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Written Testimony of Terry J. Cosby

Subcommittee Chairwoman Napolitano, Subcommittee Ranking Member Rouzer, and Members of the Subcommittee, thank you for the opportunity to provide testimony on U.S. Department of Agriculture Natural Resources Conservation Service watershed programs.

NRCS Background

The mission of USDA's Natural Resources Conservation Service (NRCS) is to deliver conservation solutions so agriculture producers can protect natural resources and feed a growing world. NRCS provides programs and services that enable people to enhance their land stewardship activities to protect the viability of their agriculture operations and the nation's soil, water, and related natural resources on non-Federal lands. NRCS supports the rural economy by helping private landowners and producers, who make day-to-day decisions about natural resource use and management on non-Federal lands, implement conservation measures through technical and financial assistance. Technical assistance provided to farmers, ranchers, foresters and other private landowners supplies the knowledge and tools they need to conserve, maintain, and restore natural resources on the lands they manage. Financial assistance partially offsets the cost to install conservation practices necessary to sustain and enhance natural resources and improve wildlife habitat. About 70 percent of the land in the United States is privately owned, making stewardship by private landowners and land managers critical to the health of our agricultural economy. In addition to working directly with private landowners, NRCS also works with tribal Nations, units of government, and other eligible sponsors (like water authorities) to deliver technical and financial assistance.

Conservation Technical Assistance: The ability of NRCS to provide Conservation Technical Assistance (CTA) to farmers, ranchers, foresters and landowners across the country is core to our mission. Through CTA, NRCS works with landowners and managers to develop conservation plans that outline the specific conservation activities needed to improve farm operations and enhance farm environmental sustainability. NRCS partners with third-party private sector entities (known as Technical Service Providers, or TSPs) to collaborate and provide technical assistance for conservation planning and activities. Currently, there are 1,250 individuals and more than 100 businesses serving as certified TSPs that are available to help program participants apply conservation efforts through programs such as the Environmental Quality Incentive Program (EQIP), the Conservation Stewardship Program (CSP), the Agricultural Conservation Easement Program (ACEP), the Agricultural Management Assistance Program, Conservation Reserve Program (CRP), CTA, and Watershed programs.

Conservation Programs: NRCS administers a wide range of conservation programs to help private landowners, and most are authorized by the Farm Bill, including EQIP, CSP, ACEP, and the Regional Conservation Partnership Program. These financial assistance programs make it possible to implement the conservation plans that resulted from CTA work. Additionally, while CRP is administered by USDA's Farm Service Agency, NRCS provides technical assistance, conservation planning, and support for conservation practice implementation and management. NRCS conservation programs are carried out through local field offices that provide direct assistance to individual farmers, ranchers, foresters, and other private landowners to restore and improve our shared natural resources. Key priorities about the implementation of these programs and practices are made at the local level, with input from Local Working Groups and State

Technical Committees to ensure local needs, which vary greatly across the country, are addressed through voluntary based NRCS programs.

NRCS Watershed Programs

Watershed and Flood Prevention Operations

Through the Watershed and Flood Prevention Operations (WFPO) account, NRCS cooperates with State and local agencies, tribal governments, and other Federal agencies to prevent damage caused by erosion, floodwater, and sediment, to further the conservation, development, utilization, and disposal of water, and advance the conservation and utilization of the land.

WFPO includes the Small Watershed Program, the Flood Prevention Operations, and may include activities under the Watershed Rehabilitation Program described in the next section. The vast majority of NRCS watershed projects have been built pursuant to the authority of P.L. 83-566 (PL-566 projects), under which NRCS works with local government sponsors and helps participants solve natural resource and related economic problems within watersheds. Watershed projects are limited to 250,000 acres and cannot include any single structure that provides more than 12,500 acre-feet of floodwater retention capacity, or more than 25,000 acre-feet of total capacity. Projects may include flood prevention and damage reduction, development of rural water supply sources, erosion and sediment control, fish and wildlife habitat enhancement, wetland creation and restoration, and increased recreational opportunities. NRCS provides technical and financial assistance to support plan development and project implementation. NRCS can offer conservation practices to individual landowners and work with local communities to create vital infrastructure protecting and restoring natural resources. NRCS financial and technical assistance for watershed projects includes dams that not only offer flood

control, but can also offer critical fish and wildlife habitat, livestock water, recreation and in some cases municipal water.

Additionally, Flood Prevention Operations includes eleven projects that were specifically authorized under the Flood Control Act of 1944 (P.L. 78-534) and are much larger than PL-566 projects. The Flood Control Act placed a primary focus on watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport. The Watershed Protection and Flood Prevention Act extended these authorities to expand NRCS's ability for delivering additional conservation investments beyond those focused solely on flood damages. Through these programs, NRCS has assisted in the construction of 11,800 watershed dams that help mitigate flooding downstream, offer municipal and industrial water supply, provide recreation opportunities, and serve as a source of irrigation for our farmers and ranchers. These dams help protect more than 180,000 farms, 610,000 businesses, and positively impact more than 48,000,000 people each day.

In 2020, the Agency received \$175 million in discretionary funding and \$50 million in mandatory funding for WFPO. NRCS provided funding to 41 new and 12 backlog projects in 24 States. In selecting projects for funding, the agency balanced the needs of remedial, backlog, and new projects. NRCS provided technical assistance and cost sharing for construction. Local sponsors assumed responsibility for the operations and maintenance of structures once completed. These dams protect our communities, infrastructure, and natural resources with flood control. Further, many provide the primary source of drinking water in an area or offer recreation and wildlife benefits.

Watershed Rehabilitation Program

The Watershed Rehabilitation Program provides technical and financial assistance for the planning, design, and implementation to rehabilitate aging watershed dam projects in communities to extend the service life of dams and bring them into compliance with applicable safety and performance standards, or to decommission the dams so they no longer pose a threat to life and property. While the Watershed Rehabilitation Program is a separate account, its activities are included as part of WFPO, and the 2018 Farm Bill authorized \$50 million in mandatory funding for WFPO and the Watershed Rehabilitation Program. The Watershed Rehabilitation Program prioritizes dams that pose the greatest risk to public safety. These dams are classified as high hazard potential in the national dam safety classification system. All high-hazard potential dam project requests from public sponsors will be rehabilitated before dams classified as low or significant hazard potential to public safety. The Watershed Rehabilitation Program provides up to 65 percent of the total cost for dam rehabilitation projects, including the acquisition of land, easements, rights-of-way, project administration, non-Federal technical assistance, and construction. NRCS provides technical assistance to conduct studies, develop rehabilitation plans, develop environmental impact statements, prepare the engineering designs, and provide construction management services. Local sponsors are required to provide 35 percent of the total project cost.

In fiscal year 2020, the Watershed Rehabilitation Program received \$10 million in discretionary funding and \$19.9 million in mandatory WFPO funding. This funding helps to repair aging infrastructure, creates jobs and commerce, and protects homes and families. NRCS continued to provide funding and promoted assessments of high-hazard potential dams, monitored costs, and examined the rehabilitation program to ensure equitable delivery in economically disadvantaged areas. Additionally, we utilized \$1.1 million to fund 50 dam assessments. These assessments

provided communities with technical information about the condition of their dams, and alternatives for rehabilitation of dams that do not currently meet Federal dam safety standards.

From 2000 through 2020, 398 dams have been funded for planning. Of those, 254 dams were reauthorized to receive Federal funding to design and construction of rehabilitation measures in 25 States. There are 122 dams in the planning phase that remain subject to funding priorities. Of the 254 dams that are already authorized for rehabilitation, 166 have been rehabilitated and 67 are in the design and construction phase. Watershed Rehabilitation projects provide enormous benefits for both agricultural and non-agricultural lands. For example, completed projects resulted in an average of \$9,383,748 in annual floodwater damage reduction benefits and more than 1,000 farms and ranches benefiting from program action.

The reality is that many of the communities protected by the watershed dams that NRCS helped to establish are now vulnerable to flooding. Many dams have reached, or will soon reach, the end of their design life. Specifically, by December 2021, 5,947 watershed dams will have reached the end of their original designed lifespan. By 2025, that number will increase to nearly 6,800 watershed dams. This has happened over time because dam spillway pipes have deteriorated, and reservoirs have filled with sediment. Additionally, the area around many dams have changed as homes and businesses have been constructed on what was once agricultural land. A dam failure could pose a serious threat to the health and safety of those living downstream and to the communities that depend on the reservoir. Dam failure also could bring serious adverse environmental impacts.

DAMWATCH®: Dam safety is a critical concern as many of the watershed dams NRCS assisted sponsors with constructing were built in the 1950's, 1960's, and 1970's. Of the 11,800 NRCS assisted dams, 2,423 are high-hazard, meaning the potential for a loss of life should a dam failure

occur. Many of these dams are in need of upgrades to meet current public safety standards, and many more are in need of key repairs to man-made components. NRCS has worked to help sponsors mitigate risk with DAMWATCH®. DAMWATCH® is a web-based application developed for NRCS to support watershed project sponsors with monitoring and managing NRCS-assisted dams. DAMWATCH® provides real-time monitoring of rainfall, snowmelt, stream flow, and seismic events that could pose potential threats to dam safety. The application is able to alert essential personnel when dams experience potentially hazardous monitored conditions, allowing for the coordinated deployment of personnel and resources. NRCS and watershed project sponsors utilize DAMWATCH® to manage a proactive response through the application's "one stop shop" for accessing critical documents, databases, monitoring devices, and geospatial information.

Fiscal Year 2022 President's Budget Overview

The Fiscal Year (FY) 2022 Budget proposes an overall increase of \$67 million in discretionary funds for NRCS from the FY 2021 enacted appropriations funding level. This includes a \$42.6 million increase for Conservation Technical Assistance (CTA). Additionally, the budget includes an overall mandatory increase of \$140 million for NRCS. Legislative proposals in the FY 2022 budget include: increased funding for EQIP to address drought resilience; increased funding for RCPP for net-zero agriculture technology initiatives; increased funding for the Watershed and Flood Prevention Operations Program; and increased funding for the Healthy Forests Reserve Program as part of a net-zero technology initiative to encourage land and species protection and restoration. Of note, the Watershed and Flood Prevention Operations program would increase by \$100 million per year, totaling \$1 billion over ten years, to address repair needs. Additionally, the proposed increase to EQIP funding would support the ability of producers to adapt to the

climate crisis through technological investments to increase drought resilience. These investments would result in the installation of conservation practices that include the incorporation of new science, technology and research into NRCS conservation practices in order to help producers with irrigation efficiencies, alternative livestock watering systems, and the adoption of resource conserving crop rotations.

Watershed and Flood Prevention Operations (WFPO) – FY 2022 Budget

The FY 2022 Budget proposes \$175 million in discretionary funding for WFPO. The Agriculture Improvement Act of 2018, commonly referred to as the 2018 Farm Bill, permanently authorized \$50 million in annual mandatory funding to be used for WFPO and the Watershed Rehabilitation Program. Within WFPO, the budget proposes \$110,000,000 for the Small Watershed Program (P.L 83-566). The other \$65,000,000 is for Flood Prevention Operations, which includes projects that were specifically authorized under the Flood Control Act of 1944 (P.L. 78-534).

The budget proposes \$10,000,000 for the Watershed Rehabilitation Program. Dams installed through the Watershed Protection and Flood Prevention Act, Pilot Watershed Projects authorized by the Agriculture Appropriation Act of 1953, and the Resource Conservation and Development Program are eligible for rehabilitation assistance.

Conclusion

NRCS's Watershed and Flood Prevention Operations Program combines the agency's technical, scientific, and financial resources to have the greatest impact on our nation's resources. This program reflects our commitment to local leadership on critical conservation issues and targets the specific needs of communities across the country. NRCS's financial and technical assistance on working lands are a critical component of our nation's infrastructure. We are accustomed to

viewing infrastructure as part of our program delivery. However, some of our other activities, such as water supply forecasting network, are also a core aspect of the technology infrastructure that NRCS provides to the nation.

Protecting our Nation's small watersheds is essential to protecting lives, natural resources, and agriculture. As we work to respond to the climate crisis, maintenance and upkeep of these dams and infrastructure is more important than ever in the face of extreme weather and natural disasters. We know that farmers, ranchers, foresters and other landowners are on the frontlines of the climate crisis and NRCS stands ready to support the implementation of conservation and infrastructure solutions that respond to the severity of the crisis. I appreciate Congress's continued support for NRCS and our work to ensure the safety and functionality of our small watersheds and voluntary conservation on working lands. Thank you for the opportunity to submit written testimony.