstering community resilience and securing clean and healthy waters for people and wildlife alike. To help achieve these essential goals, Congress has given the Corps critical directives and tools in multiple, overwhelming bipartisan Water Resources Development Acts.¹⁷

For example, multiple provisions in the Water Resources Development Acts of 2018, 2020, and 2022 strengthen and facilitate the Corps' consideration of common-sense, low impact nonstructural solutions for reducing flood impacts.¹⁸ These provisions build on the Congressional directive established in 1974 for the Corps to carefully assess nonstructural measures including home elevations and voluntary buyouts to ensure that the Corps formulates "the most economically, socially, and environmentally acceptable means of reducing or preventing flood damages."¹⁹

These common-sense nonstructural solutions have long been recognized by the Corps as "*proven methods*" for reducing flood damages that are "*very effective*" in both the short term and the long term.²⁰ Nonstructural measures are also "*very cost effective when compared to structural measures*,"²¹ including in small rural communities and other larger geographies that flood from multiple sources.²² Nonstructural measures typically produce \$5 to \$7 in benefits for every \$1 spent.²³ By improving community resilience, such measures can also help reduce the need for future—and typically very costly—disaster response and recovery.^{24 25 26}

Congress also has advanced cost-effective and environmentally protective water resources projects by, among other things, directing the Corps to: account for the costs of any transfers of flood risks onto other communities as a project cost; improve community resilience in the immediate aftermath of floods and other natural disasters through emergency debris removal; and protect vital habitats that provide natural flood protection and sustain fish and wildlife resources, including by first avoiding and then offsetting unavoidable damage to those habitats.

The recommendations outlined below would improve the Corps' ability to implement these important directives—implementation that is all the more important in the face of the many competing needs for federal funding, the Corps' \$1 billion plus construction backlog, and the increasing flood and storm challenges facing communities across the country.

¹⁷ For example, since 2018 Congress has included multiple provisions in the Water Resources Development Acts that allow and encourage the Corps to: take advantage of the risk-reduction potential of our natural defenses like healthy wetlands and floodplains; advance effective hydrologic modeling including through partnerships with the National Laboratories and academic communities; and improve outreach and engagement with communities and Tribes.

¹⁸ E.g., Water Resources Development Act of 2018 (§ 1149); Water Resources Development Act of 2020 (§§ 114, 115, 116, 118, 119); Water Resources Development Act of 2022 (§ 8118).

¹⁹ 33 USC 701 b-11, WRDA 1974 § 73.

²⁰ USACE Fact Sheet, Nonstructural Flood Risk Management Measures (emphasis added). The cost-effectiveness of nonstructural measures is due in part to the fact that they are "sustainable over the long term with minimal costs for operation, maintenance, repair, rehabilitation, and replacement." *Id.*

²¹ *Id.*

²² Letter to Assistant Secretary of the Army Adam Telle from Chad Berginnis, Executive Director of the Association of State Floodplain Managers (November 12, 2025).

²³ National Institute of Building Sciences, Natural Hazard Mitigation Saves 2019 Report at 77, 84.

²⁴ From 2016 to 2025, the Corps received \$53.3 billion in supplemental funding, which in some years approached or exceeded the levels of annual appropriations. Congressional Research Service, U.S. Army Corps of Engineers: Supplemental Appropriations, June 16, 2025.

²⁵ From 2005 to 2018 Congress enacted 13 supplemental bills related to flooding and natural disasters, providing a total of almost \$45 billion to the Corps. For the same period, annual discretionary appropriations for flood-related projects and activities totaled \$23 billion. Congressional Research Service, Army Corps of Engineers Annual and Supplemental Appropriations: Issues for Congress, October 1, 2018.

²⁶ With ever increasing effects from storms, these emergency supplemental appropriations have also dramatically increased over time, with the Corps receiving "\$1.1 billion in the 1990s, \$19.2 billion in the 2000s, and \$29.0 billion in the 2010s." Congressional Research Service, Supplemental Appropriations for Army Corps Flood Response and Recovery, February 20, 2020. Of the \$29.0 billion in supplemental funding provided in the 2010s, \$18.6 billion was for completing new or ongoing flood risk reduction projects. During the same period, construction funding for flood risk reduction projects through the regular appropriations process averaged \$8.4 billion a year. *Id.*

RECOMMENDATIONS

Through our extensive experience with Corps projects across the country—and with communities affected by those projects—it is clear that additional direction is needed to ensure that the Corps implements the most effective, cost-effective, and environmentally sound solutions to the many water resources challenges facing the nation. To help the Corps achieve these vital goals, the National Wildlife Federation respectfully urges Congress to include policy reforms in the next Water Resources Development Act that:

1. *Improve project cost estimates* by establishing clear criteria to guide the development of cost estimates. This will improve project planning, protect taxpayers, and provide certainty to non-federal sponsors.
2. *Maximize emergency debris removal benefits* by ensuring that the Corps' emergency debris removal contracts do not incentivize the unnecessary removal of healthy vegetation and habitats. This will safeguard communities, wildlife, and taxpayers.
3. *Facilitate voluntary nonstructural measures* by removing arbitrary implementation barriers and reducing the non-federal cost share for such measures. This will help reduce flood risks for communities, while protecting wildlife and saving taxpayer dollars in both the short and long term.
4. *Ensure utilization of federal and state fish and wildlife expertise* by ensuring that Corps planners take advantage of recommendations made pursuant to the Fish and Wildlife Coordination Act that derive from the special expertise of federal and state fish and wildlife experts. This is a common-sense, cost-effective way to improve projects and planning efficiency.
5. *Clarify the need to offset new impacts resulting from activities carried out under updated operating plans*, as required for all Corps projects. This will protect communities and wildlife, align Corps project goals, and protect billions of dollars of federal and state investments.

Each of these policy reforms is discussed in more detail below.

The National Wildlife Federation also urges Congress to ensure that the Corps continues to swiftly advance important ecosystem restoration efforts, including those designed to restore the Mississippi River, coastal Louisiana, America's Everglades, the Ohio River, the Delaware River, and the effort to stem the ongoing threat and harm from invasive carp through the Brandon Road Lock and Dam project. We also encourage Congress to support swift advancement of the Lower Mississippi River Comprehensive Study and the authorization of associated recommended tiered studies, including the tiered studies for the "Lower Mississippi River Restoration Program" and "Systemic Management of the Greater Mississippi River Basin."

The National Wildlife Federation greatly appreciates the committee's role in advancing and overseeing the Corps' implementation of these studies and projects that are so vitally important to the health, well-being, and resilience of people and wildlife.

1. *Improve Project Cost Estimates*

Congress should improve the Corps' project cost estimates by establishing clear criteria to guide the development of these estimates. This will improve project planning, protect taxpayers, and provide certainty to non-federal sponsors.

The Corps' project cost estimates often are not reliable, with the actual costs of many Corps projects skyrocketing far above the amount originally authorized by Congress.²⁷ Escalating project costs place heavy burdens on taxpayers and non-federal sponsors who pay the same percentage of total costs no matter how high those costs might climb. Widespread cost increases also call into question the project selection process itself.

The Corps agrees that many of its project cost estimates are unreliable,²⁸ with rising costs affecting projects large and small. In recent years, the Corps has seen "bids on important navigation and flood control projects come in at double or triple

²⁷ The Corps is allowed to increase construction costs without Congressional approval for construction cost increases: (1) due to inflation, cost indexes, and "additional studies, modifications, and actions (including mitigation and other environmental actions) authorized" by Federal law; and (2) by an additional 20 percent for modifications that do not materially alter the scope or function of the project as authorized. 33 U.S.C. § 2280(1–2).

²⁸ House of Representatives, Appropriations Committee, Oversight Hearing on the State of the Civil Works Program (February 25, 2025); USACE, Interim Guidance for Change Management on Civil Works Projects (18-Jul-2025).

the previous cost estimates.”²⁹ Between FY2004 and FY2012, two-thirds of the 87 Corps flood control projects budgeted for construction suffered from skyrocketing project costs.³⁰

The Corps’ Chief of Engineers recently told Congress that accurate cost estimates require an engineering design maturity level of at least 35%, but the Corps has “allowed projects to be authorized with engineering well, well below that 35% threshold.”³¹ The result are cost estimates that are “way, way too optimistic.”³²

Examples of Cost Increases for Corps Projects

2,532%	American Rivers Common Features project, CA Original cost estimate of \$57 million increased to \$1.5 billion, due in part to significant design changes needed to ensure public safety. ³³
1,238%	Larose to Golden Meadow project (pump component), LA Original cost estimate of \$800,000 increased to \$10.7 million, due to design changes required to handle the actual site conditions. ³⁴
274%	Olmstead Lock and Dam project, IL and KY Original cost estimate of \$775 million increased to \$2.9 billion, due in part to unaccounted for construction challenges. ³⁵
151%	Turkey Creek Basin project, KS and MO Original cost estimate of \$43 million increased to \$108 million, including \$10 million increase for work required to access the construction site. ³⁶
113%	Roanoke River Upper Basin project, VA Original cost estimate of \$29 million increased to \$61.7 million, due to required redesign to address the discovery of hazardous waste sites. ³⁷
98%	Monongahela Locks & Dam project, PA Original cost estimate of \$556 million increased to \$1.1 billion. ³⁸

Congressional appropriators also recognize this problem, and have advised the Corps that Class 3 Cost Estimates should be provided in feasibility studies *before* a Chief’s Report is signed.³⁹ A Class 3 Cost Estimate requires an “intermediate level of project design” that includes a “thorough investigation of the factors that present the most risk during Construction” such as “geotechnical surveys, hydrologic and hydraulic modeling, and site characterization, to include utility mappings.”⁴⁰

As Congressional appropriators highlighted in the 2025 House Energy and Water bill report, Class 3 Cost Estimates are essential at the feasibility study phase because:

a project cannot be found technically feasible, economically justified, and environmentally acceptable without the scope definition, engineering, and

²⁹ House of Representatives Appropriations Committee Report, Energy and Water Development and Related Agencies Appropriations Bill at 7.

³⁰ GAO–14–35, Army Corps of Engineers: Cost Increases in Flood Control Projects and Improving Communication with Nonfederal Sponsors Flood Control Cost Overruns (December 2013) at 15 (referred to hereafter as “Flood Control Cost Overruns”).

³¹ House of Representatives Appropriations Committee, Oversight Hearing on the State of the Civil Works Program (February 25, 2025).

³² Id.; USACE, Interim Guidance for Change Management on Civil Works Projects (18-Jul-2025).

³³ <https://usace.contentdm.oclc.org/digital/collection/p16021coll6/id/2194/rec/1.new>.

³⁴ GAO–14–35, Flood Control Cost Overruns at 15.

³⁵ <https://www.lrl.usace.army.mil/Portals/64/docs/Projects/FactSheets/Olmsted.pdf?ver=2020-02-27-101155-187>.

³⁶ GAO–14–35, Flood Control Cost Overruns at Appendix III.

³⁷ Id.

³⁸ [https://www.lrp.usace.army.mil/Portals/72/docs/Mission/Planning%20Program%20Project%20Management/2021-116LowermonWEBOverviewPage\(April2021\).pdf](https://www.lrp.usace.army.mil/Portals/72/docs/Mission/Planning%20Program%20Project%20Management/2021-116LowermonWEBOverviewPage(April2021).pdf).

³⁹ House Report 118–580, Energy and Water Development and Related Agencies Appropriations Bill, 2025 (July 11, 2024) at 24.

⁴⁰ House Report 119–213, Energy and Water Development and Related Agencies Appropriations Bill, 2026 (July 21, 2025) at 10–11.

design maturity necessary to understand the true costs of delivering that project in a manner consistent with applicable laws and regulations.⁴¹

The Corps' project cost estimates also understate costs because they do not account for a number of critical cost categories, including: the full life cycle of the project; delays in funding or sub-optimal funding streams; residual flood risk or the shifting of flood risks onto other communities despite longstanding requirements to account for these costs⁴²; and the loss of ecosystem services including natural flood protection.

To help address these problems, Congress should establish clear criteria to guide the Corps' development of project cost estimates, including requiring that feasibility study cost estimates: rely on at least an intermediate level of project design that includes a thorough investigation of the factors that present the most risk during construction; account for delays in funding or sub-optimal funding streams; account for residual flood risks and any shifting of flood risks onto other communities; account for life cycle cost outlays; and account for lost ecosystem services including natural flood protection.

2. Maximize Emergency Debris Removal Benefits

Congress should maximize the benefits from emergency debris removal by directing the Corps to update its emergency debris removal contracts to ensure that those contracts are not incentivizing the unnecessary removal of healthy vegetation and habitats. This will provide important safeguards for communities, wildlife, and taxpayers.

Communities face an ever-increasing need for emergency debris removal to recover from devastating floods, hurricanes, tornados and fires. The scale and frequency of these major weather-related disasters continue to increase in the U.S. at an alarming rate, with the number of \$1+ billion disasters increasing by 155% in just the past 5 years.⁴³

The Corps plays a critical role in helping communities recover from floods, hurricanes, tornados, and fires through emergency debris removal that is typically conducted through contracts with private companies.⁴⁴ However, key terms and payment structures in these contracts are inadvertently incentivizing the unnecessary removal of healthy vegetation and habitats that are critical for preventing riverbank erosion, reducing the risk of destructive landslides, delivering natural flood protection, and providing vital fish and wildlife habitat.⁴⁵ In some areas, unnecessary debris removal has destroyed residential infrastructure, adding to the significant costs of rebuilding. In the process, taxpayer dollars are wasted on payments for unnecessary and destructive debris removal.

Contracts that tie payments to the volume of debris removed—instead of to the removal of storm debris that is putting communities and homeowners at risk—are a key driver of unnecessary debris removal. Debris removal contracts tied to volume caused significant problems in *North Carolina* following Hurricane Helene, when contractors removed healthy live trees still rooted in the ground; left parts of the Little River bank completely bare; destroyed an important beaver-formed wetland that provided extensive natural flood storage; crushed endangered Elktoe mussels; and destroyed endangered Hellbender habitat.⁴⁶ Hundreds of homeowners in *California* reported damage to driveways, septic systems, wells, and other infrastructure from excessive debris removal following the devastating fires in 2017.⁴⁷

⁴¹ Id.

⁴² 33 USC § 2283 (requiring the Corps to calculate the benefits and costs of residential flood risks and upstream and downstream impacts, among other things).

⁴³ NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2025) (<https://www.ncei.noaa.gov/access/billions/>).

⁴⁴ The Corps carries out emergency debris removal under its own authorities and under mission assignment from the Federal Emergency Management Agency.

⁴⁵ Recognizing the need to improve the debris removal process, Congress passed The Disaster Contracting Improvement Act in 2024 to “establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.” Pub. L. 118–153 (December 17, 2024).

⁴⁶ Benji Jones, “The government stepped in to clean up a disaster in North Carolina. Then they created another one.” *Vox*, July 23, 2025 (<https://www.vox.com/down-to-earth/420513/flooding-debris-removal-hurricane-helene-wildlife>); Kati Myers, “As Army Corps and debris contractors near crucial deadlines, some worry rivers are damaged.” *BPR News*, May 22, 2025 (<https://www.bpr.org/bpr-news/2025-05-22/as-army-corps-and-debris-contractors-near-crucial-deadlines-some-worry-rivers-are-damaged>).

⁴⁷ Laurel Rosenhall, “As complaints mount about fire clean-up, disaster contractors give big money to California Dems.” *CalMatters*, October 9, 2018 (<https://calmatters.org/politics/2018/10/as-complaints-mount-about-fire-clean-up-disaster-contractor-gives-big-money-to-california-dems/>).

Problems with volume-based debris removal are not limited to Corps contracts. State debris removal contracts tied to volume led to the removal of healthy trees and other inappropriate materials following the devastating *Kentucky* floods in 2022, as repeatedly highlighted by Corps advisors.⁴⁸ One homeowner in McRoberts Kentucky reported that their entire house had been removed without notice while they were attempting to salvage their belongings.⁴⁹

To help address these problems, Congress should direct the Corps to: comprehensively evaluate the standard contract terms and fee structures that the agency uses in its emergency debris removal contracts (including volume-based provisions); and make appropriate modifications to those terms and fee structures to facilitate effective and expedient removal of disaster-generated debris that poses a risk to public safety while minimizing the risk of unnecessary debris removal that harms property, natural systems, or wildlife.

3. Facilitate Nonstructural Solutions

Congress should facilitate the use of voluntary nonstructural measures to reduce flood risks by removing arbitrary barriers to implementation and reducing the non-federal cost share for these measures. This will help reduce flood risks for communities, while protecting wildlife and saving taxpayer dollars in both the short and long term.

For more than 50 years, Congress has required the Corps to carefully assess home elevations, voluntary buyouts, floodproofing and other types of nonstructural measures to ensure that the Corps is “formulating the most economically, socially, and environmentally acceptable means of reducing or preventing flood damages.”⁵⁰ Congress has repeatedly re-emphasized the need to assess these common-sense measures in recent Water Resources Development Acts.⁵¹ Despite these directives, Corps leadership recently paused all Corps studies assessing “non-structural measures at scale.”⁵²

As long recognized by the Corps, nonstructural measures are “*proven methods*” for reducing flood damages that are “*very effective*” in both the “*short and long term*” and “*very cost effective when compared to structural measures.*”⁵³ Nonstructural measures are particularly cost-effective in smaller and rural communities, and well as more populated areas that flood from multiple sources.⁵⁴ Nonstructural measures produce \$5 to \$7 in benefits for each dollar spent.⁵⁵

Despite these substantial benefits, some longstanding Corps policies undermine the selection and implementation of nonstructural measures, including by transferring a portion of nonstructural project costs onto individual homeowners.⁵⁶ For example, to participate in a Corps-offered home elevation, homeowners must pay out-of-pocket for a significant array of elevation-associated costs. Since individual homeowners do not incur out-of-pocket costs for structural projects, policies that impose those costs onto individual homeowners for nonstructural measures can discourage selection and participation in those measures—even when those nonstructural measures are a more cost-effective and less damaging way to address the community’s water resource challenge than a structural solution.

⁴⁸ Jared Bennett and Justin Hicks, “How flood cleanup left Kentucky disaster victims feeling violated and vulnerable.” *Kentucky Lantern*, April 27, 2023 (<https://kentuckylantern.com/2023/04/27/how-flood-cleanup-left-kentucky-disaster-victims-feeling-violated-and-vulnerable/>).

⁴⁹ *Id.*

⁵⁰ 33 USC 701 b-11, WRDA 1974 § 73.

⁵¹ E.g., Water Resources Development Act of 2018 (§ 1149); Water Resources Development Act of 2020 (§§ 114, 115, 116, 118, 119); Water Resources Development Act of 2022 (§ 8118).

⁵² DCG–CEO Interim Guidance: Projects Involving Non-Structural Measures at Scale (August 6, 2025). The Corps has not made this Interim Guidance available to the general public but the description can be accessed at the Corps Nonstructural Flood Risk Management web page (“Until further direction from the DCG–CEO, USACE study teams, in coordination with their vertical teams, will pause completion of final feasibility reports involving non-structural measures at scale.”). The purpose of this Interim Guidance was confirmed by Assistant Secretary for Civil Work Adam Telle during a September 17, 2025 Senate Environment and Public Works Committee (hearing video at 1.06).

⁵³ USACE Fact Sheet, Nonstructural Flood Risk Management Measures (emphasis added). The cost-effectiveness of nonstructural measures is due in part to the fact that they are “sustainable over the long term with minimal costs for operation, maintenance, repair, rehabilitation, and replacement.” *Id.*

⁵⁴ Letter to Assistant Secretary of the Army Adam Telle from Chad Berginnis, Executive Director of the Association of State Floodplain Managers (November 12, 2025).

⁵⁵ National Institute of Building Sciences, *Natural Hazard Mitigation Saves 2019 Report* at 77, 84.

⁵⁶ USACE, *Guidance for Nonstructural Project Planning and Implementation* (July 22, 2024) (identifying ineligible costs that are not based on statutory mandates).

Homeowners who participate in Corps-offered voluntary buyouts can also incur significant out-of-pocket costs because the buyout awards are typically too low to cover the cost of a comparable home in an area that does not flood.⁵⁷ Meanwhile, mobile home owners and renters are unlikely to receive any benefits at all. These cost transfers create stark inequities for small, rural and/or low-income communities where homeowners cannot afford to participate in nonstructural measures but are not offered a structural solution because it is not economically justified.

Lack of effective interagency coordination also undermines the Corps' ability to support nonstructural measures like highly effective voluntary floodplain easements. Improved coordination could help facilitate the use of easements, including through targeted use of wetland reserve easements which are of great interest to landowners as demonstrated by the heavily oversubscribed USDA Wetland Reserve Easement Program. For example, landowners in Arkansas, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee collectively sought to enroll 176,138 acres into this program in FY2019, but funding was available to enroll just 18,534 acres (leaving more than 90% of the applications unfunded).⁵⁸

Modifying the non-federal sponsor's cost share requirement for nonstructural features would also facilitate the use of these cost-effective measures, while saving money for taxpayers and non-federal sponsors in the long term. Reducing the non-federal cost share to 25% for nonstructural features would incentivize non-federal sponsors to pursue these solutions and align the Corps' nonstructural cost-share requirements with those that apply to grant programs managed by the Federal Emergency Management Agency. Importantly, this would also save taxpayer dollars in the long term as nonstructural solutions typically cost less and do more to eliminate the risk of future flood damages than structural projects.

To facilitate the use of voluntary nonstructural measures, Congress should: (1) require the Corps to include the cost of all work required to elevate a home as a project cost (e.g., the costs to satisfy building code requirements triggered by the elevation); (2) direct the Corps to fund home buy-outs at a level equal to the pre-disaster fair market value of the home plus a supplemental payment equal to an amount that will allow the owner to purchase a comparable home in a safe location within the same county in which the home to be acquired is located; (3) ensure that renters and mobile home owners dislocated by a home buy-out receive relocation assistance; (4) clarify the Secretary's authority to transfer a portion of construction funds to another federal agency to help implement targeted nonstructural measures; and (4) reduce the non-federal cost share for nonstructural features to 25%.

4. Utilize Federal and State Expertise

Congress should ensure that Corps planners take advantage of recommendations made pursuant to the Fish and Wildlife Coordination Act that derive from the special expertise of federal and state fish and wildlife experts. This is a common-sense, cost-effective way to improve projects and planning efficiency.

The Fish and Wildlife Coordination Act has integrated federal and state fish and wildlife expert review into Corps planning since 1958. The Corps consults with the Fish and Wildlife Service (and where applicable, the National Marine Fisheries Service) on project-specific fish and wildlife impacts and on opportunities for mitigating any such impacts. State fish and wildlife agencies are encouraged to consult with the Corps on these impacts and opportunities. The Corps is required to give "full consideration" to these expert recommendations.⁵⁹

These longstanding and critically important reviews facilitate project planning by ensuring the Corps has the advantage of recommendations that derive from the special expertise of federal and state fish and wildlife experts, such as methods and metrics for assessing fish and wildlife impacts and mitigation opportunities. However, Corps planners often do not utilize these recommendations, leading to projects that cause unnecessary harm and mitigation plans that are ineffective.

Designing, building, and operating water projects to sustain fish and wildlife populations is critical to the public and the economy. Wildlife conservation contributes \$115.8 billion in total economic activity and supports more than 575,000 jobs nationwide.⁶⁰ In 2022, the public spent \$394.8 billion on wildlife recreation, \$250.2 billion

⁵⁷Buy-out awards are typically very low because they are based on the depressed home values that plague areas with chronic flooding.

⁵⁸Information provided by the USDA Natural Resource Conservation Service (just 98 applications were funded out of a total of 1,012 submitted for these states). Unfunded wetland reserve easement applications roll over from year to year.

⁵⁹16 U.S.C. § 662.

⁶⁰National Fish and Wildlife Foundation, "Conservation Economy in America: A Snapshot of Total Fish and Wildlife-Associated Direct Investments and Economic Contributions" (September 2025).

on wildlife-watching activities, \$99.4 billion on fishing, and \$45.2 billion on hunting.⁶¹ Wildlife recreation is enjoyed by tens of millions of people across the nation⁶², including:

- 22% of *Arkansas* residents (1.6 million people)
- 15% of *Georgia* residents (4.8 million people)
- 19% of *Kentucky* residents (2.5 million people)
- 26% of *Minnesota* residents (2.8 million people)
- 19% of *Missouri* residents (2.9 million people)
- 11% of *New York* residents (7.6 million people)
- 14% of *Texas* residents (11.9 million people)
- 72% of *Washington* residents (4.4 million people).

To reduce harm to fish and wildlife resources and improve planning efficiency, Congress should direct the Corps to utilize recommendations made pursuant to Fish and Wildlife Coordination Act reviews that derive from the special expertise of federal and state fish and wildlife experts to the maximum extent practicable (e.g., recommendations regarding methods and metrics for assessing wildlife impacts; assessments and determinations of those impacts, and methods for effectively mitigating those impacts). Congress should further direct the Corps to coordinate with State, Territorial, and Tribal Fish and Wildlife Agencies and ensure projects are consistent with the State Wildlife Action Plans or similar state-developed wildlife recovery plans.

5. Clarify the Need to Offset New Impacts from Operations and Maintenance

Congress should clarify the need to offset new impacts resulting from activities carried out under updated operating plans and water control manuals, as required for all Corps projects. This will protect communities and wildlife, align Corps project goals, and protect billions of dollars of federal and state investments.

The Corps has been required to offset impacts to fish and wildlife for almost 40 years, and since 2007 has been required to include a specific mitigation plan with project studies to help guide this work.⁶³ However, the Corps is not developing these mitigation plans when it updates operating plans and water control manuals for many older projects—even when the activities carried out under those plans will cause significant new harm to fish and wildlife resources and the plans will remain in place for decades. As a result, the Corps is leaving the many key benefits that could be achieved through mitigation off the table.

For example, in 2017 the Corps issued the first report in more than 40 years updating the navigation maintenance plan for a 195-mile reach known as the middle Mississippi River. That report did not include the specific mitigation plan required by WRDA 2007, despite the Corps' acknowledgement that the updated plan would destroy a substantial amount of aquatic habitat and have "a significant adverse effect on the fish community."⁶⁴

The Corps' failure to offset impacts from operations often translates into the agency working at cross purposes. The Corps is failing to offset severe damage to rivers, wetlands, and floodplains from project operations even as it works to restore those same types of habitats through hundreds of Congressionally authorized projects and studies across the country.

To redress this problem, Congress should clarify the longstanding requirement to offset new impacts to fish and wildlife resources from activities carried out after the approval of, and pursuant to, updated operating plans and water control manuals.

⁶¹ U.S. Department of the Interior, U.S. Fish and Wildlife Service, 2022 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation at 3–4 (https://www.fws.gov/sites/default/files/documents/Final_2022-National-Survey_101223-accessible-single-page.pdf).

⁶² FHWA, National Survey of Fishing, Hunting, and Wildlife-Related Recreation, State Surveys (available at <https://www.fishwildlife.org/afwa-informs/national-survey>). All participant numbers are based on participants over 16 years of age who participated in fish and wildlife recreation within their home state. All participation percentages are based on the percentage of the state population over 16 years of age.

⁶³ 33 U.S.C. § 2283(d)(1); Congressional Record Senate, S11981 September 24, 2007 (specific mitigation plans are required whenever a project is "reevaluated for any reason"); see also Congressional Record—Senate, Water Resources Development Act of 2007, May 15, 2007 at S6122.

⁶⁴ Final Supplement I to the Final Environmental Impact Statement for the Mississippi River Between The Ohio And Missouri Rivers (Regulating Works) (May 2017) at 35, 190 (the project will result in the loss of at least "1,100 acres (8%) of the remaining unstructured main channel border habitat" on top of the loss of 35% of this habitat already caused by the project) and Appendix H, at H-581 (stating mitigation is not mandatory because the SEIS "is not a report being prepared for authorization by Congress").

CONCLUSION

The National Wildlife Federation appreciates the Committee's commitment to improving Corps planning to protect and restore the nation's vital water resources for people and wildlife. We respectfully urge Congress to implement the reforms outlined in this testimony to make communities safer, ensure the best use of taxpayer dollars, and allow the nation's treasured wildlife to thrive. The National Wildlife Federation stands ready to help make these recommendations a reality. Thank you again for the opportunity to provide our recommendations for the Water Resources Development Act of 2026.

Statement of Paul Anderson, President and Chief Executive Officer, Port Tampa Bay, Submitted for the Record by Hon. Frederica S. Wilson

Mr. Chairman, thank you for the opportunity to submit testimony regarding the importance of the Committee's commitment to enact a biennial Water Resources Development Act, commonly known as WRDA. This comprehensive and bipartisan legislation is crucial for our national economic and infrastructure growth.

I am speaking not only as the past Chairman of both the American Association of Port Authorities (AAPA) and the Coalition for America's Gateways and Trade Corridors (CAGTC), a former Federal Maritime Commissioner, but most importantly as President and CEO of Port Tampa Bay. I have been afforded the opportunity to witness firsthand the tremendous benefits of WRDA's biennial funding for all of America's ports and trade gateways. Having had the ability throughout my career to advocate on behalf of hundreds of projects furthers my deep investment in the continuation of the robust project development and bipartisan support of projects that benefits all Americans through the WRDA process.

WRDA's biennial cycle enables planning and execution of vital projects, including those at Port Tampa Bay. It grants the Army Corps of Engineers authority for water infrastructure projects, ensuring maintenance of waterways, flood control, navigation, and environmental restoration. WRDA supports economic growth, protects our environment, and ensures the safety and well-being of our communities enhancing the lives of every American. Congress must continue to support this biennial legislation and provide the necessary authority to carry out important projects critical to minimizing delays in updating this infrastructure to keep up with the demands of maritime commerce.

This testimony will address the Harbor Maintenance provisions enacted in recent Water Resources Development Acts, concerns regarding the implementation of the Harbor Maintenance Trust Fund (HMTF), and the importance of continued bipartisan support as the Subcommittee begins its work toward WRDA 2026—particularly as these issues relate to Port Tampa Bay's federally authorized channel deepening project.

Port Tampa Bay is Florida's largest port by tonnage and is a critical component of the nation's federal navigation system. The Port serves as a major gateway in the Gulf, providing fuel for 45% of the State of Florida, construction materials, agricultural products, and containerized cargo that support Florida's economy and national supply chains. Port Tampa Bay's annual economic impact totals \$34 billion annually, generating \$1.2 billion in local and state tax revenue and supports 192,000 direct and indirect jobs. The federally authorized deepening of Port Tampa Bay's main ship channel from 43 feet to 47 feet is essential to maintaining navigational safety, improving operational efficiency, and accommodating the larger vessels that increasingly serve U.S. ports. The Subcommittee's longstanding leadership in advancing WRDA authorizations has been instrumental in allowing projects such as Port Tampa Bay's channel deepening to move forward.

Congress's approval of Port Tampa Bay's General Reevaluation Report (GRR) in the Water Resources Development Act of 2024 reflects the bipartisan commitment of this Subcommittee and the full Committee to modernizing the nation's navigation infrastructure. That authorization enables the U.S. Army Corps of Engineers and Port Tampa Bay to advance project design and construction, with the Port currently expending non-federal matching funds to complete the Project Development and Engineering (PD&E) phase. This partnership between Congress, the Corps, and non-federal sponsors exemplifies the WRDA model—federal authorization coupled with local investment to deliver nationally significant infrastructure.

Port Tampa Bay strongly supports the Harbor Maintenance provisions enacted in recent WRDAs, including reforms intended to ensure the full utilization of the Harbor Maintenance Trust Fund (HMTF) for its intended purpose. These provisions are critical to addressing dredging backlogs and maintaining the reliability of federally

authorized navigation channels. However, Port Tampa Bay is increasingly concerned with recent pauses and delays in the execution of U.S. Army Corps of Engineers navigation projects associated with HMTF expenditures. These disruptions undermine the certainty Congress has sought to provide through WRDA and create challenges for ports that are making substantial non-federal investments based on expected federal participation. As an example, for a project of the scale and complexity of Port Tampa Bay's channel deepening, funding predictability and timely Corps execution are essential. Delays increase costs, complicate construction sequencing, and risk diminishing the return on investments already made by the Port and its partners.

As the Subcommittee begins consideration of WRDA 2026, Port Tampa Bay respectfully urges the continuation of the bipartisan approach that has long defined WRDA. Stable authorization policy, transparent HMTF implementation, and uninterrupted navigation project delivery are essential to allowing ports to plan responsibly and leverage non-federal funding effectively. Port Tampa Bay strongly supports the Harbor Maintenance provisions enacted in recent WRDAs and appreciates the leadership of the Subcommittee on Water Resources and Environment in advancing these reforms. We respectfully request continued oversight of the Harbor Maintenance Trust Fund, timely execution of U.S. Army Corps of Engineers navigation projects, and sustained bipartisan collaboration as WRDA 2026 is developed. The successful completion and long-term maintenance of Port Tampa Bay's channel deepening project depend on these commitments, and we thank the Subcommittee for its continued support of the nation's ports and water resources infrastructure.

Mr. COLLINS. The Chair now recognizes Mr. Crawford for 5 minutes.

Mr. CRAWFORD. Thank you, Mr. Chairman.

Mr. Camillo, you probably know this better than anybody in the room or—but just for the purposes of a refresher, I am going to ask that you indulge me on this. The Water Resources Development Act of 2007 established a National Committee on Levee Safety to make recommendations to Congress on a Federal levee safety program. Although the committee submitted its recommendations in 2009, it has remained dormant since.

In 2022, the Corps and FEMA signaled plans to reestablish the committee with a scope that appeared to exceed congressional authority and limit independent recommendations, raising concerns among levee owners. All that effort was withdrawn in 2023. The Corps has indicated plans to reestablish the committee.

Levee owners report increasing top-down directives and internally developed policies from the Corps with insufficient stakeholder input, even from levee owners with a proven record of meeting Federal levee standards.

In response to this, during WRDA 2024, I submitted a request that would create a levee owner's advisory board to restore the collaborative approach to flood protection that many levee owners in my district and the larger Mississippi Valley believe has been ignored by the Corps.

That said, can you speak to the impacts that you have observed from your levee owner-operators on the failed National Committee on Levee Safety?

Mr. CAMILLO. Thanks for the question, Congressman.

Levee operators, they are on the front lines. They are out there on those levees every day. Nobody knows more, nobody knows better how to protect those levees than they do. To protect people, protect property, infrastructure, they know it. They know the risks better than anyone because they live behind those levees and they work behind those levees. Anything that gives them more involve-

ment, more oversight is going to be most welcomed by any levee operator anywhere along the Mississippi River.

To a levee district, I think they would tell you that levee safety program, Public Law 84-99, other programs, are really cutting their legs out from underneath them, that they are imposing mandates, many of them unfunded, that are just literally kicking their legs out from under them.

The CEOs, the chief engineers of those levee boards, are usually hired by elected levee board members, and those levee board members have people they need to answer to as well.

And so they are imposing those mandates to give them oversight, to give them more voice in shaping policy and management would be most welcome.

Had the Midwest Flood Control Association been in existence when you received that letter of support—I think a few years ago it was signed off on by the Mississippi Valley Flood Control Association, the Missouri River Levee and Drainage Districts, and the Association of Louisiana Levee Boards—we would have signed that letter.

Mr. CRAWFORD. Is it sufficient to say that overhauling this defunct committee and creating a levee owner's advisory board is necessary in reengaging local owner-operators of Federal levee systems to improve flood protection?

Mr. CAMILLO. Sir, I didn't quite catch the question.

Mr. CRAWFORD. I said, do you think it is sufficient to say that overhauling this defunct committee and creating a levee owner's advisory board is necessary in reengaging local owner-operators of Federal levee systems to improve flood protection?

Mr. CAMILLO. Yes, Congressman. I think that what you would need there is—I believe the old committee, when it was dissolved—even before it was dissolved—did not have—for instance, the fact it was waived, there was no accountability, no transparency there. I think that would be warranted for anything going forward.

Mr. CRAWFORD. Also, you know this very well, some of the highest rated levees in the Nation, and my levee districts, are continuously improving their levees, as you have indicated in your comments. Along the Mississippi, White, and Arkansas Rivers, you find hundreds of structurally sound and professionally managed levees. Despite that, the levee districts within my district are constantly battling FEMA and Corps due to overarching rules and regulations.

As the executive vice president of the Midwest Flood Control Association, which you represent roughly 75 levee districts yourself, can you speak on the challenges presented by FEMA and the Corps that directly impact your district's ability and the communities they protect?

Mr. CAMILLO. Yes, Congressman. So on the upper Mississippi, take this flow frequency study, for instance, we don't have the MRT project up there. It is a lot different system. It is all Public Law 84-99, if they are in any program whatsoever.

Take a flow frequency study. If you release those results, the Corps needs that data. If they study that data and they release and it changes the flow frequency, okay, the flood line, the flood profiles, without any solutions—so there is a potential solution out there that is being studied now. The last time we studied some-

thing for the upper Mississippi was 1999 that resulted in a plan that was sent to Congress in 2008, but it didn't recommend a plan. It studied a host of alternatives, but it didn't make any recommendation, yet the new flood profile was out there. So now we are getting ready to release another flood profile.

We are very happy. We have talked with the Corps, they have convinced us, we are assured that they are using the right science to develop this flow frequency study. Unlike the MRT project, if you have a flood profile change in the MRT, you automatically can just raise your levees. I am simplifying things, but you don't need additional authorization. You just have to wait in line for more appropriations. That is not the case on the upper Mississippi.

There is a tool, and that is called section 408 permissions. But the way section 408 permissions are being interpreted on the upper Mississippi River right now leaves very little room for levee raises. They will widen your levees, they will do it for relief wells, things of that sort, but going higher, they are putting so much high contingencies on that that it is really unachievable for your local levee districts.

Mr. CRAWFORD. I have to cut you off there, Mr. Camillo. I am sorry, but I have exceeded my time by a minute, so I will yield.

Mr. COLLINS. The Chair now recognizes Ms. Friedman for 5 minutes.

Ms. FRIEDMAN. Thank you, Mr. Chair. And I want to thank the witnesses for coming here and joining us today.

The projects and studies authorized by WRDA help with waterways, navigable channels, water quality, et cetera, and in my district, probably the most important one of these is the L.A. River. We have been working for years to upgrade that infrastructure to prevent flooding, which people don't remember was a huge problem in Los Angeles and sometimes still is, and we have a huge rain event coming just this week.

We are also making that river accessible to the public in building parks and bikeways along it. In fact, just a couple months ago, I brought Ranking Member Larsen, and he was really shocked to see the number of people that were using that recreation in a dense, park-poor area on a weekday afternoon. So I look forward to continuing to see that resource revitalized for my community.

And I want to come back to that, but first I want to turn to a key priority for the ports of Los Angeles, having funded the Harbor Maintenance Trust Fund with revenues from the Harbor Maintenance Tax, which is the HMT. In fact, donor ports like Long Beach account for 50 percent of all HMT revenue, yet historically, they have received less than 2 percent of HMT revenue in return. So they are donor ports and they are not getting that revenue back.

So in 2020, Congress enacted section 102 of WRDA 2020, which provided 12 percent of annual HMTF revenue for expanded uses at donor and energy ports.

Mr. HACEGABA, even though this funding was authorized in 2020, as you know, it took 4 years for the Port of Long Beach to receive a payment of \$49 million. Can you elaborate on how the port is using that funding and also what you will be using that kind of funding for in the future? Briefly, if you can do it.

Mr. HACEGABA. Thank you for your question, Congresswoman.

It is important to distinguish between the donor and energy port funding allocated through WRRDA 2014, which is continuing to be allocated. And the additional funding through that, what you referenced, section 102 for in-water expanded uses, that was authorized in WRDA 2020.

So what that means for us, the Nation's second busiest port, a massive economic engine that generates nearly 3 million jobs and moves cargo through every congressional district, what that meant for us is, in contrast, section 102 funding, which was not included in the fiscal year 2025 Corps workplan, is about \$380 million nationwide. For Long Beach, that is a difference of \$5.7 million, without section 102, versus \$49 million that we received the year prior. So you are talking about nearly a 90-percent drop in funding that is critical to keep this project that is important for national security and the national transportation system to be delivered.

Ms. FRIEDMAN. Sure. And we all saw during COVID that the ports are so essential in terms of supply chain. We saw boats not being able to get in and out and what that meant for consumers, what that meant for prices. So I look forward to engaging with my colleagues to make sure that the funds are allocated as congressionally directed.

I want to go back now to the L.A. River, and I am going to direct my questions to Ms. Ufner. I want to talk about, and it was brought up before, the deeply concerning directive that was issued on October 15 by the Department of Defense. They like to call it the Department of War because I guess they don't believe in defense or peace. But this directive requires the Corps districts to obtain approval from the Office of the Assistant Secretary of War for Legislative Affairs before engagement with Federal or State-elected officials or their staff.

Now, we have ongoing communication with the Corps all the time about issues on the L.A. River, for approval of new bridges that have been funded, for flood improvements so that we keep our communities safe. We have had several conversations with the Corps' L.A. District over the course of this year to get critical updates on ongoing projects, like the restoration project. But now they can't talk to us. They literally, under this directive, can't talk to a Member of Congress before getting signoff from the Secretary of War, which makes no sense to me at all.

I want to know from you how you think that this new bureaucracy and bloat is going to impact costs, how it is going to impact the ability to protect people from flooding, to get these funded projects done at a time when tariffs are already driving the costs up increasingly every single week, what kind of effect is this going to have?

Ms. UFNER. Thank you for your question, Congresswoman.

This could potentially have an impact definitely on the WRDA process, let alone with everyday conversations with the Corps. The challenge is, if you have all three Federal—all three partners work together on WRDA, making sure communities are safe with water, the communication is key at the end of the day, because you have to communicate what is working, what is not working.

The Corps has to have the ability to go to Congress and say, hey, here are some of the water problems within the communities, and

here are some of the non-Federal sponsors that have come to me. The non-Federal sponsors need to go to the Corps and say, hey, I am having this problem, could you help us design something where I can take to Congress. And if that leg is taken out of the equation, it may impact the future WRDA cycle.

Ms. FRIEDMAN. Thank you. Well, I am extremely concerned about the impact of this on life and safety, so I want to thank you so much for being here.

And I yield back.

Mr. COLLINS. The Chair now recognizes Mr. Babin for 5 minutes.

Dr. BABIN. Thank you so much, Mr. Chairman. Good morning, everyone. And I just want to thank all of our illustrious witnesses for being here today.

I represent Texas' 36th District, which includes numerous U.S. Army Corps of Engineers projects, such as the Houston Ship Channel, the Ike Dike, Sabine-Neches Waterway, Cedar Bayou, Anahuac Channel, and many, many others.

And, Ms. Ufner, if I could ask you the first question. As president and CEO of the National Waterways Conference, you represent non-Federal sponsors across the country who partner with the Corps and often shoulder a significant local cost for projects. Many Texas communities are frustrated by the long delays, rising costs, inconsistent Corps requirements, even after Congress has already acted.

What specific reforms should Congress prioritize in WRDA 2026 to speed up project delivery, control cost growth, and ensure non-Federal sponsors, especially in States like Texas, are not bearing unnecessary burdens once a project is authorized?

Ms. UFNER. Thank you for your question. There are existing provisions in previous WRDA bills that address ability of non-Federal sponsors to take on some responsibilities, like section 203 for the studies, 204 for the construction, 1043. In reality, these on the ground have not been working as intended because of the number of requirements that are being put on non-Federal sponsors by the Corps.

The challenge seems to be that there are maybe multiple cooks in the kitchen, and so if there is a way to give more authority or give non-Federal sponsors the ability to take on more responsibility, because at the end of the day, we want to get these projects to the finish line.

Dr. BABIN. Okay.

Ms. UFNER. And creating a win-win.

Dr. BABIN. Yes, ma'am. One real quick, if you don't mind. How important is it that WRDA 2026 focuses not just on new authorizations, but on ensuring Corps fully and consistently implements reforms that Congress has already enacted? How important is that?

Ms. UFNER. I apologize. I missed part of that question.

Dr. BABIN. Okay. How important is it that WRDA 2026 focuses not just on new authorizations, but on ensuring that the Corps fully and consistently implements what the Congress has already enacted?

Ms. UFNER. That is a great question. To your point, the ASA's office is currently going through implementation for WRDA 2024. There are a number of provisions yet to be implemented.

There are some provisions that won't need legislation, that simply need guidance or implementation, but there are definitely some that may need congressional oversight that you may want to look at how certain provisions within WRDA are working, where are the pain points, and why those pain points exist.

Dr. BABIN. Thank you. Mr. Jones, you have worked closely with the Corps on major flood protection, navigation, and port projects, and you have seen firsthand how delays and uncertainty affect local communities and private investment. From an industry and delivery standpoint, what changes to WRDA policy or Army Corps practices would most improve certainty, accelerate timelines, and reduce the risk of cost escalation for critical infrastructure projects?

Mr. JONES. Thank you, Congressman, for that question. As you were alluding to, and Julie was as well, the study requirements, Congressman, are oftentimes too rigid. The study requirements can be protracted over many years and in some cases decades, so working as best we can to reduce that timeline and to reduce the study period and ultimately get these projects into implementation is critical.

Again, working with the Corps of Engineers to understand which agency is best suited to lead the project. In all instances, perhaps it is not the Corps of Engineers. Perhaps it is a non-Federal sponsor, and giving those and ensuring that those agencies and non-Federal participants have the tools and the resources and the latitude by which to ultimately achieve the project goal.

Quite simply, not to overthink the project and to overstudy the project, but to understand what is the intent of the project, what are we trying to do to best serve our communities, and ultimately find the quickest solution. Sometimes it may involve the private sector, either through private funding, through an innovative financing mechanism, or just alternative delivery applications.

And again, just simply, Congressman, thinking outside the box and ultimately trying to achieve what the project is ultimately trying to achieve.

Dr. BABIN. Thank you, Mr. Jones. I have a couple more questions, but I will have to submit those. Thank you to the other witnesses as well.

Yield back.

Mr. COLLINS. Thank you. The Chair now recognizes Ms. Scholten for 5 minutes.

Ms. SCHOLTEN. Thank you, Chair Collins, Ranking Member Wilson. Welcome to our guests, our witnesses today. Thank you for your thoughtful preparation and helping us get a better handle on what we hope will be a very productive WRDA reauthorization process.

I come from Michigan's Third Congressional District. Proud to represent the good people of west Michigan in Congress where water is a way of life. This is so critical.

I am eager for our committee's work on what will hopefully be a seventh consecutive bipartisan Water Resources Development Act to ensure Congress is helping communities navigate local water resource challenges, boost regional economies, create jobs, and protect our natural environment. This process is inherently a collaborative effort between Congress, the Corps, and local stakeholders.

I think we all can agree that it works best when we are in communication with one another instead of having a single top-down approach from Washington that does not take local stakeholders into consideration.

However, a new Trump administration process requires approval from so-called Department of War, the Department of Defense, before local Corps districts share regional priorities for upcoming WRDA. While I am hopeful this routine exchange of information will eventually be green lit by the Department of War, I am concerned that this policy will get in the way of a robust and thoughtful WRDA 2026.

Dr. Hacegaba, can you speak to how critical it is that there is congressional coordination between Congress and the Corps district offices and local stakeholders like yourselves, how critical that is for a thoughtful WRDA process.

Mr. HACEGABA. Thank you for your question, Congresswoman. There's an old saying, teamwork makes the dream work.

Ms. SCHOLTEN. Absolutely.

Mr. HACEGABA. And when it comes to the important work before this subcommittee, it really takes next level coordination and collaboration to get things done. Case in point, the project that we are advocating here for on behalf of the Port of Long Beach, this is something that we have been talking to the Army Corps for years now.

Having their partnership, having their engagement and involvement throughout every phase of the project has brought this project to what it is now, and what we are advocating for today is in WRDA 2026 to authorize the PACR, which will help us to deliver this as quickly as possible.

Ms. SCHOLTEN. Thank you. Thank you.

Mr. Jones, it seems like you maybe wanted to say something. Invite your comment as well.

Mr. JONES. Well, I was just going to piggyback off of what he said. Again, the old saying is, all politics is local, right?

Ms. SCHOLTEN. Yes.

Mr. JONES. As we all know in this room, local knowledge of projects, boots on the ground as was talked about with levee authorities. I had the opportunity to grow up with individuals who were farmers and served on levee boards. They knew the levee systems and the flood control systems better than anyone.

Ms. SCHOLTEN. Absolutely.

Mr. JONES. I would just encourage, again, as we have talked about this morning, increased communication that is driven from boots on the ground all the way up to State oversight as well as Federal oversight.

Ms. SCHOLTEN. Absolutely. I know our office is going above and beyond being proactive, doing a lot of outreach to our local stakeholders on this issue. We invite feedback throughout this process. We have got to get this right. There is a lot at stake.

I am so proud, as I mentioned, to represent so much of the Great Lakes Water Basin, miles of Lake Michigan shoreline as well as a small workhorse harbor in Grand Haven. This harbor supports over 450 jobs and generates \$88 million annually in regional economic impact.

Earlier this year, Grand Haven's inner harbor was threatened by a potential delay in dredging, something that we know is threatening a lot of our waterways. A delayed dredging cycle could have increased shipping costs by upwards of 30 percent at a time of already crippling inflation and disrupted supply chains, could have resulted in an estimated to \$3 to \$5 million in additional costs that would have been passed down to hard-working families in west Michigan and across the country.

While I was able to work alongside the Corps as well as State and local leaders, again, those local politics, teamwork making the dream work, to ensure the project proceeded on schedule, this story emphasizes how critical the Corps' work truly is and the good deal of work that Members of Congress have to do to ensure that these projects continue to move forward.

That is why it is so concerning to me that the Trump administration has proposed over \$2 billion in funding cuts to the Corps. The President's budget also requests a 15-percent reduction to Corps construction and a staggering 58-percent slash to operations and maintenance activities. We simply can't afford not to keep these dredging cycles on schedule.

Ms. Ufner, can you touch on the importance of reliable robust funding to ensure that ports like mine back home in Grand Haven and those throughout the Nation can remain operational and best support local economies to keep our supply chains moving.

Ms. UFNER. We do support robust funding for these purposes. Thank you.

Ms. SCHOLTEN. Thank you. Agree that it is essential to make sure that we keep the funding levels where they are. Fantastic. I am seeing a nod. I will take that as an affirmative yes. One thing that I am incredibly passionate about is permitting reform.

I apologize. I got so excited, Mr. Collins.

Mr. COLLINS. Good.

Ms. SCHOLTEN. I will yield back. I will submit my question for the record.

Mr. COLLINS. There you go. The Chair now recognizes Mr. Bost for 5 minutes.

Mr. BOST. Thank you, Mr. Chair.

Mr. Camillo, I am going to say these things, but I don't have to tell you this. I think you know my district just as well as I do since you live there. My district in southern Illinois has three separate navigable waterways with everything that is on the Mississippi almost to St. Louis, everything on the Ohio as long as it touches the State of Illinois, and then the Kaskaskia.

With that being said, our levee systems are vitally important for protecting farmlands, homes, and communities. We all know how to stack sandbags. We all know how to fill sandbags. We know what the importance of our levee systems are and the concerns that we have. While I appreciate the work of the Corps and what it does to help ensure the waterways are safe and functioning, I have heard a lot of concerns from constituents about the potential impact that the flow frequency study could have on flood insurance and levee certification for levee districts on the river.

Do you share those concerns, and can you provide an example of impacts that could be affected if the profile changes?

Mr. CAMILLO. Yes. Thanks, Congressman, for the question. So there are two different areas I would touch on. First is agriculture. A lot of our levee districts in your region especially are agricultural, and you are looking at around, on average, about 15,000 acres per levee district.

There are some that are 10, some that are 25, but around 15. In talking with the levee operators there, if they were to lose their 50-year flood—their flood status on the 50 years, if that drops below there, they are looking at anywhere from \$1,000 to \$2,000 per acre so that is \$15 to \$30 million per acre at a time when the ag industry is kind of suffering the way it is.

On the flip side of that, the urban areas, the Metro East, Southwestern Illinois Flood Prevention District, I think a sliver of that is in your district. That levee district protects 150,000 people in 25 different communities, parts of Interstate 55, parts of Interstate 64, parts of Interstate 70, all those refineries over there in Hartford and Roxana.

It protects about \$18 billion, 60,000 jobs and \$18 billion in property values. If they were to lose their 500-year accreditation status, we are looking at a 20- to 30-percent drop in property values. That is a \$3.6 to \$5.4 billion drop in property values.

Mr. BOST. Well, additionally, can you kind of speak to the importance of—I know what the problems are, but as far as flood protection levee districts as it relates to navigation, like what we have had the problem with whenever the Len Small levee blew in the—they still call it the holiday flood, but it was no holiday for me.

Mr. CAMILLO. Yes, sir. I am familiar with that issue as well. Look, navigation improvements and flood control, it is a symbiotic relationship. You can't have one without the other.

The navigation, the improvements for navigation, the improvements for flood control, they work together in tandem like the wheels of a bicycle making sure everything operates. So you have revetments and dikes, those protect the levees from scour. You have the levees. Without the levees, that river would run bluff to bluff, and so the two work together to lock that channel into place to make it usable at high water and low water.

Mr. BOST. Yes. So my other question I have got here is, and concerns deal with the fact that a lot of our—we talked about the ag areas. When the levee systems were put up and the levee districts were created, property tax in the State of Illinois is what was used to try to keep and maintain the levees.

Unfortunately, that works in a community like a municipality that can have the property tax level they need to repair those. Do you have any suggestions on what we would do in the future with my ag levees? Because they are barely able to keep them up because of that.

Mr. CAMILLO. You are talking about individual agricultural levees?

Mr. BOST. No, no. I am talking about the levees that need to be improved in our levee districts that usually have ag land that pay their taxes.

Mr. CAMILLO. If they lose those property values and their property taxes go down, that is less money that they are going to have to maintain and operate those levees themselves because they have

a lot of—if there is a repair, there is a cost share that comes into it if there is a flood, but for the most part, they are maintaining this, operating this 365 on their own dollars. That makes that levee less safe if they don't have the money to maintain and operate it properly.

Mr. BOST. I appreciate that. My time is about expired, and I will yield back.

Mr. COLLINS. The Chair now recognizes Ms. Pou for 5 minutes.

Ms. POU. Thank you, Mr. Chairman. First, let me just thank each and every one of our witnesses for your testimony. Let me also thank Chairman Collins and Ranking Member Wilson for holding this very important hearing today.

My home State of New Jersey depends on waterways, ports, and flood protection to stay economically competitive. From the Passaic River to the Meadowlands, our communities are grappling with aging infrastructure, rising flood risk, and clogged navigation channels that threaten safety and economic growth. This is to say nothing of critical decades-old flood mitigation projects that remain in limbo.

Maintaining safe navigation in these waterways is no easy feat. It requires a functioning Federal Government to collaborate with State and local government to ensure that community needs are addressed.

Last year, we saw the Port Authority of New York and New Jersey partner with the U.S. Army Corps of Engineers to make substantial improvements for the port's berth maintenance dredging, the berth's rehabilitation, and the berth's reconstruction.

If we are to build on this success, then a fresh bipartisan WRDA must continue to equip communities with the tools to deliver the long-term solutions for modern, resilient ports, waterways, and flooding infrastructure.

I have two questions, and I hope to be able to get to them very quickly. First question, Mr. Hacegaba, as COO of one of the largest, busiest ports in the Nation, you have firsthand experience managing large-scale navigation infrastructure.

As a Representative of New Jersey, home to the New York and New Jersey Port Authority, I am particularly interested in how Federal cost-sharing requirements affect port planning. Under WRDA 1986, non-Federal sponsors of navigation channel improvement must repay an additional 10 percent of the total project cost at the end of the construction to cover the U.S. Army Corps' administrative expenses.

My question to you is how does the requirement to repay affect your ability to plan, finance, and budget for harbor deepening projects?

Mr. HACEGABA. Congresswoman, thank you very much for your question and your interest in ports. I like to say that before the pandemic, ports were invisible, and all of a sudden they were thrust into the spotlight, and all of a sudden they are famous, right?

I think it is fair to say that investments in ports like ours and the one that you represent, New York-New Jersey are investments in the Nation's economy and Nation's transportation system.

And when it comes to these investments, we can't do it alone. We rely on deep partnerships with Federal agencies, and WRDA has become instrumental in our ability to deliver these projects that not only deepen and widen channels, but enable us to move more cargo, and the more cargo we move through our port, the more cargo we can shift to every single congressional district and the better we can serve the American people.

Ms. POU. Absolutely. Absolutely. Thank you for that.

In your testimony, you point out the unequal distribution of donors and energy transfer allocations at the Port of Long Beach. This is a concern that I share with our port authority which didn't receive this funding in 2023 and in 2025.

So how would a 12-percent Harbor Maintenance Trust Fund allocation for donor and energy transfer ports build your capacity and what kind of financial return on the investment do you foresee for the HMTs?

Mr. HACEGABA. Thank you for that question, Congresswoman. So for the Port of Long Beach, we generate about \$400 million in HMT revenues a year.

We estimate we get about 2 to 3 percent back, so that gives you a sense of the inequity in terms of how much we generate versus what we get, and when you look at the projects that we are collaborating with the Army Corps on, for example, those funds are necessary to deliver these projects that are critical to the Nation's security and to the American economy.

Ms. POU. Thank you. Thank you so very much.

Thank you, Mr. Chairman. I yield back.

Mr. TAYLOR [presiding]. The gentlelady yields. Representative Burlison is recognized for 5 minutes.

Mr. BURLISON. Ms. Ufner, in your testimony, you highlighted a key challenge that non-Federal sponsors frequently encounter when it comes to attempting to deliver water resource projects in a timely way, apparently, the internal governance structure of the Army Corps of Engineers. Can you shed some light on how the internal governance of the Corps has contributed to these delays?

Ms. UFNER. It is probably very similar to Congress when you have committees, subcommittees, and—oh, this is a new one, subcommittees with the districts, the committees with the divisions, and of course Congress with headquarters, so it is about consulting with all levels to make sure that things are aligned.

And there are entities who may have different views about what should be required, and sometimes that is where a lot of the challenges come with non-Federal sponsors. This back and forth about what is feasible within their Project Partnership Agreement and what is not, so that is what is causing some of the delays.

Mr. BURLISON. So would you say that they are operating in a way that is kind of top-down? They actually take direction from the top or the local agencies, or is somewhere along the line the direction and the message getting lost by the time it actually gets to the local office?

Ms. UFNER. It may depend on the issue, but there are definitely—there are chains of command that go up and back down about—there are more efforts from the Federal level headquarters to delegate more to the districts. Sometimes the question be-

comes—there has been a number of staff turnover also at USACE where there is a lot more uncertainty there and the checks and balances within the agency.

Mr. BURLISON. How have these internal delays impacted the costs and actually the people that need these resources?

Ms. UFNER. Whether it be permitting, studies, projects, we have found that there have been numerous delays where if something might have been estimated to take several months but may take several years to even get approval. Earlier in the testimony, I talked about section 203, 204. Those authorities ideally should be a quick turnaround and it could take several years to get.

Mr. BURLISON. It is unfortunate.

Ms. UFNER. But the whole process is very complex.

Mr. BURLISON. Thank you.

Mr. Jones, in your testimony, you emphasize that expanding private-sector partnerships is essential to addressing our Nation's growing water resource challenges. Can you expand on how these private-sector partnerships could play an important role?

Mr. JONES. Thank you, Congressman, for the question. Yes, as I said in my testimony and earlier, P3s do have a role to play here. Oftentimes, the ability to bring private capital to bear on a project oftentimes has the potential to accelerate those projects.

Public-private partnerships are not a silver bullet for delivery. We know that. But there are many water resources projects where it has proven to be successful. The Corps, in fact, has piloted the implementation and the execution of public-private partnerships and water resources already and with great success. I would encourage the subcommittee as you are looking at the next WRDA legislation to further encourage the utilization of P3s in this space.

Mr. BURLISON. Thank you.

Mr. Hacegaba, in your testimony, you emphasized that WRDA plays a critical role in strengthening our economy. Its impact is clear to me from my home State of Missouri. Just in the year 2024 alone, we exported approximately \$401 million in soybeans alone, contributing to, I think, a total of \$3 billion in exports, even though Missouri is a landlocked State. We have tremendous rivers.

Can you elaborate on how important WRDA is in maintaining our strong U.S. supply chain and the economies even for States like Missouri?

Mr. HACEGABA. Thank you for that question, Congressman, critically important. By deepening and widening our channels, we can handle more of your soybeans, export those to global markets, and that strengthens jobs and Missouri's economy, and it strengthens the Nation's economy.

Mr. BURLISON. Thank you. Appreciate your testimony.

I yield back.

Mr. TAYLOR. Gentleman yields. The Chair recognizes Ms. Norton for 5 minutes.

Ms. NORTON. Thank you.

Dr. Hacegaba, your testimony highlighted how the Water Resources Development Act plays a critical role in strengthening national security. I agree with you.

The Potomac River is the only source of drinking water for the Nation's Capital. The Army Corps of Engineers produces the drink-

ing water for the Nation's Capital, which has only 1 day of backup water supply. If the river becomes unusable for drinking water, which could happen at any time, whether through manmade or mutual events, national security, the operations of the Federal Government, DC residents, and the National Capital region's economy would be at risk.

What are the risks to national security with the Nation's Capital having only one source of drinking water and only 1 day of backup water supply?

Mr. HACEGABA. Congresswoman, thank you very much for your question. The Port of Long Beach is one of 18 federally designated commercial strategic seaports. This is one of the fundamental reasons why what happens in our port affects the Nation's security.

But I can also tell you that WRDA is instrumental in helping ports like ours, especially donor ports, energy transfer ports deepen and widen channels to accommodate more cargo, and those cargo flows feed into the Nation's economy, and this is why it is critically important that we continue to invest in ports like ours in order to continue strengthening the Nation's security.

Ms. NORTON. Thank you.

Ms. Ufner, in your testimony, you discussed the benefits of flood risk reduction and stream restoration projects and the importance of maintaining steady progress for these projects once authorized. With the increase in extreme weather events, including heavy rains due to climate change, how important is it that Congress provide full funding projects?

Ms. UFNER. Thank you for the question. To me, this is almost a twofold answer that, first off, authorization to address these issues is really, really important, and each community, as you know from being in DC, has their own unique challenges, and appropriations are very important.

When we talk about water projects, at least from our non-Federal sponsors standpoint, we are often seeing a disconnect between authorization and appropriations because of the amount of funds that are available. The water needs within our communities are significant and the need to fund them also exists.

Ms. NORTON. Ms. Ufner, what steps can Congress take to prioritize the construction of these projects?

Ms. UFNER. From within the local communities, correct, Congresswoman? On what Congress should do to—

Ms. NORTON. Yes.

Ms. UFNER. Congress really should consider looking at provisions that they have passed in previous WRDA bills to assess what is working to address the needs within local communities, and if something is not working, really dig into the reasons why to determine how we can move forward, because at the end of the day, all of our communities just want to be safe and have a reliable supply of drinking water.

Ms. NORTON. Thank you. I yield back.

Mr. TAYLOR. Thank you. The gentlelady yields. The Chair recognizes Representative Mast for 5 minutes.

Mr. MAST. Thank you, Chairman. I appreciate that greatly.

I want to thank you all for your testimony today. Little bit of it I caught in person. A little bit of it I caught on the screen, but I

appreciate all the testimony. I have some questions for you, Ms. Ufner, and the rest of the panel in part, but we will see. Would you say that every community has their own individual needs? You recognize that? I think we all can, right? You have seen one community, you have seen one community, or just simply put, would you say all communities have the same needs? Frank and obvious question.

Ms. UFNER. Simple answer. We have always said if you have seen one port, one levee district, you have seen one port or levee district.

Mr. MAST. Right. They are all unique. They have unique Representatives, unique stakeholders, unique ecological inputs. They are all unique. So I deal a lot with Lake Okeechobee in the State of Florida managed by the Army Corps of Engineers based on an operations schedule called LOSOM: Lake Okeechobee System Operating Manual.

The schedule dictates charges based on lake level, weather forecasting, safety, time of year, what the levels of the lake are right at that time, a host of different things.

And in certain circumstances, the Army Corps of Engineers will open gates, send water through the St. Lucie River and the Caloosahatchee Canal, these are two separate sides of this lake, into estuaries which are described as beneficial by the Army Corps of Engineers.

So when you look at that, except transfers to the St. Lucie Estuary, they are not beneficial, they are not essential, they actually don't do anything good for our community. We want zero. And you go to the other side of the State and they want some of those discharges. It is a good thing for them. It goes to the point of if you have seen one, you have seen one.

So my constituents, they don't want to get harmed by this. Currently folks on the west, they are begging for water transfers because they don't have enough water. Like I said, my community is saying don't give us any water, none of it is beneficial to us.

So do you think the Corps should listen to local people and include their feedback to determine what is beneficial, impactful, or harmful when it comes to water quality and environmental protections?

Ms. UFNER. Communication is really key, and if the Corps is partnering with local communities, that is when the listening and the coordinating becomes really important, and we can take the top-up or the top-down approach to this, and it has always been NWC's perspective that the local communities understand their local needs the best and that is what communications need to occur.

Mr. MAST. Yes. Fair enough.

Doctor, how are you doing today?

Mr. HACEGABA. Very well, Congressman. Thank you.

Mr. MAST. Good. Glad to hear it. Are there divers operating in the Port of Long Beach at any given time inspecting things such as vessel hulls and divers operating there, inspecting hulls and moorings, things like that?

Mr. HACEGABA. The short answer is yes, Congressman, there are divers, yes.

Mr. MAST. Seems obvious, right? If these inspections couldn't be undertaken because the divers couldn't see their hand in front of their face due to water quality—I know a lot of different water bodies, different water qualities—would the port have to shut down?

Mr. HACEGABA. Well, anything that gets in the way of commerce or anything that gets in the way of life, human safety would be a cause for concern, and we would evaluate in coordination with the U.S. Coast Guard.

Mr. MAST. There you go. I think you pointed to it well, right? Anything that is a cause for safety is something that we need to be looking at. I deal with it in my community. Again, we are supposed to have Bahama blue water in our area. We get nasty discharges out of this lake that end up making it look like guacamole, and I mean that literally. Sometimes it is so thick that birds can walk on top of it, fish get suspended in it because of what they discharge unnecessarily into my community. Thank you all again for your testimony today. I wish you all the best.

Yield back.

Mr. TAYLOR. Thank you. The gentleman yields back. The Chair recognizes the gentlelady from the great State of Ohio, Ms. Sykes for 5 minutes.

Mrs. SYKES. Thank you very much and looking forward to discussing some of the local projects that we have in my community in Ohio's 13th Congressional District, and thank you, one, for your patience and your time today to all of our witnesses.

So as I said, I am from Ohio's 13th District in northeast Ohio, and we have areas like Peninsula, Boston Township, Boston Heights, and the residential areas neighboring the Cuyahoga Valley National Park.

These areas are expanding, which is fantastic, because it is the best place on Earth, of course, but this level of expansion does require smaller communities to modernize their water systems to provide accessible and affordable water and sewer services to their residents. And it helps to incentivize businesses to move into and invest in the communities, but we know how hard it is for a municipality, especially small ones, to acquire their own water treatment facilities.

I often tell a story about a local mayor when I was first elected and I asked him what can I do to help, and he looked at me and he said, "I don't know, because no one's ever asked me that question."

In a couple of months, he figured it out and has been asking me, thankfully, for a lot of support, which has mostly been around water and sewer projects. And so in 2024, I was able to secure two WRDA authorizations, one for Summit County and one for Stark County, and despite these efforts, my appropriation requests for these were not included in this year's appropriations.

I understand my grievance regarding appropriations is not adequate for this particular panel or committee, but it is still worth stating that when a community who expects these resources to come, who quite literally said no one has ever asked me how I can help you, we provide the help, but then they are not funded, it is pretty devastating and unfortunate.

And so my question for you, Ms. Ufner, is I know you are mostly non-Federal sponsors of Corps of Engineers projects, but can you talk a little bit about how critical the funding part is? I mean, it is great that we authorize the language, but the funding, I see, Mr. Jones, you are nodding, too, so please jump in after Ms. Ufner.

Ms. UFNER. Yes, the funding is important. I do want to take a step back here, because this is one of the things that we really hear commonly with our non-Federal sponsors or potential non-Federal sponsors. We got money in WRDA, when are we going to get it, and I really think it is partially an educational process, taking a step back on behalf of all of us saying, okay, we got money in WRDA, now we have to go to appropriations and really frame all over again why this project is so important to the community.

Mrs. SYKES. Mr. Jones.

Thank you.

Mr. JONES. Thank you, Congresswoman. You saw me nodding there. Look, obviously, the difference in authorization and appropriation is critical, right? And most Americans don't realize that construction new start appropriations is another significant hurdle that can take years, sometimes decades after a project is authorized, and so there is a false sense of hope that once an authorization is cleared and there are opportunities to talk about that with the public, the public expects that that project is going to construction oftentimes months after that authorization, and that is oftentimes not the case, right? As you have alluded to.

These authorizations sometimes result in inhibiting projects from being funded from other sources, and I think that is an opportunity for this committee to consider in WRDA 2026.

In other cases, authorizations actually prohibit funds from other sources being directed towards that project. Particularly around mitigation, funding sources come in from FEMA or CDBG disaster recovery, Department of Agriculture, and so forth.

And finally, there should be an incentive, I believe, to commit other sources of funds, whether Federal or non-Federal, to these projects in order to ultimately achieve the schedule that is desired and expected by the public.

Mrs. SYKES. Fantastic. Thank you so much. Thank you both for answering that question, because it just goes to show how complicated this is, and I have heard several of my colleagues complain about the bureaucracy of this process, which is really harming and raising the cost of many.

I will very quickly turn everyone's attention to Mr. Camillo. I have a question for you. The city of Massillon, which is in my district, they have repeatedly and I have repeatedly discussed in this subcommittee desperate funding needs for a sluice gate replacement.

Again, I know this is not an Appropriations Committee, but still, in that bureaucracy, we have been having a hard time getting answers for them to be assisted, and quite literally, I am not willing to stand by and wait for a disaster.

So, Mr. Camillo, you have a lot of experience with this type of infrastructure. What are your insights as to what my community could experience in the event that this is not taken care of?

Mr. CAMILLO. The appropriations process is always a challenge because of prioritization, and there is only so much funding to go around. We recommend a lot of times for our local levee districts to see what is available through the States.

For fixing gates, the local State FEMA is sometimes of assistance to those. There are other programs within the State that we have them reach out and try until the Federal process comes through.

Mrs. SYKES. Thank you for extending me a little extra time. I yield back.

Mr. TAYLOR. The gentlelady yields. The Chair recognizes Representative Westerman for 5 minutes.

Mr. WESTERMAN. Thank you, Chairman, and thank you to all the witnesses for being here today. I have great respect for this process having served as the ranking member on the subcommittee and working through a WRDA bill a few years ago, so this is exciting, because it is usually something we can come together and agree on.

Ms. Ufner, as you mentioned in your testimony, Congress is best able to deliver effective, timely, and locally driven WRDA reauthorizations when Federal and non-Federal partners collaborate and engage in conversations, hopefully like the one that we are having here today.

As you may be aware, in 2024, the U.S. Army Corps of Engineers recreation sites welcomed approximately 260 million visitors nationwide, including millions across Arkansas. As chair of the Natural Resources Committee, I think those numbers dwarf the number of visitors to our national parks, even.

Corps-managed lakes and parks such as those surrounding Lakes Ouachita, DeGray, and Greeson are cornerstones of our tourism economy and our outdoor heritage. These sites are not only vital to local economies, they also provide safe, affordable access to public lands for fishing, boating, and camping. However, many of these areas are facing aging infrastructure and significant deferred maintenance.

Additionally, fees collected onsite are not always reinvested in the locations where they are generated, and as we look toward the 2026 WRDA bill, what opportunities do you see to prioritize the maintenance and modernization of recreation facilities in naturally rich States like Arkansas and across the country?

Ms. UFNER. Thank you, Congressman, for your support and your question. Aging infrastructure is a huge issue across the board, not only for recreation, but for ports, flood control, water districts, and it is just an ongoing issue that is a very complex situation, because in some cases you have Federal regulations that also may impact the aging infrastructure as well as how to obtain funding for it, so it is about identifying those two parts: permits, sometimes, and funding issues.

And to Mr. Camillo's point that there is a priority of deciding what is going to be funded, so it is about identifying the challenges that are out there and directly going after them.

Mr. WESTERMAN. So you mentioned permits, and I can't let that pass without talking about the need for permitting reform. Could permitting reform help stretch our recreation infrastructure dollars further?

Ms. UFNER. The question was does permitting reform help stretch—

Mr. WESTERMAN. Could permitting reform help stretch our recreation infrastructure dollars further on Corps facilities? Or maybe another way to answer that, does it take a long time to get a permit and add cost to the project?

Ms. UFNER. You must have heard my thought pattern behind this. If it does take a long time to get a permit and there are a multitude of requirements, when you are talking about non-Federal sponsors, they have a limited amount of money to deal with, because they are also funded by the communities that they serve. So the longer the permit process goes, the more requirements, the more that they may have to hire consultants to do this, so anything that helps them streamline to get a project off the ground is helpful.

Mr. WESTERMAN. I am just thinking back, when I first came to Congress, Lake Ouachita is one of my favorite places to recreate. It is where I grew up. There was a local organization that volunteered to do maintenance, to pick up trash, and all they wanted to do was make things better, and they were told they had to cease and desist. They couldn't do that because the regulations wouldn't allow them to help make the place better.

We did get a little bit of relief on that, but it is still a problem. That is something I think we need to address here in Congress.

I could spend the whole time talking about recreation and permitting, but also, I have a lot of major waterways in my district, including the Arkansas, the Red River, and the Ouachita River.

Many of the levee districts along these rivers face challenges in maintaining their levees in accordance with the Corps system of guidelines. So we have these levees run through very rural areas and we have limited resources to be able to keep the levees up in the condition that they need to be in, which creates a safety issue. And then we will have a big flood and the levee washes out and everybody is standing around trying to figure out who is going to fix the levee. The local levee district probably is responsible for it, but the local levee district has no funding to fix it.

So I will just ask the whole panel, do you see any opportunity for collaboration between Federal and non-Federal partners to address the safety issues being faced by our rural levee districts in these communities? Mr. Camillo, would you like to go first?

Mr. CAMILLO. Again, those folks are down there walking every day on those levees. They know what is needed, and you are right, there is—when I talk to our levee districts, the challenge is that a lot of the unfunded mandates, if they belong to the P.L. 84-99 program, for instance, it is making it almost unaffordable. And I think our fear in our area is that more and more levee districts are going to be withdrawing from that program if the cost is all of a sudden outweighing the benefit of being into those systems. So there just needs to be some relief on the unfunded mandates.

Mr. WESTERMAN. And with an engineering background, I have always believed it to be true that good maintenance pays for itself over time. If you can keep these levees up and they don't fail, then the cost is much less than after these levees fail and destroy prop-

erty outside the levee, plus then you have got the cost of rebuilding the levee.

Mr. Jones, did you have more to add?

Mr. JONES. Thank you, Congressman. Prior to you walking in, I commented that I grew up in a rural area on the banks of the Mississippi River and the Atchafalaya River, so I understand these rural levee systems very well. I believe there are opportunities, again, for programs dedicated specifically to these rural communities that do face these significant maintenance and capital project costs.

Another opportunity is to consider based on the risk not to over—and I say this with all due respect to the engineering community of which I work—not to overdesign projects that ultimately raise the cost of them beyond the point of achievement, again, for the sake of overdesign, for a risk that may never actually occur. And so I think there are opportunities in that regard, too, to understand what the real risk is and design to that likelihood.

Mr. WESTERMAN. Mr. Chairman, you have been overly generous. I didn't realize the time was going the wrong way there. I yield back.

Mr. TAYLOR. No problem at all. Gentleman yields. The Chair will recognize itself for 5 minutes of questioning.

First of all, I want to thank the witnesses for being here, not just for your time and expertise, but for the sacrifices you all made to be here with us, and that doesn't go unnoticed, and it is very appreciated.

Many communities in my district still lack adequate drinking water infrastructure, and with the Ohio River running right along my district, looking forward to reauthorizing WRDA this Congress. From removing regulatory barriers to investing in water infrastructure, there is a lot of work to be done which could benefit southern Ohio.

Mr. Jones, I will turn to you first. We have seen that public-private partnerships have historically led to both faster project delivery and lower costs for taxpayers. The Army Corps has seen those same benefits with projects during a pilot program that specializes in public-private partnerships.

Through just four projects, the pilot program saved over \$500 million in more than 23 years of time. So, Mr. Jones, if this program were to be reauthorized in the upcoming WRDA, how could Congress improve these public-private partnerships to further save taxpayer dollars and deliver these projects in a more timely fashion?

Mr. JONES. Thank you for the question, Congressman. As you alluded to, talk about the use of P3s in the water resources space, critically important tool in the toolbox. I would encourage us to use it as much as possible as this subcommittee and Congress looks to move to the next reauthorization of WRDA.

I would encourage you to expand that authority. There have been pilot projects and projects that you have alluded to that have been very successfully executed.

Again, this is not a silver bullet. It is not made for every project, but for those projects that do have the ability to generate revenue

and use that revenue to accelerate construction, we should be looking for that opportunity.

We see this across the economy, whether it is in transportation or in private commercial construction and now with the development of AI and data centers and the like, and water resources shouldn't be any different. There are opportunities to leverage the private sector and private capital to accelerate construction, again, saving time and ultimately saving money. It seems like a no-brainer to do so.

Mr. TAYLOR. Thank you. In 2016, the Army Corps conducted a risk assessment of the Portsmouth-New Boston Levee System in which the evaluation identified the levee to be at high risk. Behind the levee, there are 11,000 of my constituents and 26 critical structures that serve the needs of the community.

While I am grateful that funding was obtained in 2022, high-risk infrastructure should not be forgotten in areas prone to flooding, especially along the Ohio River.

I was dismayed to hear in your testimony, Ms. Ufner, that this instance is not uncommon, that the rehabilitation and inspection program is not being used properly to provide repairs for flood damaged levees, but rather more prospective planning and compliance framework.

Ms. Ufner, in the upcoming WRDA reauthorization, how can Congress reform this program so that levees can be repaired before a major flooding event occurs?

Ms. UFNER. Thank you for your question. At the bottom line, I think communication really needs to occur to find out what the specific problem is with the levees, and I will tell you all of our non-Federal sponsors are telling us different challenges within the districts that they may have.

There is a huge concern with the permitting and the unfunded mandates and the new requirements, and there seems to be sometimes shifting of responsibilities that haven't been there before, and so it is just making it clear that the responsibilities under the statutory language are correct.

Mr. TAYLOR. Okay. Thank you. So in a situation like this one where it is deemed to be a very high risk in 2016 and it is not funded until 2022, you put that up to more of a permitting delay problem than a communication problem?

Ms. UFNER. I am sorry, I missed part of the question.

Mr. TAYLOR. Oh, that's okay. In this situation we are talking about, it was a project that was recognized as high risk 6 years before it was funded, so would you say that is more of a failure of the permitting process than of a lapse in communication?

Ms. UFNER. Well, if it is a funded issue, it is tied to the whole appropriations, correct? So there is a delay between the authorization and appropriations, and that is an ongoing issue and that is by the nature of the beast of how WRDA works in one committee and appropriations in another. And to your point, if it is a high hazard, communicating it to the Appropriations Committee and then assessing what the priorities are.

Mr. TAYLOR. Okay. Thank you. I have used up my time. I am going to behave since I let everybody else have extra.

The Chair recognizes Representative Figures for 5 minutes.

Mr. FIGURES. Thank you. Thank you to all the witnesses for being here. You're getting to the end of the line here, so congratulations. I represent the Second Congressional District of Alabama, which includes the Port of Mobile, which is now the deepest port in the gulf thanks to the recent completion a couple months ago of a significant dredging process that got our port down to a depth of, I believe, about 48 feet now, and so I come here with that perspective.

So I approach water resources policy with a focus on how congressional decisions translate into real impacts for ports, the workers there, communities that depend on reliable maritime infrastructure, and ports like Mobile and obviously ports that you guys work with and represent, they rely on long-term planning.

They make multiyear capital investments based on the expectation that when Congress sets policy and provides direction through the Water Resources Development Act, that direction will be carried out as intended and that the dollars will flow therefrom to support those directives.

Congress was explicit in WRDA 2020 about fully utilizing the Harbor Maintenance Trust Fund and expanding eligible uses of those dollars, including for donor and energy transfer ports.

Yet this administration's budget and workplans, as has been discussed throughout the hearing, have underfunded dredging and zeroed out those expanded uses, and I represent a port that is, you know, I make the case that we are the most recent beneficiary, biggest beneficiary of significant dredging investments, and so it is critical that we hold the administration accountable for this and try to change this going forward with WRDA.

Dr. HACEGABA, from a port operator's perspective, can you explain how deviating from clear congressional intent on the Harbor Maintenance Trust Fund affects a port's ability to plan, invest, and remain competitive?

And in particular, if you could put yourself in the shoes of the Mobile Port, I know you work in Long Beach, but a port now that has significantly enhanced its capacity to be able to import and export goods into this country. They are doing that obviously for the first time, and so there is a lot of planning, strategic planning that goes into that, a lot of expectations that go into that. Can you explain what sort of uncertainty you would feel, knowing the need for the dredging?

Not sure how familiar you are with the geography of Mobile Bay and the Gulf of Mexico, but there is a lot of sediment at the end in Mobile Bay that travels down literally from throughout this country, so can you explain how this environment would affect you approaching that job.

Mr. HACEGABA. Certainly, and thank you for your question, Congressman. As a matter of fact, I have been to Mobile and was very impressed. It was during the summer, so it is hard to forget my visit, but have been very impressed with the development and the growth that I have seen from afar in your port, and you are exactly right.

This is how critical your work as a subcommittee is in funding these projects. Any time you enable ports like Mobile or Long Beach or ports across the Nation to deepen, to widen their chan-

nels, improve navigational safety, increase capacity, you are basically investing in the national economy. You are fortifying national security.

For us at the Port of Long Beach, projects take many years to design, develop, finance, deliver, and it is critically important that we have a predictable and certain funding stream in order to be able to deliver projects on time.

In earlier commentary, it was talked about the necessity to streamline the permitting process, because as we all know, time is money, and as projects get delayed, costs only go up, and so it becomes critically important to deliver these projects as quickly as possible. That is the reason why we at the Port of Long Beach support full authorization of HMT revenues. This is why we support and are asking for equitable funding for donor and energy ports.

Mr. FIGURES. Thank you.

Ms. Ufner, locks and dams. I represent in my district the Black Warrior/Tombigbee River Waterway, which needs significant repairs, replacements, and maintenance in the lock and dam system. Can you talk a little bit about that. I don't know—I apologize if I missed it when I stepped out, but I don't know if we have talked in depth about the need for that type of funding and that type of support as we are going forward.

Ms. UFNER. One of our members, Tombigbee. There is such incredible need for funding across the board in the water realm, and I know we keep on stressing it, whether it be locks and dams, ports, et cetera, but the locks and dams especially are extremely important to the inland waterway to really move goods to market.

And when you look at the Midwest, especially along Mississippi or Pennsylvania or all the other areas and the amount of goods that go to and from, really support our national economy, and equal funding for that to make sure that we remain strong and that we can address these aging infrastructure to make sure that the economy and the communities are safe.

Mr. FIGURES. Thank you. I yield back, Mr. Chair.

Mr. TAYLOR. Thank you. The gentleman yields. The Chair recognizes Representative Kiley for 5 minutes.

Mr. KILEY OF CALIFORNIA. Thank you, Mr. Chair.

Ms. Ufner, I wanted to ask you about an issue we have been dealing with in my district, because I suspect that maybe it is not the only area where this has occurred and perhaps there might be an opportunity to fix the larger issue.

So the town of Roseville in my district had a project authorized under WRDA 2022, under Section 219, Environmental Infrastructure. Congress then appropriated \$75,000 in the relevant appropriations bill for fiscal year 2023 for the project, but since then, the town has had a hard time working with the Army Corps on getting the project off the ground. And I am concerned, and growing increasingly concerned, that the Corps doesn't have clear, uniform procedures to support local communities, to support them in allowing them to proceed with project implementation.

So I think it would probably be helpful if the Corps could issue clearer guidance that the district offices across the Nation would follow.

So I wanted to ask you, have you heard of other authorized projects having trouble implementing Section 219, Environmental Infrastructure projects, and do you think the Corps could issue clearer guidance to district offices across the country?

Ms. UFNER. Congressman, if it is okay, I would love to get back to you on that answer.

Mr. KILEY OF CALIFORNIA. That would be great. Thank you. I don't know if any other witnesses have thoughts.

[No response.]

Mr. KILEY OF CALIFORNIA. Thank you very much. I yield back.

Mr. TAYLOR. The gentleman yields.

The Chair recognizes Mr. Garcia for 5 minutes.

Mr. GARCIA OF CALIFORNIA. Thank you, Mr. Chair. Thank you, again, to all our witnesses, and thanks for allowing me to waive on today.

I wanted to just ask Dr. Hacegaba, I just wanted to use this opportunity to ask you about the Port of Long Beach Deep Draft Navigation Project. It is a project that obviously I am familiar with. During when I was mayor, we worked a lot with the port and the whole team on advancing it. And we know that the WRDA process is obviously complex, but I know that also bipartisan members of this committee have been involved in this effort and are strongly supportive of these types of projects.

I am grateful to hear the news that, just last week, the administration had removed the pause that the Corps put on the project. Certainly, we look forward to working with anyone that wants to make the Post-Authorization Change Report that you referenced in your opening remarks as it refers to WRDA for 2026.

For those who aren't familiar with this project, could you just share a little bit more detail why it is important, not just for the port, but really for trade across the country?

Mr. HACEGABA. Yes, certainly. And thanks again for your question, Congressman. And thank you again for your very generous introduction and longstanding support of, not just the Port of Long Beach, but ports across the Nation.

This Deep Draft Navigation Project is important because it enables a port like ours, who happens to be the second busiest and moves cargo across every single congressional district, it enables us to handle larger ships that carry more cargo and it allows us to enable even more imports and exports. And our partnership with the Army Corps is such that WRDA enabled them to invest moneys in this project to keep it moving forward.

I will say this, Congressman, we were very surprised when we learned of the pause because this project is a project of national significance. But we are very grateful that the pause has been lifted. We are working closely with Army Corps to get the project back on track.

And, again, the reason investments in ports like these and projects like these are so important is because you think about the positive economic impact that ports like ours have on the national economy, you are talking about 2.7 million jobs, cargo to every congressional district in the country.

Mr. GARCIA OF CALIFORNIA. Great. Thank you. And I think we all saw, of course, during the pandemic, just some of the supply

chain disruptions that were happening, how infrastructure and sea-ports are so important, how investments are critical to move cargo and to actually keep the economy strong. We are talking about, as you know, millions of jobs across the country are dependent on—oftentimes on ports in California just alone, and so I think that is really important.

I know there is a tight timeline to have a Post-Authorization Change Report completed ahead of WRDA reauthorization. Do you know if the Army Corps of Engineers has indicated when they expect that report to be completed?

Mr. HACEGABA. We don't have a certain timeframe, Congressman, but I can tell you that Brigadier General Lloyd was at our port just a couple of weeks ago, and we fully engaged discussions with the Army Corps. We are very optimistic that we can meet the deadline to get this in WRDA 2026.

Mr. GARCIA OF CALIFORNIA. Great. And I just want to add just for the record, also, it is really important that the Army Corps is clear and works, not just with our port partners, but with Members of Congress. I think oftentimes it is difficult to get information to our ports, and certainly to us in the Congress, on how critical it is that the Army Corps projects move forward and that we get regular updates. So I just want to make sure that we are aware of that.

Just finally before I close, briefly, on the allocation of Harbor Maintenance Trust Fund dollars, can you just share one or two examples, Noel, about how important those dollars are to a port like Long Beach and so many others?

Mr. HACEGABA. Absolutely. The reason this is so important is—you take the donor ports, as an example. Donor ports generate about half of all HMT revenues, but we only get about 2 percent in return. Yet these donor ports happen to be the ports that have the greatest impact to the local and national economy. This is why projects like these, reauthorizing WRDA with section 102, for example, with expanded in-water use, is so important to enable us to be a bigger economic engine for the American people.

Mr. GARCIA OF CALIFORNIA. Great. Thank you.

Mr. Chairman, I yield back.

Mr. TAYLOR. Thank you. The gentleman yields.

The Chair recognizes Mr. DeSaulnier for 5 minutes.

Mr. DESAULNIER. Thank you, Mr. Chairman, and thank you to the witnesses.

I represent a district in the East Bay of the San Francisco Bay area. I have represented the San Francisco Delta, bay area delta for a long time. It provides a large amount of clean water to the State of California, including Los Angeles, and to the ag industry.

So my question for Ms. Ufner, how can areas like that, with almost 8 million people, and also being a great resource to the agricultural industry that produces one-third of all the fruits and vegetables in the United States, as we go through this investment in infrastructure in areas like that, how do we make sure that the regional plans—and the bay area has a lot of government. You have got nine counties, and I don't know how many cities and special districts—how do we coordinate that and use this to make sure that we are doing the best investment for a place like that, the

largest estuary west of the Mississippi, that has huge impacts not only on people who drink water, but the national economy vis-a-vis the ag industry in particular?

Ms. UFNER. That is a challenging—when you are looking—because you are asking about a regional focus, how do you bring everyone to the table. Regardless of whether you are talking your area or other areas, you have a combination of both large and small governments as well as special districts, and they have different capacity needs. And getting them talking about it and the available funding that—because when you are talking about the Federal share versus the non-Federal share, non-Federal sponsors usually have a limited amount of money that they can bring to the table, which is based on whether it be taxes or community.

So it is about educating and bringing them together, whether it be in a townhall, and that is getting more into details, but it is about how to bring different size levels of government to the table to talk about these challenges and what they have available.

Mr. DESAULNIER. And in the context of sea level rise, which the bay area, like most areas such as ours, there is a bigger challenge. So we have invested a lot in our levees to keep the infrastructure up, trying to have that regional approach. And we can learn from other areas that are similar to that.

Mark Twain famously said, in California, whisky is for drinking, and water is for fighting. So trying to get this opportunity, from an engineering perspective, in an area like that that is so crucial to get this right, and to your point, having come from local government, Prop 13 was a good thing for some people. I will include myself from a personal standpoint. But the maintenance of effort in the local match is always a problem. And it is not a good financial model because, clearly, the benefit to the economy on the west coast, in this instance, and to a place with—what is the California's GDP would be the fourth largest in the world right now, and water is so important.

Mr. Jones, what can we learn from the Corps in this moment in sort of following on in that, in regions like this, how we can coordinate better with local and regional and State agencies on the pure engineering and the delivery of projects? I think this is something we can agree on, on a bipartisan level we have in this committee, is project delivery is important, particularly in this kind of environment.

Mr. JONES. Sure. Thank you, Congressman, for the question.

You spoke of some 80 jurisdictions in your area, that is an immense challenge. One of the things that we know, though, is that water knows no political boundaries, and so water is moving about amongst those 80 different political jurisdictions. So it is going to take immense communication and coordination.

From the engineering perspective, though, understanding and trying to remove as best we can the political factors in the discussion and allowing the data and the science and the engineering solutions to ultimately lead the conversation, right. Obviously, there will be political influence and discussion. There will be community input and discussion. Every stakeholder will have their say and priority.

But prior to you coming in, I talked about my background being from southern Louisiana.

Mr. DESAULNIER. Similar.

Mr. JONES. Very similar. In the aftermath of Hurricane Katrina and the inland floodings in the State, and bringing those folks to the table to, one, educate them on how water flow actually occurs, where the water needs to be, and the various uses.

And simply put, I would just offer that there is no such thing as overcommunication in this regard, and trying to have every stakeholder understand what their needs are, but as importantly, understand what the needs of their fellow stakeholders are, and ultimately try to achieve some regional priorities and then work towards those goals.

Mr. DESAULNIER. Thank you so much.

Thank you, Mr. Chairman.

Mr. TAYLOR. Thank you. The gentleman yields.

Are there any further questions from any members of the subcommittee who have not been recognized?

Seeing none, that concludes our hearing for today. I would like to thank each of the witnesses for your testimony.

The subcommittee stands adjourned.

[Whereupon, at 12:47 p.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Letter of December 11, 2025, from Beth Callaway, Executive Director, Interstate Council on Water Policy, to Hon. Mike Collins, Chairman, and Hon. Frederica S. Wilson, Ranking Member, Subcommittee on Water Resources and Environment, Submitted for the Record by Hon. Mike Collins

DECEMBER 11, 2025.

The Honorable MIKE COLLINS, Chair,
The Honorable FREDERICA WILSON, Ranking Member,
*U.S. House of Representatives,
Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, 2251 Rayburn House Office Building, Washington, DC 20515.*

DEAR CHAIRMAN COLLINS AND RANKING MEMBER WILSON:

The Interstate Council on Water Policy (ICWP) expresses our appreciation to Congress for the successful completion of the Water Resources Development Act (WRDA) of 2024 (Public Law No. 118–272). Among its many beneficial provisions, Congressional efforts to address the challenges faced by non-Federal sponsors in US Army Corps of Engineers (USACE) Project Partnership Agreements (PPAs) in WRDA 2024 represent important progress toward more equitable and effective collaborations with non-Federal partners.

Looking ahead, ICWP is eager to continue working with Congress to build on these achievements and further advance equitable solutions for non-Federal partners in WRDA 2026.

REQUEST FOR PPA REFORMS IN WRDA 2026

ICWP urges Congress to finalize and enact PPA reforms during WRDA 2026 development. As stipulated by WRDA 2024, ICWP and our members have worked collaboratively since its passage with the Government Accountability Office (GAO) to inform its analysis regarding potential reforms to USACE PPA requirements, specifically those related to indemnification and operation, maintenance, repair, replacement and rehabilitation (OMRR&R).

ICWP expects that GAO's recommendations for any necessary changes to existing law or policy will be incorporated into statute. Through such codification, Congress can provide the clarity and certainty that non-Federal partners need to participate fully and confidently in USACE projects. Enshrining these reforms will ensure their continuity and empower non-Federal organizations to advance water resource objectives in alignment with their respective laws, policies, and long-term interests.

Indemnification reform

ICWP requests that the Committee include language in WRDA 2026 that replaces the current blanket indemnification requirement with a more balanced approach to liability.

- Section 103(j) of WRDA 1986 requires non-Federal interests to hold the United States harmless from damages. This stipulation is often at odds with the constitutions and laws of many states as well as the policies of nonprofit organizations.
- Our previous commentary on WRDA 2024 highlighted that 22 states currently face direct conflicts between PPA requirements and their state laws. Many state constitutions prohibit agencies from obligating funds without an appropriation or incurring indebtedness on behalf of the state before such appropriation is made.
- The current indemnification requirement forces non-Federal parties to assume indeterminate liabilities, which may arise at unpredictable times and costs for uncertain reasons. This broad assumption of liability often exceeds limits set by

state tort law and creates a significant barrier to beneficial water resource projects.

ICWP urges Congress to eliminate or replace blanket indemnification with a more equitable, shared liability model, allowing non-Federal partners to participate equally in USACE-partnered projects.

Define an endpoint for OMRR&R obligations

ICWP also calls for the establishment of a clearly defined endpoint for OMRR&R obligations.

- Section 103(j) of WRDA 1986 requires non-Federal sponsors to bear 100 percent of these costs. Historically, USACE limited this obligation to the standard 50-year design life of a project. However, a policy change in 2012 now requires perpetual non-Federal responsibility.
- This open-ended commitment places an undue burden on non-Federal entities and discourages future participation. Setting a defined endpoint for these obligations would provide a more equitable and sustainable partnership framework.

ADDRESS BENEFICIAL USE OF DREDGE MATERIAL IN WRDA 2026

Additionally, ICWP requests that WRDA 2026 address the beneficial use of dredge material.

- While beneficial reuse for flood control and ecosystem restoration is a priority, it can increase project costs due to greater transportation distances.
- USACE has set an ambitious goal of 70 percent beneficial use by 2030, but progress toward this target has been hindered by delays in completing internal guidance. For example, in the Great Lakes region, USACE's requirement to select the least cost alternative for dredge disposal may conflict with beneficial use objectives and limit opportunities for local community benefits.

ICWP encourages Congress to consider requiring that USACE allow greater flexibility and enable pursuit of beneficial use of dredge material to allow for more local community benefits.

CONCLUSION

ICWP remains committed to collaborating with Congress to develop a WRDA 2026 solution that supports equitable engagement by project partners and ensures USACE fulfills its Federal obligations on PPAs. By implementing a fair approach to PPA liability, clearly defining OMRR&R endpoints, and prioritizing flexible, beneficial use of dredge material, Congress can advance water resource initiatives that best serve the nation's water resource needs.

For further questions or clarification, please contact ICWP Executive Director Beth Callaway.

Sincerely,

BETH CALLAWAY,

Executive Director, Interstate Council on Water Policy.

Statement of Sunny Simpkins, Executive Director, National Association of Flood and Stormwater Management Agencies, Submitted for the Record by Hon. Mike Collins

Dear Chairmen Graves and Collins and Ranking Members Larsen and Wilson—
Thank you for the opportunity to testify on behalf of the National Association of Flood & Stormwater Management Agencies (NAFSMA) regarding priorities for the Water Resources Development Act of 2026 (WRDA 2026). We are grateful for this Committee's longstanding bipartisan commitment to advancing water resources legislation and for your dedication to building more resilient communities across our nation.

ABOUT NAFSMA

Founded in 1978, NAFSMA is an organization of public agencies whose mission is the protection of lives, property, and economic activity from the adverse impacts of storm and flood waters. Many NAFSMA member agencies serve as non-federal sponsors in partnership with the U.S. Army Corps of Engineers (USACE) on flood risk management and ecosystem restoration projects.

For more than 46 years, NAFSMA has advocated for sound public policy and encouraged technological and programmatic improvements in water resources management. Our focus spans flood risk infrastructure management, floodplain management and insurance, water quality, and related environmental issues. We have long supported a biennial WRDA to authorize critical water resources projects and policies that guide USACE activities nationwide.

THE CASE FOR WRDA REFORM

As Congress prepares WRDA 2026, NAFSMA respectfully submits the following priorities for consideration. These proposals address documented barriers that delay projects, increase costs at both the local and federal levels, and limit effective non-federal partnerships. Our recommendations are grounded in the real-world experience of our member agencies, which represent the frontlines of flood risk management and water infrastructure delivery across the nation.

PRIORITY 1: INNOVATIVE PROJECT DELIVERY

Through previous WRDAs, Congress has directed USACE to utilize alternative project delivery approaches to meet the nation's water resource needs. While these authorities represent meaningful progress, NAFSMA has identified concerns and opportunities to improve their implementation.

Section 203—Non-Federal Feasibility Studies

Concerns

- Study cost reimbursement is capped at the original authorization amount, with no adjustment for inflation.
- Non-federal sponsors do not receive reimbursement for USACE technical assistance costs.
- Authority is limited to feasibility studies and does not extend to subsequent planning phases.

Recommendations

- Allow the Secretary to increase study limits for complex projects where warranted.
- Make USACE technical assistance costs eligible for reimbursement or credit.
- Expand Section 203 authority to include General or Limited Reevaluation Reports and Post-Authorization Change Reports.

Section 204—Non-Federal Construction

Concern

- There is no mechanism to address construction cost changes that occur during a multi-year funding process, creating uncertainty and potentially stranding non-federal investment.

Recommendation

- Apply the Section 902 cost escalation process to non-federal construction to ensure equitable treatment of cost changes.

Section 1043(b)—Non-Federal Implementation Pilot

Concerns

- This valuable authority is temporary and limited in scope.
- Current implementation requires non-federal sponsors to follow the same processes as USACE, undermining the efficiency gains Congress intended.

Recommendations

- Make the authority permanent and incorporate the pilot's advanced funds provision to allow transfer of unobligated federal funds to non-federal sponsors.
- Direct USACE to adopt a standards-based approach similar to those used successfully by other federal agencies.

Standards-Based Approach

NAFSMA recommends that USACE look to the Federal Highway Administration (FHWA) and the Department of Housing and Urban Development (HUD) as models. FHWA's Local Agency Program relies on certification, allowing qualified local agencies to operate with appropriate oversight rather than step-by-step federal involvement. HUD similarly establishes standards and audits for compliance instead of requiring grantees to mirror federal procedures.

Under a standards-based framework, USACE would establish clear requirements, certify capable non-federal sponsors, and conduct periodic audits—preserving federal oversight while enabling the efficiency Congress intended. Flexibility is essential to the standards-based approach because flood challenges vary significantly across communities. Geography, hydrology, existing infrastructure, land use, and fiscal capacity all influence what solutions are feasible in a given locale. Built-in flexibility allows agencies and local governments to meet performance objectives while tailoring strategies to their unique conditions.

In addition, this approach would also address local agency accountability concerns raised in the 2020 and 2026 Senate Reports accompanying the 2020 and draft 2026 Senate Energy and Water Appropriations Bills using a proven federal model.

Section 221—Design Review Process

Concern

- Uncertainty around credit for non-federal design work discourages sponsors from using their capabilities.

Recommendation

- Establish a milestone-based review process with 90-day USACE review periods and preliminary credit determinations.

PRIORITY 2: WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA)

Concern

Despite legislative intent, a 2020 rule prohibits WIFIA and therefore the Corps Water Infrastructure Financing Program (CWIFP) from financing congressionally authorized projects. This restriction does not apply to the Department of Transportation's TIFIA program and creates an unnecessary barrier to leveraging federal financing for water resources projects.

Recommendations

- Define congressionally authorized projects as local assets when non-federal sponsors hold title and responsibility.
- Allow WIFIA and CWIFP loans for projects on non-federal lands when the non-federal sponsor owns and maintains the project.

Draft language that would allow financing for federal projects:

Financial assistance for a project under this subtitle may not be used by or transferred to a Federal Entity, applied to any physical asset owned by a Federal Entity, nor through the extension of such financial assistance, contractually obligate the Federal Government to provide additional financial assistance for a project beyond the face value of the WIFIA financial assistance, plus any capitalized interest allowed under this subtitle.

Provided further if the project, is in whole or in part, a project currently authorized by an Act of Congress for the Army Corps of Engineers to construct, the project must also satisfy one of the following:

- 1) The project has been authorized for construction by the Army Corps of Engineers and subsequently completed. The completed project is owned, operated and maintained by a non-Federal entity.
- 2) The project has been authorized for construction by the Army Corps of Engineers, has not been constructed, and:
 - a. The project is being constructed in whole by a non-Federal entity; or
 - b. A non-Federal entity constructs a part of the project and seeks Financial assistance under this subtitle for only such part.

In conjunction with the limitation above, if the recipient of financial assistance for a project under this subtitle is an eligible entity other than a Federal entity, agency, or instrumentality, and the dedicated sources of repayment of that financial assistance are non-Federal revenue sources, such financial assistance shall, for purposes of budgetary treatment under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)—

- (1) be deemed to be non-Federal; and
- (2) be treated as a direct loan or loan guarantee (as such terms are defined, respectively, such Act); and
- (3) entitled to non-cash budgetary treatment.

These changes would unlock significant financing opportunities for flood risk management infrastructure while stretching limited federal appropriations further.

PRIORITY 3: PROJECT DESIGN AND SECTION 902 COST LIMITS

Concern

A conflict exists between SMART planning objectives and cost estimate confidence requirements. Large, complex projects cannot reasonably reach 35 percent design before authorization, yet current policy creates uncertainty around cost limits.

Recommendations

- Provide for separable elements or phased authorization for large projects, including multi-year appropriations.
- Authorize projects using the June 2023 Design Majority Memo standards (Class 3 estimates at 10–60 percent design).
- Use the existing Section 902 and Change Control Board process to manage cost adjustments.
- Allow grandfathering for studies that have reached the selected plan milestone.

PRIORITY 4: PROJECT REAL ESTATE REQUIREMENTS

Real estate acquisition remains one of the most significant sources of delay and cost escalation in USACE projects, often extending timelines by 18–24 months.

*Section 1104—Non-Standard Estates**Concerns*

- The process is overly rigid and does not reflect regional real estate conditions.
- Delays of 18–24 months are common and significantly increase project costs.

Recommendations

- Define standard estates to include public lands, conservation easements, and cooperative agreements.
- Delegate approval authority to District Commanders.
- Establish a 180-day review period for non-standard estate requests.

*Section 103—Credit Process for Real Estate**Concern*

- Validation of appraisals and approval of credit authority often exceed the appraisal validity period.
- Backlog of LERRDs (Lands, Easements, Rights of Way, Relocations, and Disposals) crediting at USACE District offices across the Country, totaling more than \$250,000,000 alone within the State of California.

Recommendations

- Extend appraisal validity when federal delay occurs.
- Base validity on the offer date rather than close of escrow.
- Delegate real estate credit authority to the District or Division level.
- Establish a 120-day review timeline.
- Establish a pilot project within the South Pacific Division that would authorize a non-federal sponsor to receive LERRDs credit at the time the USACE approves the LERRDs Certification Package for construction, subject to the following conditions:
 - Real property must be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) and 49 CFR part 24, the implementing regulation.
 - USACE will review and concur within 30 days of submitting all appraisals over \$2,000,000. Concurrence is assumed if a written response is not provided within 30 days. (USACE concurrence is limited to whether the appraisal met USPAP standards.)
 - USACE will review and concur within 30 days of submittal any settlement of over 20% or \$50,000, whichever is higher, of just compensation. Concurrence is assumed if a written response is not provided within 30 days. (USACE concurrence is limited to whether the NFS followed the Uniform Act.)

Our members consistently report that real estate requirements are the single largest source of project delay. Issuing take letters at 90 percent design is often infeasible for non-federal sponsors, and we encourage collaboration on more realistic timelines.

PRIORITY 5: SECTION 408 CLARIFICATION

Concern

It is currently unclear whether flood risk management projects that have been formally deauthorized remain subject to Section 408 permissions, creating uncertainty and inconsistent application across USACE Districts.

In many cases, non-federal sponsors are intentionally pursuing deauthorization because projects have reached the end of their original federal service life. These legacy projects often no longer meet current design standards, risk profiles, or community needs. Deauthorization allows non-federal sponsors to responsibly recapitalize, modernize, and manage this infrastructure at the local level using updated approaches, funding mechanisms, and integrated stormwater or resilience strategies.

This lack of clarity undermines the purpose of deauthorization and can impose unnecessary federal review requirements on infrastructure that is no longer a federal project.

Recommendation

- Clarify that deauthorized projects are not subject to Section 408 requirements.

Despite recent guidance, obtaining Section 408 permission continues to require substantial staff time and funding, delaying projects that protect communities.

PRIORITY 6: COORDINATION OF TECHNICAL REVIEWS

Concern

Technical reviews for federal projects are conducted in a linear, sequential manner, with feasibility study reviews often taking longer than subsequent design reviews. This sequencing extends overall project schedules, increases costs, and limits the ability of non-federal sponsors to advance meaningful design work early in the process.

Because feasibility reviews can consume a disproportionate amount of time, opportunities to advance additional design in parallel are missed. This results in less-developed designs at key decision points, contributing to greater uncertainty in cost estimates and less efficient project delivery.

Recommendation

Direct USACE to establish predictable review timelines and improve coordination by integrating feasibility, technical, policy, and risk-informed reviews into standard, concurrent processes wherever practicable. An integrated review approach would allow additional design to proceed during feasibility, leading to more mature designs, improved cost estimate confidence, and a more efficient overall process.

Non-federal sponsors are significantly affected when permitting and review delays jeopardize funding tied to state, local, or federal grant timelines. In some cases, these delays result in the loss of awarded funds or require costly reapplications. Congress should explore opportunities to empower non-federal sponsors to support federal permitting and review capacity while maintaining appropriate federal oversight and accountability.

PRIORITY 7: INTEGRATING STORMWATER MANAGEMENT INTO FLOOD RISK MANAGEMENT PROJECTS

Concern

Stormwater management and flood risk management projects frequently occur in the same geographic areas but lack coordinated authority and integration. As storms continue to intensify, communities are experiencing increased pluvial flooding—flooding caused by heavy rainfall overwhelming local drainage and stormwater systems often independent of riverine or coastal flooding.

Pluvial flooding is occurring with greater frequency and severity due to more intense rainfall events, aging stormwater infrastructure, and increased impervious surfaces. When stormwater considerations are not integrated into flood risk management projects, opportunities are missed to address the full spectrum of flood risk facing communities.

Recommendation

- Authorize non-federal sponsors to incorporate stormwater management designs into flood risk management project planning and design.

Integrating stormwater management with flood risk reduction would enable multi-benefit projects that more effectively address pluvial and riverine flooding to

gether, maximize the value of federal and local investment, and deliver improved flood protection and water quality outcomes for communities.

BENEFITS OF THESE RECOMMENDATIONS

NAFSMA's proposed reforms would:

- *Accelerate project delivery* by reducing timelines and administrative barriers.
- *Improve financing access* through WIFIA for congressionally authorized projects.
- *Control costs* through realistic inflation adjustments and cost management flexibility.
- *Increase local capacity* by expanding non-federal implementation authority.
- *Enable innovation* through multi-benefit, integrated water resources approaches.

CONCLUSION

Mr. Chairman and Members of the Subcommittee, NAFSMA appreciates the opportunity to present these priorities for WRDA 2026. The bipartisan tradition of water resources legislation has delivered tremendous benefits nationwide, and we are confident WRDA 2026 will continue that legacy.

These practical, targeted reforms address the real barriers our member agencies face every day in protecting communities from flood risk. By empowering capable non-federal sponsors, streamlining processes, and enabling innovative financing and multi-benefit solutions, Congress can accelerate delivery of critical water infrastructure while stretching limited federal resources.

NAFSMA stands ready to serve as a resource to the Committee as you develop WRDA 2026. Thank you for the opportunity to provide testimony. We welcome any questions.

APPENDIX

QUESTIONS TO JULIE A. UFNER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, NATIONAL WATERWAYS CONFERENCE, INC., FROM HON. BRIAN BABIN

Question 1.a. Ms. Julie Ufner, as President and CEO of the National Waterways Conference, you represent non-Federal sponsors across the country who partner with the Army Corps and often shoulder significant local costs for projects. Many Texas communities are frustrated by long delays, rising costs, and inconsistent Corps requirements, even after Congress has acted. What specific reforms should Congress prioritize in WRDA 2026 to speed up project delivery, control cost growth, and ensure non-Federal sponsors—especially in states like Texas—are not bearing unnecessary burdens once a project is authorized?

ANSWER. The National Waterways Conference (NWC) appreciates the opportunity to respond to the questions for the record and to build on the testimony submitted for this hearing. NWC represents a broad cross-section of non-Federal sponsors and stakeholders engaged across the U.S. Army Corps of Engineers (Corps) Civil Works program, including navigation, flood risk management and storm damage reduction, water supply, hydropower, and dam safety interests. Within Texas, NWC represents and has heard directly from a range of members involved in multiple Civil Works business lines, and several of the issues discussed below reflect concerns raised by Texas-based sponsors and other non-Federal interests.

In its testimony, NWC raised a number of policy, delivery, and implementation issues affecting Civil Works projects nationwide. In this response, NWC highlights a subset of those issues that have risen to the surface as particularly relevant to the upcoming Water Resources Development Act of 2026 (WRDA 2026), while also acknowledging that not all challenges are easily or best addressed through new authorization language. In some cases, implementation, Corps-level action, or Congressional oversight may be more appropriate or more timely than statutory changes.

NWC approaches these questions using a two-pronged lens. First, we identify areas where WRDA 2026 could provide clarity, direction, or refinement to improve project delivery and reduce unnecessary delay or cost exposure for non-Federal sponsors. Second, we identify areas where existing authority already exists, but where implementation challenges, inconsistent application, or ongoing rulemakings suggest that oversight or further evaluation may be the more effective path forward at this time.

NWC also recognizes and strongly supports Congress's consistent enactment of WRDA since 2014. The regular passage of WRDA has provided much-needed predictability for authorizing studies, projects, and policy direction, and NWC views itself as a long-standing partner in that authorization process. At the same time, NWC recognizes that WRDA represents only the first step in a multi-step process. Projects and policies authorized through WRDA must ultimately be funded through the annual appropriations process and, critically, must be implemented effectively by the Corps.

From NWC's perspective, ensuring timely and effective funding and implementation of WRDA provisions, as well as other existing authorities, is as important as enacting new authorization language. Understanding why certain provisions are delayed, inconsistently applied, or not implemented at all can help inform not only future WRDA cycles, but also appropriations decisions and oversight priorities. For that reason, this response seeks to be candid about where statutory changes may be appropriate, where implementation challenges persist, and where additional Congressional engagement or oversight could help achieve the outcomes Congress intends.

A. MINIMUM NECESSARY REAL ESTATE INTERESTS

Non-Federal sponsors continue to experience significant delays, increased costs, and landowner resistance related to how the Corps defines and acquires real estate interests for Civil Works projects. These challenges are particularly acute for ecosystem restoration, natural infrastructure, floodplain reconnection, and other multi-benefit projects, but they extend across business lines, including for many flood control and coastal storm damage reduction projects.

Sponsors are not seeing changes on the ground, despite repeated Congressional direction emphasizing the use of minimum necessary real estate interests, including most recently in WRDA 2024. This is not because the Corps lacks authority. Rather, it reflects a disconnect between existing policy, statutory direction, and how real estate decisions are being made and implemented at the district level.

What Is Actually Happening on the Ground. From the sponsor perspective, real estate has become one of the least predictable and most time-consuming components of project delivery.

Sponsors report that districts frequently require fee title or fee-like estates even where project purposes could reasonably be met through easements, rights-of-entry, or other limited real estate interests. While districts may acknowledge that alternatives are theoretically allowable, they are often not supported in practice.

Where districts are willing to consider alternatives, sponsors report that non-standard real estate agreements can take several years to execute. These timelines are not feasible for communities facing flood risk, navigation constraints, or environmental degradation, and they introduce uncertainty that complicates project planning, financing, and landowner engagement.

Additionally, every Corps district seems to have different standards for when real estate acquisition can start on a project. Real estate is normally at the cost of the non-Federal sponsor and is led by the non-Federal sponsor. However, sponsors have noted how some Corps districts normally may not allow real estate acquisitions to start until, for example, the 50 percent design is reached, whereas other Corps districts may require as much as 90 percent design before real estate acquisition can start. The philosophy appears to be that the Corps does not want to risk acquiring property prior to sufficient design maturity, to ensure that everything that is acquired is needed for the project. Since the acquisition risk falls on the non-Federal sponsor, the non-Federal sponsor should be allowed to start acquisitions at the design maturity level at which they are comfortable, with the Corps only crediting for the real estate interests used for the project.

Sponsors also report that real estate requirements often surface late in the project lifecycle, after feasibility work has advanced or design assumptions have been established. This can force sponsors to reopen landowner negotiations, revise project footprints, or delay projects entirely. The cumulative effect is increased cost, loss of willing landowners, erosion of local support, and in some cases, projects that stall or fail to advance.

Why This Is Happening and Where the Corps Is Struggling. This is not fundamentally a statutory problem. The Corps already has policy that allows the use of easements and other limited real estate interests where they are sufficient to meet project purposes. That flexibility predates WRDA 2024.

In practice, however, districts frequently default to fee title because it is viewed internally as the lowest-risk option. Fee title is administratively clean. It simplifies questions of access, enforcement, long-term responsibility, and future modification. In a risk-averse institutional environment, it reduces ambiguity and limits the need for ongoing interpretation or justification.

This default behavior is reinforced by several structural factors:

- Existing real estate guidance has not kept pace with modern project types such as natural infrastructure and multi-benefit restoration.
- Approval pathways for non-standard estates are perceived as time-consuming, uncertain, or subject to second-guessing.
- District staff are incentivized to minimize internal review risk rather than tailor estates to project needs.
- There is no consistent, project-type-specific framework defining what “minimum necessary” means in practice.

As a result, even where flexibility exists, it is often not exercised. The issue is *not* whether the Corps *can* use alternative estates. It is the lack of clarity around when, how, and under what conditions those alternatives are acceptable and defensible across districts and divisions.

WRDA 2024 reinforced the principle of minimum necessary real estate interests, but sponsors are not yet seeing changes because implementation guidance has not

been issued or existing policies consistently applied. In the absence of that guidance, districts have continued to rely on existing practices.

This underscores a deeper point. There should not have been a need for new statutory language, because the Corps already had authority and policy to exercise flexibility. The fact that Congress acted reflects the persistent gap between policy on paper and practice on the ground.

What Can Be Addressed Through WRDA 2026. WRDA 2026 presents an opportunity to move beyond restating principles and instead clarify expectations and reduce ambiguity in how minimum necessary real estate interests are applied. Congress may wish to consider:

- *Scope of Necessary Real Estate Interest:* Reiterating that the “minimum real estate interest” necessary for project purposes is the maximum interest the non-Federal sponsor can be required to provide.
- *Project-Type-Specific Real Estate Frameworks:* Directing the Corps to develop and apply project-type-specific real estate frameworks that clearly identify when easements or other limited estates are appropriate.
- *Document and Justify:* Requiring the Corps to document and justify when fee title is required in cases where limited interests could otherwise meet project purposes.
- *Provide Clarity:* Clarifying that real estate decisions should be based on the functional needs for construction, maintenance, and rehabilitation, and aligned with project risk and long-term performance rather than default administrative preference.
- *Provide the Non-Federal Sponsor More Acquisition Flexibility:* Since the acquisition risk falls on the non-Federal sponsor, allow the non-Federal sponsor to start acquisitions at the design maturity level at which they are comfortable, with the Corps only crediting for the real estate interests used for the project.
- *Streamlined Real Estate Acquisition Process:* Streamline the real estate acquisition process by relying more on audits versus reviewing all acquisitions, and developing a tracking system; this would help reduce Corps staffing needs and decrease acquisition times.

When the non-Federal sponsor for any reason—whether to ensure fairness to land-owners, to avoid uneconomic remnants, or for the non-Federal sponsor’s convenience or other purposes—lawfully acquires an interest greater than the minimum the Corps has determined is needed for project purposes, the non-Federal sponsor may choose to provide the minimum interest to the Corps while retaining fee simple title (or any estate greater than the minimum required for project purposes). In such cases, the current policy of crediting the non-Federal sponsor for the value of the lesser interest—that is, for the amount the non-Federal sponsor would have had to expend to obtain the basic minimum interest—should be followed.

These steps would not remove Corps discretion, but would provide clearer guardrails and expectations, helping districts make decisions that balance legal certainty with delivery efficiency.

Implementation and Oversight Considerations. In parallel, several issues are primarily implementation-related and may be best addressed through oversight rather than new statutory authority.

These include:

- *Timely issuance and consistent application of WRDA implementation guidance* (including specifically for WRDA 2024).
- *Ensuring existing real estate policy flexibility* is actually being used in practice.
- *Improving internal consistency across districts and divisions* to reduce late-stage real estate surprises.

From the sponsor perspective, oversight and follow-through on enacted provisions can be just as important as new WRDA language. Without implementation, statutory direction alone will not resolve the real estate challenges sponsors continue to face.

B. DESIGN MATURITY REQUIREMENTS AND THE 35 PERCENT DESIGN THRESHOLD

Non-Federal sponsors are increasingly concerned about how design maturity expectations are being applied across Corps Civil Works projects, particularly the growing expectation that projects advance to 35 percent design earlier in the project lifecycle. Sponsors report that this shift is materially changing where cost, risk, and uncertainty are borne, often without improving project delivery outcomes.

The issue is not opposition to better project definition or cost accuracy. Sponsors understand the value of sound design and disciplined decision-making. The concern is that the 35 percent design threshold is being advanced as a broad solution to cost

growth and delays without sufficient clarity, flexibility, or alignment with how projects are authorized, funded, and delivered in practice.

What Is Actually Happening on the Ground. From the sponsor perspective, advancing projects to 35 percent design often requires significant upfront investment before there is any assurance that construction funding will follow. This shifts financial risk to non-Federal sponsors earlier in the process, particularly for smaller or resource-constrained communities.

Sponsors also report confusion about how the 35 percent design expectation interacts with existing Corps planning and delivery frameworks, including the 3x3 process and the more recent 5x5 framework. In practice, it is often unclear whether advancing design earlier actually accelerates delivery, or whether it results in design work that must later be revisited due to funding delays, changed conditions, regulatory requirements, or evolving project scope.

In some cases, sponsors report that advancing design without funding predictability increases exposure to inflation and market volatility. Design assumptions can become outdated before construction begins, requiring rework and undermining the goal of improving cost certainty.

Sponsors further note that the 35 percent design expectation was developed and applied without meaningful engagement with non-Federal sponsors, despite the fact that sponsors are responsible for a share of design costs and bear much of the risk if projects stall or are delayed.

Why This Is Happening and Where the Corps Is Struggling. The Corps is attempting to address longstanding concerns related to cost growth, scope changes, and extended delivery timelines. From the Corps' perspective, advancing design maturity earlier is intended to reduce uncertainty and support better decision-making.

However, this approach assumes a level of continuity between authorization, design, and construction funding that does not exist in practice. Authorization and appropriations are separate processes, and projects frequently experience significant gaps between design advancement and construction funding. Advancing design without aligning it to realistic funding pathways can therefore increase inefficiency rather than reduce it.

Internally, sponsors report, and Corps leadership has acknowledged in some cases, that there is not full agreement within the Corps on how the 35 percent design threshold should be applied, how flexible it should be by project type, or how it aligns with broader delivery reforms. In the absence of clear and consistent guidance, districts apply the expectation unevenly, leaving sponsors uncertain about what is required, when it is required, and why.

The result is a uniform expectation applied across projects with very different risk profiles, delivery timelines, and funding pathways.

What Can Be Addressed Through WRDA 2026. WRDA 2026 provides an opportunity to bring greater clarity and balance to how design maturity expectations are used as a delivery tool.

Congress may wish to consider:

- *Scalable and Risk-Based:* Clarifying that design maturity requirements should be scalable and risk-based rather than uniformly applied across all project types and sizes. This could include recognizing that the appropriate level of design maturity may vary depending on project size/complexity, funding certainty, and delivery timelines. One size does not fit all for a portfolio of projects that range so drastically in size and complexity.
- *Align Design Advancement Expectations:* Direct the Corps to better align design advancement expectations with realistic funding pathways in order to reduce rework and unnecessary early expenditures. Greater transparency around how design thresholds are intended to reduce cost growth, and the conditions under which they are most effective, would help sponsors and districts make more informed decisions.
- *Greater Flexibility:* Pulling back on strict, universal mandates, or providing a simplified process to get a Corps headquarters/Assistant Secretary of the Army waiver from such mandates.

These steps would preserve the Corps' ability to improve project definition while acknowledging the financial and practical realities faced by non-Federal sponsors.

Implementation and Oversight Considerations. Several aspects of this issue are primarily related to implementation and may be best addressed through oversight rather than new statutory authority. These include clarifying how the 35 percent design expectation aligns with existing 3x3 and 5x5 frameworks, ensuring consistent application across districts and divisions, and creating opportunities for structured sponsor engagement before significant policy shifts affecting cost-sharing are adopted.

From the sponsor perspective, improved communication and transparency around design expectations would reduce uncertainty and help ensure that efforts to control cost growth do not inadvertently introduce new risks or delays.

C. SECTION 902 COST LIMITS AND CONSTRUCTION PAUSES

From the non-Federal sponsor perspective, Section 902 has become a recurring point where otherwise viable projects slow or stall, not because the project purpose has changed, but because projected costs exceed the authorized limit. It has been observed that most of the cost growth in many projects can be attributed to incremental funding and the delays in receiving that funding, wherein inflation and market changes, particularly for steel and other construction materials, can have a profound impact on cost growth. Sponsors increasingly experience Section 902 as a disruption to project delivery that introduces uncertainty, delay, and additional cost exposure, even when there is agreement that the project remains necessary and aligned with its original authorization.

What Is Actually Happening on the Ground. Non-Federal sponsors report that Section 902 issues most often arise after a project has already advanced through feasibility, design, or early stages of implementation. Project costs have increased significantly due to the broad cost escalation that has affected the entire U.S. economy since the pandemic. In many cases, projected cost increases reflect not only inflation, but market conditions, or refined engineering estimates as project details are better understood, rather than a fundamental change in project scope or purpose. Delays in continued funding for a project also often contribute to cost escalation as a result of the foregoing factors.

Once a project is projected to exceed its authorized cost limit, sponsors experience delays while the Corps prepares post-authorization documentation and seeks the approvals required to proceed. During this period, projects may slow or pause, contracts may be deferred, and timelines become uncertain. From the sponsor perspective, this pause is especially problematic because costs often continue to rise while work is delayed.

Sponsors consistently report several impacts:

- Construction or project advancement is delayed while post-authorization approvals are pursued.
- Non-Federal cost exposure increases as project management, design, and mobilization costs continue during the pause.
- Local budgeting and financing become more difficult due to uncertainty around timing and total project cost.
- Public confidence erodes when projects appear stalled despite continued need and sponsor commitment.

A common theme raised by sponsors is that the delay required to address the cost exceedance can itself contribute to additional cost growth, increasing the likelihood that Section 902 issues will recur.

Why This Is Happening and Where the Corps Is Struggling. Section 902 serves an important Congressional oversight function by requiring Congressional approval when a project's authorized cost limit is exceeded. Once that threshold is crossed, the Corps has limited discretion and must prepare detailed documentation and seek new authorization before proceeding above the cap.

The challenge sponsors identify is that Section 902 does not distinguish between cost increases driven by fundamental changes in project scope and those driven by inflation, market escalation, or refined estimates that occur as projects mature. As project delivery timelines lengthen, these non-scope-related cost increases are becoming more common, triggering Section 902 processes even when the underlying project remains sound.

Internally, the Corps is required to follow a compliance-driven process that can take significant time to complete. Districts must pause or slow work while documentation is prepared and reviewed, even when there is alignment between the Corps and the sponsor that the project should continue moving forward. While Congress ultimately retains authority to raise the authorized cost limit, sponsors experience the practical consequences of delay during the approval process.

What Can Be Addressed Through WRDA 2026. Based on input from non-Federal sponsors, WRDA 2026 presents an opportunity to better align Section 902 processes with modern project delivery realities while preserving Congressional oversight. Congress may wish to consider:

- *Distinguish Cost Escalation from Scope/Purpose Change Under Section 902:* Seeking approaches that more clearly distinguish between cost increases driven by changes in project scope or purpose and those driven by inflation, market conditions, or refined cost estimates. This could be addressed in part through

revisions to the Section 902 cost + escalation formula to adequately account for actual escalation (not driven by scope/purpose changes) and to eliminate the need for some Change Control Board reviews and project re-authorizations, which can further delay projects. From the sponsor perspective, treating these situations the same can unnecessarily disrupt delivery when the project purpose remains unchanged.

- *Execute Projects as Authorized:* As part of the foregoing, providing the Corps with clear instruction to execute the project that has been authorized by Congress, and to limit the circumstances for revising the scope, function, or cost-share proportion of the authorized project as defined in official project documentation. Redefining project fundamentals can cause considerable uncertainty and increased cost for local sponsors, and waste precious resources for all partners.
- *Prevent Delay-Driven Cost Escalation:* Allowing certain activities to continue while post-authorization approvals are pursued could help prevent additional cost escalation caused by delay. Sponsors have emphasized the importance of avoiding full construction pauses when Section 902 thresholds are triggered but Congressional action is anticipated.
- *Provide More Efficient Mechanisms to Handle Cost and Scope Changes Other Than Through Post-Authorization Change Reports:* Providing additional, more efficient mechanisms to handle at least some cost and scope changes other than through post-authorization change reports (PACRs). PACRs are commonly taking several years to complete, and have become a bureaucratic nightmare, with reviews often taking longer than the actual work.
- *Clarify Section 902 for Long-Duration Projects:* Clarify expectations for how Section 902 should apply to long-duration projects, where cost escalation over time is foreseeable. Clearer direction could reduce uncertainty, improve predictability, and limit repeated disruption for projects that remain aligned with their original authorization.
- *Update Authorized Cost Limits to Reflect Modern Project Costs:* Consider raising or adjusting authorized cost limits under Section 902 to reflect inflation, market conditions, and the scale of modern Civil Works projects. Members have emphasized that existing caps were established under very different cost environments and increasingly do not reflect the realities of delivering large, long-duration projects today, resulting in avoidable disruption even when projects remain aligned with their original authorization.
- *Update Project Delivery Approaches:* Provide specific guidance and direction for the Corps to evaluate and implement means for more effective and efficient delivery of projects, including shortening and making contracting timelines more efficient; modernizing project contractor involvement, design and construction management, and delivery approaches; and enabling the Federal government to more easily adopt commercial practices.

Implementation and Oversight Considerations. In addition to potential WRDA action, sponsors have noted that oversight may be needed to examine how Section 902 processes are being implemented in practice. Areas of concern include the length of time required to complete post-authorization documentation, consistency of application across districts and divisions, and whether internal review processes could be streamlined to reduce unnecessary delay. Sponsors also have expressed concern about existing funding processes for projects, including the use of incremental funding versus fully funding projects from the beginning.

From the sponsor perspective, improving transparency and predictability in how Section 902 is administered would materially improve project delivery outcomes, regardless of whether additional statutory changes are enacted.

D. STRENGTHENING AND CLARIFYING NON-FEDERAL SPONSOR PROJECT DELIVERY AUTHORITIES

Over the years, Congress has created and modified several authorities which allow non-Federal sponsors to accelerate projects by taking the lead on more work, including Section 203 (of WRDA 1986) for studies, Section 204 (of WRDA 1986) for construction, and Section 1043(b) (of WRRDA 2014) pilot program for construction, and Contributed Funds Agreements. These are all important tools. However, in practice, they are not saving non-Federal sponsors time or money in delivering critical flood risk reduction, navigation, and ecosystem restoration projects.

What Is Happening on the Ground. Non-Federal sponsors increasingly view existing sponsor-led delivery authorities, including Sections 203, 204, Section 1043(b), and similar tools, as underutilized relative to their original intent. These authorities were created to leverage sponsor capacity, accelerate delivery, and reduce pressure on Corps staffing by allowing capable non-Federal sponsors to perform portions of studies or construction with Federal oversight.

In practice, sponsors report that when these authorities are used, the delivery model often resembles traditional Corps execution rather than a true sponsor-led approach. Federal review layers, documentation requirements, and approval timelines frequently mirror those applied to Corps-delivered projects, limiting the efficiency gains these authorities were intended to provide.

Moreover, there have been instances where non-Federal sponsors may desire to advance tangible work contributions on a water resources development project in advance of a Federal interest determination, when seeking a project authorization through a non-Federally led Section 203 feasibility study. As part of this, they have sought, but generally have been unable, to enter into a partnership agreement with the Corps (under section 221 of the Flood Control Act of 1970), prior to their completion of the 203 study, to get credit for the cost of such tangible work contributions that would be completed by the non-Federal sponsor prior to Federal authorization of the study. This has discouraged some non-Federal sponsors from early implementation of important tangible work contributions on water resources development projects.

To reduce risk and provide greater certainty to be considered for credit, some non-Federal sponsors are seeking an amendment to Section 203 to clarify that non-Federal sponsors may enter into a partnership agreement (under section 221 of the Flood Control Act of 1970) with the Corps in advance of a Federal interest determination for a non-Federally led feasibility study under Section 203.

Many non-Federal sponsors have the wherewithal to pursue non-traditional delivery of critical Civil Works projects, however the current implementation of these authorities often creates more risk and uncertainty for sponsors than traditional delivery mechanisms. The Corps has an enormous backlog of authorized projects and is underutilizing tools that would help the nation to build more, build faster, build cheaper, conserve more water, and achieve more ecosystem restoration.

Why This Is Happening and Where the Structure Breaks Down. Sponsors understand the need for Federal oversight, particularly with respect to life safety, NEPA compliance, and adherence to authorized project purposes. The issues arise when review expectations extend beyond those core Federal interests and effectively recreate full Corps control over scope, sequencing, and delivery methods.

Members have identified several recurring challenges:

- Review standards are not clearly defined as outcome-based, leading to iterative and open-ended comment cycles.
- Corps division and headquarters review timelines are often unclear, creating uncertainty and delay.
- Districts apply sponsor-led authorities inconsistently, sometimes due to risk aversion or lack of clear guidance.
- Sponsors performing significant portions of work may still be required to obtain permits or approvals that undermine the efficiency of sponsor-led delivery.

From the sponsor perspective, these issues reflect a lack of clarity about how much discretion sponsors are intended to have under existing law and what the Federal role should be once a sponsor elects to use these authorities.

What Can Be Addressed Through WRDA 2026. Based on input from sponsors, WRDA 2026 presents an opportunity to reinforce Congressional intent behind sponsor-led delivery authorities by clarifying how they should function in practice. Congress may wish to consider:

- *Clarify Output-Based Federal Review Standards:* Clarifying that sponsor-led delivery authorities are intended to operate under output-based standards, with Federal review focused on life safety, NEPA compliance, and consistency with authorized purposes, rather than replicating full Corps-controlled delivery models.
- *Define the Federal Role in Sponsor-Led Delivery:* Reinforcing that, when a non-Federal sponsor elects to perform work under Sections 203, 204, Section 1043(b), or similar authorities, the Federal role is oversight and acceptance, not day-to-day project management or redesign.
- *Establish Clear Review Timelines for Division and Headquarters:* Providing clearer expectations for the timing of division and headquarters reviews for sponsor-led work to reduce uncertainty, prevent open-ended review cycles, and improve delivery predictability.

- *Reinforce Congressional Intent to Leverage Sponsor Capacity*: Reaffirming that these authorities were created to leverage non-Federal sponsor expertise and capacity, accelerate project delivery, and reduce pressure on Corps staffing, not to recreate traditional Corps execution through parallel review processes.
- *Section 203 Clarification*: Clarifying that non-Federal sponsors may enter into a partnership agreement (under section 221 of the Flood Control Act of 1970) with the Corps in advance of a Federal interest determination for a non-Federally led feasibility study under Section 203.

Section 1043(b) Clarifications: Clarifying that projects can be delivered using local, not Federal requirements. In addition, making it easier for non-Federal sponsors to provide the Corps with funds to strategically advance projects, including by improving the contributed funds agreement process by providing greater certainty on the timing of when decisions will be approved or denied. This would be a common-sense approach to what has become an unnecessarily cumbersome process.

Implementation and Oversight Considerations. Oversight may be warranted to assess how sponsor-led delivery authorities are being implemented across districts and divisions. Sponsors continue to observe that similar projects can face materially different review expectations, depending on location, creating uncertainty and discouraging broader use of these authorities. Greater consistency in how these tools are applied would improve predictability and confidence for sponsors considering sponsor-led delivery.

Oversight may also be appropriate to examine whether existing internal guidance and review practices align with Congressional intent. Although these authorities were created to enable sponsor-led delivery with focused Federal oversight, sponsors report that implementation often replicates traditional Corps execution models. Reviewing how guidance is interpreted and applied could help identify where review expectations exceed what is necessary to protect Federal interests.

In addition, oversight could focus on division and headquarters review practices for sponsor-led work, including the length of reviews and the clarity of decision points. Sponsors report that undefined or open-ended review timelines can delay projects even when statutory authority is clear. Greater transparency around review sequencing and decision timelines would improve delivery outcomes.

Finally, oversight could examine how effectively current implementation leverages non-Federal sponsor capacity. Sponsors have raised concerns that risk aversion can lead to unnecessary Federal re-review of work performed under sponsor-led authorities, limiting the efficiency gains these tools were intended to provide. Clarifying acceptance criteria and improving transparency around Federal acceptance decisions could help ensure these authorities function as Congress intended.

E. STRENGTHENING THE CORPS' PROJECT DELIVERY PROCESSES

What Is Happening on the Ground. The Corps is tasked with delivering a large and complex portfolio of Civil Works projects, including construction and maintenance, yet its workforce capacity is declining, it faces a massive, long-term project backlog, and costs and delays are continuing to rise. Some estimates of the backlog are approaching \$100 billion.

Why This Is Happening and Where the Corps Is Struggling. The Corps' project backlog is being driven by several factors, including insufficient and incremental funding, budgetary constraints and shutdowns, aging infrastructure with increasing maintenance demands, staffing and hiring challenges, complex regulatory requirements, bureaucratic and planning delays, and inefficient, incremental project delivery.

The Corps has acknowledged these problems, including its project delivery issues, and is attempting to address some of these longstanding concerns by taking steps to improve its performance and engineer solutions through initiatives such as its "Revolutionize USACE Civil Works initiative." Such initiatives include overhauling traditional delivery of the Civil Works program using innovative tools, modernizing internal processes, and pursuing alternative financing approaches, and streamlining permit processes and eliminating duplicative reviews to expedite permit decisions for infrastructure projects. However, many sponsors believe that such programmatic modifications have been insufficient.

What Can Be Addressed Through WRDA 2026. Based on input from non-Federal sponsors, WRDA 2026 presents an opportunity to focus on some of the Corps' project delivery issues, including project prioritization, streamlining project delivery and planning, alternative project delivery methods, and accountability and structural changes. Congress may wish to consider:

- *Establish Specific Goals and Timelines:* Directing the Corps to establish specific goals and timelines for implementing improved project delivery design and construction approaches, and reporting back to Congress within a reasonable set timeframe on their implementation plan for each of the Corps' project-related business lines.
- *Transform Project Delivery Models:* Encouraging the Corps to transform its project delivery models, including by transitioning from project-specific, siloed approaches to one of taking a more portfolio- and programmatic-centric approach for more efficiently delivering all of the Corps' business lines, to reduce project costs and delivery timelines.
- *Leverage Non-Federal Capabilities:* Encouraging the Corps to better utilize the capabilities of local sponsors and private entities to assist in project implementation. (See also the discussion on "Strengthening and Clarifying Non-Federal Sponsor Project Delivery Authorities," above.)
- *Accelerate Permitting Processes:* Streamlining permitting requirements and eliminating duplicative reviews to expedite decision-making.
- *Early Stakeholder Coordination:* Strengthening outreach and engagement with non-Federal interests, including engaging with project sponsors and stakeholders early to set realistic schedules, define project scopes, and avoid delays. (See also the discussion on "Strengthening Communication and Consultation," below.)

Implementation and Oversight Considerations. Oversight may be appropriate to assess how the Corps is developing and implementing changes to its project delivery processes across its districts and divisions, including steps the Corps is taking to transform its project delivery models, modernizing internal management processes, streamlining permitting and other approval processes (including eliminating duplicative reviews to expedite permit decisions for infrastructure projects), and pursuing alternative financing approaches (including leveraging non-Federal public and private capabilities).

Oversight also may be appropriate to assess what the Corps is doing to develop and implement better and more uniform internal controls to keep projects on time and on budget, develop and use better data systems to track maintenance and other project needs and ensure accountability, reduce the number of non-policy issues which must move up and down the chain for approval (including by delegating more authority downward), and establish a realistic process to resolve policy, legal, waiver and other issues in a timely manner.

F. STRENGTHENING COMMUNICATION AND CONSULTATION

What Is Happening on the Ground. Non-Federal sponsors and stakeholders continue to experience gaps in communication and coordination with the Corps, particularly during periods of policy development, implementation, and guidance issuance. While Congress has taken steps to encourage early engagement and public input, sponsors report that communication often diminishes after initial comments are collected, even as policies and guidance are finalized and implemented.

Sponsors also report challenges obtaining timely information from Corps districts on issues that may affect Congressional engagement or local decision-making. In some cases, districts have indicated they are limited in what they can share due to internal restrictions, creating uncertainty for sponsors and for Congressional staff seeking to understand project status or implementation impacts.

Why This Is Happening and Where the Breakdown Occurs. Sponsors recognize that the Corps operates within constraints related to communications with Congress and other stakeholders. However, recent interpretations of internal Department of War guidance, including the Department of War memo on state and federal elected official engagement (Oct. 2025), have created confusion about what information districts can share and with whom. In practice, this has led some districts to limit engagement even on factual or process-related matters, particularly when an issue may intersect with Congressional interest.

At the same time, sponsors have observed that major policy decisions affecting project delivery are sometimes made without sufficient engagement with non-Federal sponsors who bear cost-sharing responsibilities. A frequently cited example is the adoption of the 35 percent design maturity expectation. Sponsors report that this policy was developed and implemented without meaningful consultation, despite significant cost and risk implications for non-Federal partners. Even within the Corps, there appear to be differing views on whether this approach will achieve its intended goals.

Members have also emphasized that, for certain sponsor-led authorities, particularly Section 1043(b) and Contributed Funds Agreements, current implementation introduces unnecessary risk and uncertainty. Sponsors report that projects delivered under these authorities are sometimes required to meet Federal requirements that go beyond what is necessary to protect Federal interests, undermining the purpose of sponsor-led delivery. Sponsors have suggested that greater clarity around the use of local requirements, as well as more predictable timelines for approval or denial of Contributed Funds Agreements, would help these tools function as intended and better leverage non-Federal capacity.

What Can Be Addressed Through WRDA 2026. WRDA 2026 presents an opportunity for Congress to reinforce expectations around communication and consultation, particularly where policies or guidance materially affect non-Federal sponsors. Congress may wish to consider:

- *Establish Expectations for Timely Implementation and Transparency:* Directing the Corps to issue implementation guidance for new WRDA authorities within a reasonable specific timeframe (e.g., 12–18 months), and to communicate clearly to Congress—and to the public—when additional time is needed. Where the Corps determines that a provision cannot be implemented as enacted, Congress should be informed of the reasons, including legal, technical, or resource constraints. Providing this feedback would improve transparency, support effective oversight, and inform future authorization and appropriations decisions.
- *Clarify Applicability of WRDA 2026 Provisions to Previously Authorized Projects:* Clarify the applicability of WRDA provisions to previously authorized projects, including that the provisions of WRDA 2026 apply to projects authorized under previous WRDAs.
- *Require Iterative Consultation During Implementation of WRDA Provisions:* Directing the Corps to provide a additional, structured opportunities for non-Federal interest engagement after initial public comments are collected and before final implementation guidance is issued for WRDA provisions that materially affect non-Federal sponsors. This would ensure that implementation approaches reflect practical impacts identified during early execution planning.
- *Clarify Expectations for Sponsor Engagement on Policies Affecting Cost and Risk:* Directing the Corps to engage non-Federal sponsors when developing or revising policies that materially affect sponsor cost exposure, delivery timelines, or risk allocation, including design maturity expectations. This would reinforce that sponsors who cost-share projects are included in discussions before policies are finalized.
- *Require Transparency Around New or Revised Delivery Policies:* Requiring the Corps to clearly document and communicate the rationale, objectives, and expected outcomes of new delivery policies, including how those policies are intended to reduce cost growth or delay. Clear articulation of intent would allow sponsors and districts to assess whether policies are functioning as intended.
- *Direct Clear Communication Parameters for Civil Works Engagement:* Clarifying that internal communications guidance, including Department of Defense or Department of War directives, should not be interpreted to limit routine, factual, or process-related communication between the Corps, non-Federal sponsors, and Congressional staff on Civil Works matters. This would help prevent overly restrictive interpretations that impede coordination.
- *Encourage Early Identification of Implementation Challenges:* Directing the Corps to identify and communicate anticipated implementation challenges associated with WRDA provisions, including areas where additional guidance, resources, or coordination may be needed. Early identification would allow Congress and sponsors to address issues before they result in delay or cost escalation.

Implementation and Oversight Considerations. Oversight may be warranted to examine how internal communications guidance is being interpreted and applied across the Corps, including the impacts of the Department of War memo on routine information sharing. Clarifying what districts can appropriately communicate to sponsors and Congressional staff could help reduce confusion and restore effective coordination.

Oversight also could focus on how the Corps engages non-Federal sponsors during the development and implementation of policies and guidance that affect cost-sharing, delivery timelines, and risk allocation. Greater transparency and two-way communication would support more predictable project delivery and strengthen the Federal and non-Federal partnership model that underpins the Civil Works program.

G. HARBOR MAINTENANCE TRUST FUND

Recent changes moved the Harbor Maintenance Trust Fund off budget to allow full use of revenues paid into the system. However, the way CARES Act language was structured has created an unintended issue when annual HMTF appropriations are below the authorized amount, including through continuing resolutions and the Congress wants to make up for that reduction in a future year.

The CARES Act language providing the appropriations process off-budget treatment for specific amounts of appropriations from the HMTF only provides that treatment for the specified amounts if they are appropriated in the specified year. If a lower amount is appropriated, the difference between the two amounts cannot be provided that off-budget treatment in a future year appropriation. This occurred when FY-2025 funding under the continuing resolution was less than the authorized off-budget amount, but the Congress could not apply the off-budget treatment to that unappropriated amount if it was added to the FY-2026 total authorized off-budget appropriation, so it was not added. To enable Congress to apply that off-budget treatment to recoup that FY-2025 appropriations shortfall in a future year, the CARES Act language would need to be amended to allow this.

This issue is driven by appropriations mechanics rather than authorization, and addressing it would require engagement beyond the authorizing committee, with other committees with the involvement of other committees with jurisdiction over budget execution. The issue is flagged here to highlight the need for further examination and coordination to ensure that Trust Fund revenues are fully and timely applied as intended.

H. ADDITIONAL ISSUES RAISED BY NWC OR OTHER SPONSORS

In addition to the issues discussed above, NWC raised several other matters in its testimony that continue to affect project delivery and sponsor engagement. At this time, NWC is not offering specific WRDA 2026 recommendations on these issues, for several reasons. In some cases, the Corps is currently engaged in rule-making or implementation efforts, and it would be premature to propose statutory changes before those processes are completed. In other cases, the challenges identified relate less to gaps in authority and more to how existing authorities are being implemented, interpreted, or managed at the Corps level.

From NWC's perspective, these issues may be better addressed through continued engagement with the Corps, targeted oversight, or follow-on evaluation once ongoing rulemakings and implementation efforts are complete. NWC raises them here to acknowledge their importance and to note that they remain areas of concern for non-Federal sponsors, even if they are not ripe for legislative action in WRDA 2026.

These issues include, among others:

Public Law 84-99 (P.L. 84-99) Emergency Repair Authorities

Sponsors have expressed concerns over how the Corps is attempting to shift the P.L. 84-99 program away from its Congressionally intended emergency response focus towards a more prospective planning and compliance framework. Members also have raised concerns that P.L. 84-99 repairs are taking too long to deliver, leaving communities exposed to continued flood risk. Specific issues raised include the inability to use emergency contracting procedures throughout construction, real estate requirements for repairs that exceed what is necessary for existing infrastructure, and limitations on reimbursing non-Federal sponsors that are capable of performing emergency repairs directly. These issues are currently intertwined with ongoing Corps rulemaking and implementation decisions.

Non-Federal sponsors see a need to solve the problem of communities either operating damaged facilities or self-funding repairs without certainty of reimbursement, by allowing a waiver or exemption for non-Federal sponsors, in circumstances where disaster funding is delayed, to ensure rehabilitation reimbursement for repairs undertaken in good faith while waiting for Federal approval. Sponsors also see a need to establish a longer window and clearer process for using P.L. 84-99 funds, faster contracting authority, and more opportunities for non-Federal sponsor-led implementation of repairs.

Section 408 Review Requirements and Delays

Sponsors have expressed concerns over the major variation in Section 408 expectations across Corps districts, and how 408 reviews continue to be a major source of delay and inconsistency for many sponsors. They see a need for clear, concise, and specific guidelines on when and how Section 408 applies, to ensure consistency across districts, and believe non-Federal sponsors could play a greater role in 408 reviews, to improve timeliness while maintaining safety.

WRDA 2024 Section 1244(c) requires the Government Accountability Office (GAO) to conduct a thorough review of the Section 408 program. GAO is beginning this study. WRDA 2024 Section 1244(c) requires the Government Accountability Office (GAO) to conduct a thorough review of the Section 408 program. GAO is beginning this study. Separately, the Corps *posted a regulatory plan on the Administration's Unified Agenda of Regulatory Actions in 2022, where the Corps was proposing to convert its 408 policy guidance that governs the section 408 program to a binding regulation. The Corps has solicited stakeholder comment on the plan, but has not undertaken a formal rulemaking on Section 408 to date.*

Dredging at Coast Guard Anchorages

Section 106 of WRDA 2020 provided that the Corps “may perform dredging at Federal expense within and adjacent to anchorages established by the Coast Guard pursuant to existing authorities.” 46 U.S.C. § 70006 authorizes the U.S. Coast Guard to define and establish anchorage grounds for vessels in all harbors, rivers, bays, and other navigable waters of the United States. The Coast Guard establishes and regulates anchorages through Title 33, Part 110 of the Code of Federal Regulations, designating specific areas for vessels to anchor for safety, logistics, or during delays.

Some sponsors have expressed concern that, notwithstanding the language of Section 106, certain Corps districts have taken the position that it did not have the authority to dredge in Coast Guard authorized anchorages. They seek a clarification that the Corps has the authority to dredge all Coast Guard authorized anchorages.

Lands, Easements, Relocations, Rights-of-Way, and Disposals (LERRDs)

Local sponsors, because their contributions of LERRDs are required to be performed in advance of construction by the Corps, can expend a large proportion of their project cost-share requirement years before the Corps commences construction. When credit for these expenditures is fixed at the non-Federal sponsor's cost-at-completion, it has the real-world effect of decreasing the value of these contributions and increasing the cash requirement when the Corps commences construction. Sponsors see a need to value LERRDs at the time they are required for construction, not at the time they are first acquired or completed, by indexing the costs of LERRDs appropriately to ensure the contributions by each party are valued equitably. Sponsors believe this would help protect sponsors from runaway cost escalation due to Federal delays in project implementation.

Question 1.b. How important is it that WRDA 2026 focus not just on new authorizations, but on ensuring the Corps fully and consistently implements reforms Congress has already enacted?

ANSWER. It is extremely important that WRDA 2026 focuses not just on new authorizations, but on ensuring the Corps fully and consistently implements reforms Congress has already enacted. That is a key aspect of implementation oversight, as discussed in the above responses. Local sponsors expend substantial energy and resources in the interest of ensuring that the Corps follows its own regulations and agreements. It is vital that Congress also engage in robust oversight of the Corps' implementation of the Civil Works program.

WRDA 2026 presents an opportunity for Congress to reinforce its expectations about and track progress with the Corps' implementation of the project authorizations and policy provisions in both WRDA 2026 and past legislation, including but not limited to those related to addressing the problems of project cost growth and schedule delays, developing and implementing changes to its project delivery processes, implementation of non-Federal sponsor project delivery authorities, and communication and consultation, particularly where these materially affect non-Federal sponsors.

QUESTIONS TO JULIE A. UFNER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, NATIONAL WATERWAYS CONFERENCE, INC., FROM HON. JEFF HURD

Question 1. As Chairman of the Subcommittee on Indian and Insular Affairs over on the House Natural Resources Committee, I'm particularly interested in WRDA's impact on tribal governments and their role as non-Federal sponsors. Previously, WRDA expanded the Army Corps' authorities to work with tribal governments through initiatives such as the Tribal Partnership Program, which allows the Corps to collaborate with tribes to study and determine feasibility of projects that will significantly benefit their communities. Ms. Ufner, in your perspective, how can we

build on past WRDAs' support for tribal governments, and further empower tribal communities as we look towards the 2026 bill?

ANSWER. The National Waterways Conference (NWC) membership consists primarily of state and local governments, special districts, ports, and other non-Federal sponsors that partner with the U.S. Army Corps of Engineers (Corps) across the Civil Works program. While NWC does not represent tribal governments, whose sovereign status and government-to-government relationship with the Federal government are distinct, we can offer process-level observations that may be helpful as Congress considers how WRDA can continue to support effective engagement and project delivery.

Recent Water Resources Development Acts (WRDAs) have expanded the Corps' statutory authorities to work with tribal governments, including through initiatives such as the Tribal Partnership Program (TPP). The TPP, first authorized in WRDA 2000 (Section 203), allows the Corps to partner directly with federally recognized Tribal Nations by allowing Tribes to enter cost-sharing agreements for feasibility studies and construction of water resources development projects, with the Federal government covering significant portions of the costs. The program's primary objective is to carry out water-related planning and construction projects that provide a substantial benefit to Tribal communities.

The TPP supports projects that address economic, environmental, and cultural needs, including:

- *Flood Risk Management:* Reducing hazards from floods, hurricanes, and storm damage.
- *Environmental Restoration:* Protecting aquatic ecosystems and restoring degraded habitats.
- *Cultural Resource Preservation:* Protecting and preserving natural and cultural resources significant to a Tribe.
- *Technical Assistance:* Providing hydrologic, economic, and environmental data and analysis.
- *Watershed Planning:* Conducting comprehensive evaluations and strategic assessments of water resource needs.

While there are similarities, these Tribal authorities operate outside the traditional non-Federal sponsor framework used with states and local governments and are grounded in the Federal Trust responsibility and legally required government-to-government consultation. As structured, these provisions establish mechanisms for collaboration that differ in eligibility, process, and, in some cases, cost-sharing from standard Civil Works project delivery models involving non-Federal sponsors.

While NWC does not work directly with Tribes, our experience representing non-Federal sponsors suggests that the effectiveness of any delivery authority depends heavily on how clearly it is implemented and how consistently it is applied across Corps divisions and districts. Across the Civil Works program, authorities intended to improve project delivery often fall short not because of statutory limitations, but because implementation guidance is delayed, applied unevenly, or difficult for partners to navigate. This dynamic can affect all Corps partners, including those operating under Tribal-specific authorities.

NWC also recognizes that many Corps Civil Works projects intersect with Tribal interests, including projects that affect Tribal lands, treaty-protected resources, or cultural resources. In such cases, coordination challenges can arise when engagement occurs late in the project lifecycle or through separate, siloed processes. In appropriate circumstances, structured opportunities for early information-sharing among Tribes, non-Federal sponsors, and the Corps may help surface concerns earlier, clarify constraints, and improve understanding of respective roles and responsibilities. Such engagement would not replace required Tribal consultation or the Federal Trust responsibility but could complement those processes by improving transparency and reducing the risk of conflict or delay later in project development.

As Congress looks toward WRDA 2026, continued attention to how existing Tribal partnership authorities are implemented may be warranted. Oversight examines how these provisions are being used in practice, how consistently they are applied across Corps districts, and whether administrative or staffing barriers are affecting execution could help inform future legislative decisions. Greater clarity around implementation and accountability may also provide Congress with better insight into whether existing authorities are functioning as intended or whether additional direction is needed.

Question 2. In the American West, water forms the backbone of our way of life—and families, ranchers, and water managers in Colorado depend on sound, reliable water policy and project delivery. Too often, roadblocks such as Endangered Species Act Section 7 reviews and National Environmental Policy Act reviews create dif-

difficult delays to getting projects moving. When it comes to these Army Corps projects, Congress should follow the science when it comes to addressing environmental concerns and protecting vulnerable species, but we must move away from broad, sweeping determinations that threaten needed water infrastructure for our communities. Ms. Ufner, as we craft the next WRDA bill, what does a balanced approach between conservation and project construction look like? What reforms should we make going forward to ensure we are meeting our economic and human needs while preventing unnecessary delays?

ANSWER. From the perspective of non-Federal sponsors working with the Corps' Civil Works program, a balanced approach between conservation and project construction means protecting environmental resources while ensuring that authorized projects can move forward in a timely and predictable manner.

In practice, balance is achieved when Endangered Species Act (ESA) and National Environmental Policy Act (NEPA) reviews are science-based, proportionate to project impacts, and aligned with authorized purposes and construction timelines. They should not be roadblocks to project development.

Sponsors consistently support environmental protection, but experience delays when reviews become overly broad, are applied inconsistently across districts, or are disconnected from the actual risk posed by a project. In regions with limited construction windows, these delays can result in an entire season being lost, increasing costs and prolonging exposure to flood risk or water supply challenges.

Going forward, reforms should focus on improving coordination, predictability, and efficiency rather than weakening environmental standards. Earlier and more integrated ESA and NEPA engagement, greater use of programmatic and tiered reviews where impacts are well understood, and clearer alignment between environmental review and project delivery schedules would help reduce unnecessary delay while preserving conservation outcomes. Recent Council on Environmental Quality guidance emphasizing tailored approaches for time-sensitive and emergency actions reflects principles that are directly relevant to many Civil Works projects.

As Congress considers WRDA 2026, reinforcing expectations for early coordination, consistent application of existing flexibilities, predictability, accountability and transparency in conducting reviews and determining how tradeoffs are evaluated would help ensure that environmental reviews support informed decision-making rather than becoming a primary driver of delay. In many cases, continued oversight to ensure effective and consistent implementation of existing authorities will be as important as new statutory direction.

**QUESTION TO CHARLES CAMILLO, EXECUTIVE VICE PRESIDENT,
MIDWEST FLOOD CONTROL ASSOCIATION, FROM HON. BRIAN BABIN**

Question 1. Mr. Charles Camillo, flood protection is a top priority for many Texas communities, particularly when it comes to levees and emergency repairs after major flood events. Your testimony raises concerns that emergency programs are drifting away from their original purpose. What should Congress do in WRDA 2026 to ensure emergency flood repair and levee rehabilitation programs are focused on rapid response and protecting lives and property, rather than being slowed down by excessive processes and paperwork?

ANSWER. Thank you, Congressman Babin, for your question on ensuring levee readiness in Texas and nationwide. As Executive Vice-President of the Midwest Flood Control Association, I feel more qualified to discuss matters as they pertain to levee districts along the Mississippi River and other inland waterways, such as those in Texas and many other states. Our members would like to see some simple tweaks to the way PL 84-99 is administered:

First, we would like to explore the possibility of continuing or extending the emergency categorizations during the rehabilitation process until all necessary repairs are complete. Doing so would enable the extension of certain requirements that lead to delays in completing the repairs.

Second, we would like to see the federal government allow non-federal sponsors to perform the design and construction during the repair process and get reimbursed after the Corps of Engineers inspects and approves the completed works.

Third, we would like to see a tweak to the permitting process for PL 84-99 repairs. If the repair is going to restore the project to the previous condition, we would like to see the Risk-Informed Decision-Making process and permitting process bypassed as they are not necessary if there are no changes to the project.

Fourth, amend PL 84-99 (33 U.S.C. §701n) to clarify that adequate maintenance and upkeep alone results in a project being eligible for repair or rehabilitation assistance. Alternatively, at the Non-federal sponsors request, a determination of eligi-

bility may be based on voluntary levee safety activities identified by the Corps of Engineers.

To your specific question about Texas communities, as a flood control advocate, I do hear many concerns from levee operators from your region and across Texas that the Corps of Engineers' administration of the PL 84-99 program—particularly revisions to 33 CFR Part 203—is shifting from its statutory emergency response purpose under 33 U.S.C. §701n.

Additionally, since the Federal Emergency Management Agency's (FEMA) Risk Rating 2.0 launch in 2021, some Texas Non-federal levees have not been fully recognized by FEMA or the Army Corps of Engineers for the flood damage reduction benefits they provide. Instead, lacking detailed information about these local levees federal assumptions are made that fail to recognize the full level of protection provided or the robustness of those levee systems.

This lack of recognition causes:

- Flood insurance premiums to be up to 25% higher for locally built levee systems than for federally built levee systems.
- Unfair treatment to communities that locally funded design, construction and ongoing operation and maintenance for their own flood protection.

To refocus PL 84-99 on rapid response and protecting lives, property and infrastructure, and to recognize local efforts and investment, Congress could explore some possible solutions beyond those listed above being championed by various flood control advocates for WRDA 2026:

First, recognize the capacity of Non-federal sponsors and direct that levee owners' engineers be allowed to perform certified risk assessments for Corps of Engineers' review and upon approval use those results in FEMA's premium setting within 180 days.

Second, establish a Levee Owners Board to enable representation of Non-federal levee sponsors nationwide in agency policymaking and programs.

Third, require collaboration with willing levee owners under WRDA 2020 §131 to identify deficiencies and remediate with realistic cost and timeline estimates.

These measures could possibly realign the Corps of Engineers toward engineering and lead to more prioritized and affordable investments that promote and support sound federal and local flood risk management projects and activities.

Thank you for your consideration of these requests. Please let me know if there are any questions or if additional information or discussion is warranted.

QUESTION TO CHARLES CAMILLO, EXECUTIVE VICE PRESIDENT, MIDWEST FLOOD CONTROL ASSOCIATION, FROM HON. JEFF HURD

Question 1. Agriculture is also an extremely robust and important industry in my district—I am proud to represent many producers and rural communities in Colorado's Third District. Mr. Camillo, from your experience with the Mississippi River System, can you describe to us how the Corps' flood control and navigation missions intersect and how both need to be strong to support our agricultural industry, from protecting farms and rural communities to ensuring the efficient movement of crops and inputs such as fertilizer?

ANSWER. Thank you for the question, Congressman Hurd.

The navigation and flood control improvements designed, constructed and operated by the U.S. Army Corps of Engineers along the rivers comprising the Mississippi River system have a symbiotic relationship. You really cannot have one without the other. Navigation and flood control improvements work together in tandem—like the two wheels of a bicycle—to keep our economic engine along the rivers moving forward during both the high water seasons and low water seasons.

Levees, flood control reservoirs, river training dikes and revetments all serve dual purposes. Without levees, the rivers would run from bluff to bluff during floods. Levees and flood control reservoirs help to confine floodwaters to the high-water channel between the levees, while protecting communities and farms from those floods. So in that regard, levees and reservoirs also benefit port facilities, terminals, grain elevators and the roads and infrastructure that serve them by keeping them dry and operating during times of flood. Flood control reservoirs also store potential flood waters during wet periods and release them to augment low flows for navigation during the dry periods.

Likewise, navigation improvements—in the form of dikes and revetments—help to generally lock the river into place. If a river were allowed to freely meander with no controls, we would not have reliable municipal and industrial freshwater intakes, bridge approaches or port facilities. Dikes and revetments also protect levees from

scour and erosion during periods of flood. While levees protect farms and producers from floods, the navigation locks and dams allow continued transport of goods during drought and low water periods. For farmers, that low water period generally coincides with harvest season, so the impact can be tremendous.

I recently had a conversation with a farmer that perfectly illustrates the effectiveness of the inland navigation system and its impact on producers and their ability to keep remain competitive in the global economy. That Illinois farmer told me that it costs him more per bushel to truck his soybeans for fifty miles from his farm to the elevators and terminals across the river from St. Louis in Cahokia, Illinois, than it does to ship those soybeans for the 1,300 miles from the elevator to the export distribution center in Destrehan, Louisiana. It is that efficiency and cost-effectiveness that makes our inland waterway system the envy of the world.

**QUESTION TO BRYAN JONES, PRESIDENT, MID-ATLANTIC DIVISION,
HNTB CORPORATION, FROM HON. BRIAN BABIN**

Question 1. Mr. Bryan Jones, you've worked closely with the Corps on major flood protection, navigation, and port projects, and you've seen firsthand how delays and uncertainty affect local communities and private investment. From an industry and delivery standpoint, what changes to WRDA policy or Army Corps practices would most improve certainty, accelerate timelines, and reduce the risk of cost escalation for critical infrastructure projects?

ANSWER. Representative Babin, from an industry and project delivery standpoint, certainty and predictability are among the most important factors influencing whether critical infrastructure projects move forward efficiently and attract sustained non-Federal investment. Delays and uncertainty—particularly early in the project lifecycle—often drive cost escalation and erode local confidence, even for projects with strong non-Federal support.

One of the most impactful changes WRDA could advance is continued reform to the feasibility and preconstruction phases, especially for large or technically complex projects such as the Coastal Texas Protection and Restoration Project and the Buffalo Bayou and Tributaries Resiliency Study. Stakeholders consistently emphasize the need for a risk-informed approach that better aligns study scope, design maturity, and documentation with project complexity and Federal interest. Greater flexibility in how and when design maturity is achieved can reduce rework, improve cost and schedule estimates, and better position projects for timely authorization and construction.

From a project execution standpoint, sponsors also highlight challenges in aligning Federal mitigation and disaster recovery funding—including resources provided through FEMA, HUD, and USDA programs—with advancing Corps-authorized projects. In many cases, these funds cannot be applied to accelerate design or construction, even when the Corps project represents the most effective long-term solution to the underlying risk. A future WRDA could authorize targeted pilot programs allowing a limited number of projects to test coordinated use of eligible mitigation or recovery funds.

Sponsors further point to funding execution challenges for multi-year projects as a source of uncertainty and cost escalation. WRDA authorities that support incremental funding approaches and innovative contracting methods can help reduce start-and-stop inefficiencies, sustain construction momentum, and improve schedule certainty.

Finally, stakeholders strongly support continued use of WRDA-authorized pilot programs to test new delivery tools, contracting approaches, and process reforms on a limited and controlled basis. Pilot authorities allow the Corps to evaluate effectiveness before scaling reforms enterprise-wide, reduce risk to the Federal government, and provide Congress with real-world data to inform future policy decisions.

Taken together, these WRDA-focused changes could improve certainty, accelerate delivery timelines, and help control costs, while enabling the Corps to deliver effective water resources infrastructure solutions for the Nation.

**QUESTION TO BRYAN JONES, PRESIDENT, MID-ATLANTIC DIVISION,
HNTB CORPORATION, FROM HON. JEFF HURD**

Question 1. Mr. Jones, you mention in your testimony that Congress should support clear and streamlined US Army Corps permitting reforms, and I agree wholeheartedly. I introduced legislation that passed the House last week within the PERMIT Act to direct the Corps to eliminate thousands of backlogged jurisdictional de-

terminations and wetland delineations, which have caused delays for project owners and put projects in limbo. In your view, what are some other Corps regulatory barriers or backlogs that present the biggest hindrances for getting critical projects authorized and constructed?

ANSWER. Representative Hurd, thank you for your leadership on the PERMIT Act and for addressing a source of delay that project owners across the country routinely face. From the perspective of the regulated public and private-sector firms that work closely with the Corps, uncertainty and delay in the regulatory process can, at times, be more challenging than the substantive requirements themselves.

While permitting reforms are essential to streamlining the Corps' Regulatory mission in support of economic development, implementation of the Civil Works program presents its own set of delivery challenges. From a project delivery standpoint, one of the most frequently cited obstacles is the duration and administrative complexity of the feasibility phase, particularly for large or technically complex projects. Stakeholders consistently point to the need for WRDA reforms that better align determinations of Federal interest with a risk-informed study approach. Although greater design maturity can improve estimates of cost, schedule, and resource needs, the upfront investment required to achieve this level of detail can be difficult for sponsors to manage under current frameworks. For example, as the Alamosa Levees project advances with funding provided in the FY 2026 appropriations act, flexible and risk-informed study activities can help efficiently deliver resilient solutions for affected communities.

Stakeholders also raise concerns about statutory and regulatory barriers that limit integration between the Corps and other Federal mitigation and disaster recovery programs. Funds provided through FEMA mitigation and recovery programs, HUD's Community Development Block Grant, and similar USDA programs are often restricted from being applied toward advancing Corps-authorized projects, even when those projects address the same underlying risks. Stakeholders suggest that the rigorous study and evaluation required for Corps-authorized projects should serve as a foundation for more effective integration of Federal funding. WRDA-authorized pilot programs could allow a limited number of projects to test coordinated use of eligible mitigation and recovery funds, under clear guardrails and congressional oversight, to improve efficiency and project delivery while protecting the Federal interest.

Finally, while somewhat adjacent to the jurisdiction of this subcommittee, sponsors also highlight funding execution challenges for multi-year projects. WRDA authorities that support incremental funding approaches and innovative contracting methods can help sustain construction momentum, reduce cost escalation, and improve schedule certainty.

Collectively, these WRDA-focused reforms would improve predictability, reduce unnecessary delay, and help ensure critical infrastructure projects move to construction efficiently and responsibly.

QUESTION TO NOEL HACEGABA, CHIEF OPERATING OFFICER AND INCOMING CHIEF EXECUTIVE OFFICER, PORT OF LONG BEACH, CALIFORNIA, FROM HON. BRIAN BABIN

Question 1. Dr. Noel Hacegaba, Texas is a major energy-producing and exporting state, and our ports are critical to moving energy commodities, manufactured goods, and agricultural exports to global markets. How do timely Corps navigation projects and a predictable WRDA authorization cycle directly support America's energy security, supply-chain resilience, and global competitiveness—and what are the consequences when those projects are delayed?

ANSWER. Representative Babin, the delivery of these critical navigation projects supports commerce, good-paying jobs, and national economic benefits, including cargo valued at over \$300 billion that supports more than 2.7 million jobs across the nation. The Port of Long Beach brings in the most tonnage of any West Coast port, including 41.7 million tons annually in energy commodities critical to U.S. energy security. The Port of Long Beach is also the only port on the West Coast capable of berthing a Very Large Crude Carrier (VLCC), which can hold two million barrels of crude. Without the Army Corps preserving deeper drafts in the federal channels, larger vessels (such as VLCCs) must be lightered or await changes in tide or weather conditions before going to berth, leading to less efficient and more expensive cargo movement. These costs are ultimately passed on to the American consumer.

Predictable WRDA authorization is essential because it ensures consistent investment in critical infrastructure projects, helping to maintain and upgrade ports and

waterways. Maintaining port infrastructure is crucial for the nation's energy supply, as it facilitates the efficient import and export of energy resources like oil and natural gas. Port infrastructure also enhances supply chain resilience by ensuring the smooth and reliable transportation of goods. Reliable WRDA authorization is vital for keeping the nation's critical port infrastructure in a state of good repair, ultimately strengthening America's position in global markets and enhancing economic security.

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