

WRDA 2020

Water Resources Development Act

THE WATER RESOURCES DEVELOPMENT ACT OF 2020

On July 13, 2020, Transportation and Infrastructure Committee Chairman Peter A. DeFazio (D-OR), Ranking Member Sam Graves (R-MO), Water Resources & Environment Subcommittee Chairwoman Grace F. Napolitano (D-CA), and Ranking Member Bruce Westerman (R-AR), introduced H.R. 7575, the bipartisan “Water Resources Development Act of 2020”.

The Water Resources Development Act (WRDA) is legislation that is essential to everyday American life. Nearly 80 percent of traded goods that Americans rely on is moved through our Nation’s ports, harbors, and inland waterways. Projects for flood damage reduction help protect both our rural and urban communities, thus benefiting millions of Americans. And, ecosystem restoration projects restore and maintain our vital natural resources. This work, carried out by the U.S. Army Corps of Engineers (Corps), is made possible through the enactment of WRDA.

H.R. 7575 continues the bipartisan tradition of the Committee on Transportation and Infrastructure to move a new WRDA every two years to respond to local water resource needs and to ensure continued Congressional oversight over the Corps.

IMPROVES U.S. WATER RESOURCES INFRASTRUCTURE

WRDA 2020 authorizes the study and construction of locally-driven projects that were developed in cooperation and consultation with the Corps. These projects are key to preserving our Nation’s economy, to protecting our communities, and to maintaining our quality of life.

WRDA 2020:

- Authorizes the construction of all **34 pending Corps Chief’s Reports** received since the enactment of WRDA 2018. Chief’s Reports are the final recommendations to Congress by the Chief of the U.S. Army Corps of Engineers on rigorously-studied water resources infrastructure priorities.
- Authorizes **35 feasibility studies** for water resources development projects, including those identified through the public review process established by section 7001 of the Water Resources Reform and Development Act of 2014
- Directs the Corps to complete **five comprehensive river basin studies** for the Great Lakes, the Upper Mississippi River, the Lower Mississippi River, the Lower Missouri River Basin, and the Sacramento River.
- Directs the Corps to **expedite the completion of 41 feasibility studies** currently underway.

STRENGTHENS AMERICA'S COMPETITIVE EDGE BY INVESTING IN OUR PORTS, HARBORS AND INLAND WATERWAYS

- **Fully unlocks the Harbor Maintenance Trust Fund (HMTF)** by providing the authority to appropriate additional funds for harbor maintenance needs from the existing balance in the Trust Fund. The current estimate of the balance in the trust fund is approximately \$10 billion.
- **Directs the Secretary to equitably allocate harbor maintenance expenditures** to pay for U.S. harbor operation and maintenance needs, while addressing the ongoing needs of the nation's largest ports, its Great Lakes harbors, and emerging harbors.
- **Invests additional Federal resources for the construction of inland waterways projects** and prioritizes the construction of projects identified by inland users, including the Upper Ohio River navigation system and the Navigation and Ecosystem Sustainability Program (NESP) for the Upper Mississippi River.

BUILDS MORE RESILIENT COMMUNITIES

- **Directs the Secretary to issue final agency procedures for its Principles, Requirements, and Guidelines (PR&G).** The PR&G ensures that future water resources development projects will maximize sustainable development, protect and restore the functions of natural systems, and affordably address the needs of economically disadvantaged communities.
- **Reaffirms the commitment to greater use of natural and nature-based projects** by ensuring natural alternatives are fully evaluated by the Corps and are provided the same cost-share as structural alternatives. WRDA 2020 also clarifies that natural and nature-based projects are eligible under the Corps' continuing authorities programs.
- **Allows for the calculation of sea level rise benefits for Corps projects,** and requires the Secretary to consider, when requested, whether the need for the project is predicated upon or exacerbated by conditions related to sea level rise.
- **Authorizes the Corps to study, design and construct water resources projects for communities that have been subjected to repetitive flooding events** and have received emergency flood assistance, including construction of temporary barriers. This authority is directed at helping repetitive loss communities, especially those in economically-disadvantaged communities, obtain critical flood protection.
- **Renews Congressional support for water resources projects that promote the beneficial reuse of sediment** by establishing a national policy that recognizes the economic and environmental value in reusing clean dredged materials for ecosystem restoration or storm damage reduction projects.
- **Examines the Corps important role in addressing the future water supply needs of communities,** especially those communities in the nation's arid regions.
- **Requires the Corps to undertake an inventory of water resources development projects and associated properties that are or may be contaminated with PFAS,** and to develop a plan to remediate and limit potential human exposure to the contamination.

INCREASES COORDINATION WITH ALL COMMUNITIES

- **Requires the Corps to complete its review on minority community and tribal consultation**, as well as update Corps' policies on **environmental justice** considerations and community engagement and consultation.
- **Expands the Corps' consultation requirements with Tribal and indigenous groups** when working on or adjacent to Tribal lands and areas.

ADDRESSES AFFORDABILITY FOR ECONOMICALLY DISADVANTAGED COMMUNITIES

- **Creates additional flexibility for the Corps to address the water resources needs of economically disadvantaged communities, communities of color, and rural communities.**
- Provides the Corps with the authority to **provide technical assistance for resiliency planning**, with priority given to economically disadvantaged communities.
- Authorizes the Corps to **affordably study the flooding and storm damage reduction needs of economically disadvantaged communities**, including communities of color, and tribal and rural communities.

ECONOMICALLY AND ENVIRONMENTALLY RESPONSIBLE

- Directs the Secretary to **deauthorize up to \$10 billion in outdated Corps of Engineers authorities** – which is equivalent to the amount of projects and authorities authorized by WRDA2020.
- Requires the Corps to **assess and update the economic and environmental impacts of antiquated projects** before they may be carried out.

WRDA STILL WORKS

Continuing to pass WRDAs every two years ensures that the infrastructure needs our communities are being met, and that Congress has proper oversight of the U.S. Army Corps of Engineers.

Congress has successfully enacted three consecutive WRDAs in 2014, 2016, and 2018. With WRDA 2020, the Committee on Transportation and Infrastructure continues this bipartisan tradition and shows that **WRDA still works**.