



WRITTEN STATEMENT FOR THE RECORD

**JULIE A. UFNER
PRESIDENT**

ON BEHALF OF THE NATIONAL WATERWAYS CONFERENCE, INC.

**CONCEPTS FOR THE NEXT WATER RESOURCES DEVELOPMENT ACT: PROMOTING
RESILIENCY OF OUR NATION'S WATER RESOURCES INFRASTRUCTURE**

**BEFORE THE SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES HOUSE OF REPRESENTATIVES**

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Thank you, Chairwoman Napolitano, Ranking Member Westerman, and members of the subcommittee for the opportunity to testify on the “Concepts for the Next Water Resources Development Act: Promoting Resiliency of our Nation’s Water Resources Infrastructure.”

My name is Julie Ufner. I am President of the National Waterways Conference, Inc. (NWC or Conference). Prior to coming to the Conference, I served as the Associate Legislative Director for Environment, Energy and Land Use at the National Association of Counties (NACo) for the past 17 years. NWC would like to thank both Chairwoman Napolitano and Ranking Member Westerman for their leadership, along with this subcommittee for its long tradition of cooperation and collaboration in addressing the nation’s critical water resources needs. On behalf of NWC, we are pleased to weigh in on the importance of a robust water resources infrastructure for our nation and to address potential next steps for a Water Resources Development Act (WRDA) that may be considered by Congress in 2020.

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.

Conference membership is comprised of the full spectrum of water resources stakeholders, including flood control associations, levee boards, waterways shippers and carriers, industry and regional associations, port authorities, shipyards, dredging contractors, regional water supply districts, hydropower producers, engineering consultants and state and local governments. Many of our members

are non-federal sponsors of U.S. Army Corps of Engineers (USACE or Corps) civil works projects, responsible for significant financial commitments for the construction and maintenance of these projects. They 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.

Water resources infrastructure helps keep communities safe and strengthens national and local economies.

Across the country, our water resources infrastructure provides life-saving flood control, needed water supplies, valuable shore protection, water-based recreation, environmental restoration and hydropower production, all of which are essential to our economic well-being. Moreover, waterways transportation is the safest, most energy-efficient and environmentally sound mode of transportation.

We appreciate the subcommittee holding this hearing, recognizing the critical importance of a “resilient” infrastructure, so that these investments can deliver their benefits as intended. As Congress and stakeholders grapple with how to accomplish this goal, in view of the lessons learned, and indeed that we continue to learn, from recent devastating floods, we would respectfully suggest that any solutions included in WRDA must be built upon the experiences of those on the front lines, on the ground, including flood control districts, levee boards, emergency managers, port operators, to name a few. A common understanding of “resilience” ought to be a first step in this discussion. In that way, local communities, stakeholders, non-federal sponsors and federal leaders will be better poised to address local infrastructure needs. We know from experience that where infrastructure is in place, communities tend to experience a lesser degree of physical harm and economic damage. Our shared goal

ought to be that ensuring appropriate investments are made up front to prevent, or at least lessen, the need for disaster relief after the fact. Not only will such an approach save taxpayer money, it will also mitigate the difficult decisions later on how to address devastation, and whether and where to rebuild. Stated another way, an ounce of prevention is worth a pound of cure. The cycle we are in – failing to invest adequately at the front end only to require significant disaster relief funding later – is simply unsustainable.

A good example of this approach can be gleaned from the Mississippi River and Tributaries (MR&T) project that was authorized in 1928 after the devastating floods in 1927 to provide a comprehensive approach to flood control and ensure an effective navigation channel. The project's four major features include levees and floodwalls; channel improvement and stabilization; tributary basin improvements and a system of floodways, that work together to provide flood control and navigation and foster environmental protection and enhancement. To date, the MR&T has prevented more than \$1.27 trillion in flood damages since 1928, \$80 for every dollar invested. In considering the value of this investment, it's essential to remember what is being protected by this critical infrastructure – homes, schools, fire and police stations, hospitals, power plants, oil refineries, highways, rail, ports, and cropland.

As the nation considers how to make its infrastructure more resilient, some context and background are helpful. The Corps is responsible for the development, maintenance and oversight of much of the nation's water resources infrastructure through its Civil Works program. This includes flood risk management, navigation, ecosystem restoration, hydropower, water supply, recreation, and environmental stewardship, as well as providing emergency response services. As part of the project development process, the Corps includes environmental decision-making primarily in the planning phase. The planning program provides a structured approach to the formulation of projects that is

responsive to local, state and national needs, premised upon the project's contribution to national economic development while protecting the environment. In addition to the complex, and often lengthy internal review process, Corps' studies are also subject to extensive external reviews, including under the National Environmental Protection Act, at the first stage of the process.

The concept of resilience has taken on greater significance in the Corps' planning program. It frames our aspirations for managing our water resources. It allows communities to enhance the quality of lives of our families and the viability of our businesses and industries. Key to this concept – resilience is not a rigid, monolithic set of standards that can be easily applied to every situation and every place. Rather, it can be achieved by choosing among an array of viable solutions developed through careful consideration of practicable alternatives. The feasibility report produced at the end of the planning process is the investment prospectus for a tailored project that will meet the needs – environmental, financial and safety – of the community that participates in the feasibility study. Congress maintains the power to authorize the ultimate investment and make a commitment to its implementation.

There has been an increased call for the use of nature-based and natural infrastructure alternatives to be included in the planning process. To be sure, the process should include consideration of a full array of viable solutions. Federal investment decisions are grounded upon the net economic benefits to the nation, using a cost-benefit analysis, as set forth in the 1983 Principles and Guidelines (P&G) which governs project planning and development. NWC has been a vocal critic of the attempted update to the P&G as directed in WRDA 2007, resulting in the Principles and Requirements and Implementing Guidelines, as those products are undisciplined, and lack any degree of consistency and predictability needed for the development of proposals to guide federal investment decisions. A key area of concern is the inability to quantify multiple project benefits, including establishing the value of nature-based alternatives in that analysis.

In order to achieve multiple benefits from the civil works portfolio, we would recommend a rigorous, disciplined, scientific-based examination of this issue. Going forward, achieving water resources resilience will demand that our planners adopt new technical approaches to forecast water resources needs and problems and identify viable alternatives. In addition to nature-based solutions, the planning process ought to consider water resources as an integrated system, where multiple purposes can be addressed and multiple benefits achieved. To get there, we must engage in a productive discussion of how the basic objectives of economics, environmental protection, regional development and social well-being can address resilience concerns, and how that analysis can be grounded in a disciplined, thoughtful, predictable process. WRDA is, of course, not the only platform for this discussion. We are encouraged by work going on at the Corps' Engineer Research and Development Center to develop a method for evaluating and quantifying benefits beyond the scope of the traditional benefit cost ratio used in project formation.

We would like to offer a few examples to illustrate the discussion above.

The Sacramento Area Flood Control Agency (SAFCA) has been working to obtain authority to widen the Yolo Bypass, which was originally built in 1917. The Yolo Bypass was constructed as a single-purpose federal flood facility which has evolved into a multipurpose system that deals with issues such as flood control, water supply, ecosystem restoration, drainage and agricultural enhancements. Since construction, the region has had eight events larger than the system was designed to handle. The Corps recently conducted a feasibility study on the widening project but was unable to justify a federal interest based on the current cost-benefit analysis, which only looks at flood protection, rather than the multipurpose benefits of a systemwide approach.

The Yolo Bypass proposal – a comprehensive, system-wide, multi-purpose approach designed to protect a sizable population at risk – at its core embodies the concept of resiliency. Moreover, this

approach is integral to the Corps' Revolutionize civil works initiative. A review of the lessons learned throughout the study process offers some suggestions for improvement, including better quantification and demonstration of all benefits accruing from these projects; improved quantification of multi-purpose benefits as well as improved quantification of urban flood protection benefits, taking into consideration such things as benefits to economically distressed areas; and better utilizing non-federal sponsors' resources, capabilities, and knowledge. Building upon provisions in the most recent WRDAs, non-federal partners' technical, project management and other capabilities must be better recognized and utilized.

The recently issued Chief's Report on the Norfolk Coastal Storm Risk Management Study offers another example of achieving multiple benefits and working collaboratively with the local community. The study is a comprehensive investigation of flood risk management problems and solutions in the City of Norfolk which came about as a result of findings from a larger effort, the North Atlantic Coast Comprehensive Study, which was authorized by Congress after Hurricane Sandy in October 2012, to identify and address flood risks of vulnerable coastal populations in that region. The Chief's Report recommends \$1.4 billion in investments in the City of Norfolk, providing structural, nonstructural, and natural and nature-based solutions to reduce storm damages in the event of coastal storms, while accounting for sea level change.

The Corps partnered with the city to assess not only how to reduce coastal storm risk, but also to build resiliency by implementing strategic approaches that address frequent tidal flooding risk, major storms and the impact on residents and economic activity. A few key takeaways from the process can instruct future planning efforts. First, quantifying green infrastructure was difficult, as discussed previously; further research is needed to justify the inclusion of some options in a federal project. In response to this challenge, the city intends to move forward on community resilience efforts on a local

scale, addressing needs beyond the scope of the Corps study. For instance, in addition to the infrastructure improvements proposed in the study, the city plans to use nonstructural measures such as increased freeboard requirements for new structures and floodproofing. Equally important is the recognition that coastal resilience planning and preparedness do not end with the Chief's Report, but must continue to evolve, in a proactive rather than reactive approach.

It's important to note that investments in infrastructure include not only new construction, but also include both maintenance and recapitalization of existing infrastructure. Starting with a blank slate to develop a solution to a water resources problem better lends itself to incorporate many features into the project. We shouldn't, however, overlook opportunities to incorporate environmental benefits into ongoing maintenance opportunities.

By way of example, The Little River Drainage District (LRDD) in Southeast Missouri has taken a proactive approach to long-term project management by partnering with the Missouri Department of Conservation (MDC) to maximize the environmental benefits of projects by planting native and warm season grasses that provide increased wildlife habitat, superior erosion control (added resiliency), and cost effective/environmentally-friendly yearly maintenance by utilizing fire rather than mechanical mowing. Within this partnership between LRDD and MDC, the project purpose, flood control and drainage, will continue to be paramount to the overall mission of the partnership. Nonetheless, the partnership has yielded a win-win situation, by enhancing the resiliency of flood control and drainage projects along with providing a very important secondary benefit of environmental enhancements to fully maximize the benefits of the project footprint.

The partnership's success hasn't been without challenges though. There is concern that under traditional USACE review processes, the focus is on mitigation and/or preservation rather than on

enhancing the multiple benefits to be accrued by the overall project footprint. These processes could be revised to allow inclusion of additional benefits as part of routine and ongoing maintenance, and not treating the process to add benefits as a new project.

Since the Water Resources Reform and Development Act of 2014, there has been a heightened focus on the beneficial use of dredged material, recognizing the mutual benefits that can be accrued between navigation and ecosystem restoration. In fiscal year 2019, the USACE New Orleans District worked to maintain the authorized channel dimensions on the Mississippi River Ship Channel during months-long high water, yielding 87 million cubic yards (mcy), well above the 51 mcy average. The District beneficially used 25.6 mcy of dredged sediment creating approximately 2,048 acres of wetlands below Venice, Louisiana, in the environmentally sensitive bird's foot delta. These sediment recycling efforts have beneficially utilized over 132 mcy of materials to create or restore 9,598 acres. This is equal to approximately 15 square miles of marsh in that area since 2009, which represents an equivalent of more than 13 million dump trucks. This result was achieved due to the adaptive approach to sediment management supported by the collaborative efforts of the Corps and its federal partners (U.S. Coast Guard, U.S. Fish and Wildlife), along with the industry stakeholders on the ground (including the Big River Coalition, dredging contractors, and local river pilots).

Conclusion

Throughout the testimony, we highlighted projects where our non-federal partners have successfully collaborated with the Corps to achieve multiple benefits and increase resiliency from water resources projects, and also pointed out some challenges to accruing those benefits. The Corps brings needed technical expertise to the table, and in return, our members can offer valuable feedback on strategies and policies that can work on the ground. We encourage the Corps to continue utilizing non-

federal sponsors' resources, capabilities, and knowledge, as we tackle new challenges to support the resiliency of civil works projects.

We live in a world with resource and data constraints. However we define the term “resilience,” we’d do well to observe the need for fiscal soundness. That is, the costs of policy, programs and projects should be less than the comparative budgetary savings they achieve. It must be demonstrated, as part of the investment decision process, that over the long term, these investments will serve as the optimal approaches to lessen future weather-related damages.

Thank you for the opportunity to appear today to discuss the foundations for a Water Resources Development Act. We look forward to working with the subcommittee as it moves forward with developing this important legislation.