

WRDA Statement for the Record
Congressman Michael Cloud (TX-27)

Thank you, Chairman DeFazio and Ranking Member Graves, for allowing Members to testify today. I represent Texas' 27th District, which is home to 6 of Texas' 19 ports. When it comes to maritime commerce, Texas ranks second in the nation and handles over 20 percent of all tonnage in the nation. The upcoming Water Resources and Development Act is critical for my coastal district, and I want to discuss a few issues and projects that are of concern for Texans back home.

The Army Corps of Engineers first dredged the Matagorda Ship Channel to its current depth of 38 feet in 1966. This channel exports petrochemicals, oil, gas, and agricultural products in and out of Port Lavaca and Point Comfort, Texas. However, the way that the channel is constructed causes dangerous currents and erosion to the jetties underneath. The Corps' Galveston Office has identified that this is the result of Corps' pre-engineering construction and design. According to the Corps, the Matagorda Ship Channel is probably one of a small few infrastructure projects that has serious defects made by the Corps. Should the Calhoun Port Authority begin construction to correct the Corps' design, current law treats the construction as a new project and requires the Port Authority to share the cost with the federal government even though problem is due to an error in the Corps' design. The repairs are expected to cost \$78.7 million, with the Port Authority shouldering nearly \$20 million. When it comes to poor construction made by the Corps in pre-construction engineering and design, the private sponsor shouldn't have to pay to correct the federal government's mistakes. With that in mind, I ask that you all consider including a provision that specifies that design

deficiencies created by the Corps must be fully financed by the federal government.

Two major projects in my district will need authorization in this WRDA bill. A feasibility study for the Matagorda Shipping Channel was just completed, which recommends dredging the main channel from 38 to 47 feet deep and widening it to 300 feet. The completion of this project will allow larger vessels to travel in and out of the channel in the future. Additionally, TxDOT just finalized a study with the Corps on upgrading the Brazos River Floodgates and Colorado River Locks. Both the floodgates and locks help control water flow along Marine Highway 69, which is the third busiest inland waterway in the United States. Since 2000, the government has recognized the need to replace current structures due to safety and congestion issues. The completion of this project will replace outdated floodgates with new ones and will help reduce the amount of congestion and traffic accidents.

Finally, it's been more than 2 years since Hurricane Harvey devastated Coastal Texas, but Texans back home are still waiting on assistance from FEMA's Public Assistance program. In Corpus Christi, the Packery Channel, a system of storm-wash over channels, suffered damage. The Packery Channel exchanges water between the Gulf of Mexico and the Laguna Madre and supports marine wildlife migration between the two entities. When seeking assistance through FEMA's Public Assistance program, FEMA told the city that it couldn't repair the channel because the channel technically fell under the Corps' jurisdiction. Any repairs would theoretically constitute a duplication of benefits. The Corps, however, transferred authority to the city after its first completed construction on the Packery Channel. I hope to amend language in the

Water Resources Development of 1999, which authorized the Corpus Christi Packery Channel, to better clarify the project's purpose and which agency has jurisdiction.

Ultimately, investments in our nation's ports also lead to investments in American-based businesses, jobs for American workers, and markets for American producers. I look forward to working with the committee in the coming weeks on this legislation, and, again, I appreciate you allowing me to testify today.