



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Bill Shuster
Chairman

Mathew M. Sturges
Staff Director

March 16, 2018

Peter A. DeFazio
Ranking Member

Katherine W. Dedrick
Democratic Staff Director

BACKGROUND MEMO

TO: Members, Subcommittee on Water Resources and Environment
FROM: Staff, Subcommittee on Water Resources and Environment
RE: Roundtable on “America’s Water Resources Infrastructure: Concepts for the Next Water Resources Development Act, Part II”

PURPOSE

The Subcommittee on Water Resources and Environment will meet on Friday, March 23, 2018, at 9:30 a.m. in New Orleans, Louisiana to conduct a roundtable policy discussion on “America’s Water Resources Infrastructure: Concepts for the Next Water Resources Development Act, Part II.” The purpose of this roundtable is to define the challenges states and communities face in rebuilding and determining possible solutions to address America’s water infrastructure needs. Participants will include representatives from several public and private stakeholder groups with an interest in water resources infrastructure.

BACKGROUND

Army Corps of Engineers

The Corps’ Civil Works Program

The House Committee on Transportation and Infrastructure has jurisdiction over the U.S. Army Corps of Engineers (Corps) Civil Works Program, the Nation’s largest water resources program. The Corps’ responsibilities include navigation, flood control, shoreline protection, hydropower, dam safety, water supply, recreation, environmental restoration and protection, and disaster response and recovery. In addition to oversight of the Corps’ programs and projects, the Committee places a high priority on enactment of a Water Resources Development Act (WRDA) every two years. This legislation typically contains project authorizations, modifications and deauthorizations, program revisions and policy initiatives, and related provisions involving Corps activities. The last WRDA in 2016 was enacted as Title I of the *Water Infrastructure Improvements for the Nation Act* (WIIN Act) (P.L. 114-322) in 2016.

Today the Corps maintains more than 25,000 miles of channels for commercial navigation and operates 241 locks at 195 sites. The average age of these locks is over 60 years

and 59 percent of the locks are over 50 years old. The Corps also maintains 926 coastal, Great Lakes, and inland harbors. There are 75 hydropower projects at Corps facilities producing about 25 percent of the Nation's hydropower and three percent of the Nation's total electric capacity. To address flood risks, the Corps manages more than 700 dams and almost 15,000 miles of levees are covered by Corps programs. Corps flood damage reduction projects prevent, on average, more than \$50 billion in flood damages annually. Every dollar invested in a Corps flood project prevents \$8 in damage.

The Corps, as a water resource agency, must balance competing demands on water resources as it develops and manages navigation, flood damage reduction, aquatic ecosystem restoration, and other project purposes.

For example, the Corps has the responsibility to maintain the navigability of the Nation's inland waterways. One way the Corps carries out this mission is to operate dams that control the flow of water on a river. However, the same dam that regulates river flows for navigation may also provide flood protection, provide water supply, generate power, and create recreational opportunities.

Project Authorization Process Overview

The first step in a Corps water resources development project is to study the feasibility of the project. This can be done in two ways. One, if the Corps has previously conducted a study in the area of the proposed project, the new study can be authorized by a resolution, either from the House Committee on Transportation and Infrastructure or the Senate Committee on Environment and Public Works. The Committee on Transportation and Infrastructure has not adopted a new study resolution since 2010 as a result of process reforms. Two, if the area has not been previously studied by the Corps, then an Act of Congress is necessary to authorize the study. In recent years, most studies have been authorized through a WRDA.

Once a study is authorized, the Corps prepares a feasibility report, the cost of which is shared 50 percent by the federal government and 50 percent by a non-federal interest. If the feasibility report determines a project is economically justified, environmentally acceptable, and technically achievable, the results and recommendations are submitted to the Congress, usually in the form of a report of the Chief of Engineers, commonly known as a "Chief's Report". If the results and recommendations are favorable, the next step is authorization of the project to implement the Chief's Report. Project authorizations are typically contained in WRDAs, the most recent of which was enacted in 2016. Once authorized, the project is eligible to receive federal appropriations.

Recent WRDAs

Water Resources Reform and Development Act of 2014

Enacted on June 10, 2014, the *Water Resources Reform and Development Act of 2014* (WRRDA 2014) (P.L. 113-121) accelerates the project delivery process by expediting studies, environmental reviews and permits, and encourages non-federal participation in completing projects. WRRDA 2014 also strengthens congressional oversight to increase transparency and accountability in reviewing and prioritizing future water resources development investment.

With the enactment of WRRDA 2014, the Corps is required to develop implementation guidance on more than 200 issues to carry out the law. In the three years since enactment, the Corps has issued more than 90 percent of this required implementation guidance.

Water Resources Development Act of 2016

Enacted on December 16, 2016, WRDA 2016 builds off the reforms enacted in WRRDA 2014, including provisions relating to non-federal participation in project completion, credits for non-federal work on projects, and federal direction in financing harbor maintenance activities. Additionally, WRDA 2016 establishes and reaffirms programs to rehabilitate hazardous dams, carry out projects for the beneficial reuse of dredged material, and coordinate activities with Indian tribes.

With the enactment of WRDA 2016, the Corps is required to issue over 200 pieces of implementation guidance to carry out the law. In the year since enactment, the Corps has issued implementation guidance for all study and project authorizations, and more than 90 percent of required guidance for policy provisions.

PARTICIPANT BIOGRAPHIES

Dr. Norma Jean Mattei, Ph.D, P.E., Interim Dean of Engineering, The University of New Orleans

- Mattei is a professor at the University of New Orleans' Department of Civil and Environmental Engineering, and was President of the American Society of Civil Engineers in 2017.
- Mattei also serves as a Civilian Member on Mississippi River Commission, and was first appointed in 2012.

Mr. H. Merritt Lane, III, President and CEO, Canal Barge Company, Inc., On behalf of the American Waterways Operators and Waterways Council, Inc.

- Lane worked in the Corporate Finance Division at PaineWebber, Inc. in New York before joining Canal Barge, a marine transportation and bulk liquid storage company, in 1986.
- Lane is the Immediate Past Chairman of Waterways Council, Inc. Executive Committee.

Ms. Brandy D. Christian, President and CEO, The Port of New Orleans, On behalf of the American Association of Port Authorities.

- As President and CEO of the Port of New Orleans, Christian manages an agency with over \$60 million in revenues, nearly 300 employees and \$200 million in capital projects.
- Prior to joining Port NOLA, she served 14 years with the Port of San Diego as Vice President of Strategy and Business Development.

Mr. Rob Rash, Chief Engineer and CEO, St. Francis Levee District, On behalf of the National Waterways Conference

- Rash leads the Arkansas Rivers and Maritime Advisory Council, an advisory board that will provide input and analysis on policy matters that affect the Mississippi river and its tributaries.
- Rash is a Regional Engineer with the Mississippi Valley Flood Control Association.

Mr. Steve Cochran, Associate Vice President for Coastal Protection, Environmental Defense Fund, On behalf of Restore the Mississippi River Delta

- Cochran works to restore the natural functioning of the Mississippi River Delta while addressing the needs and health of southern Louisiana.
- Cochran also serves as Campaign Director of the Restore the Mississippi River Delta Coalition.

Mr. Mitchell J. Marmande, P.E., P.L.S., Principal, Delta Coast Consultants, LLC

- Marmande is a Louisiana licensed professional engineer and land surveyor with over 15 years of engineering and surveying experience working with coastal and flood protection projects in south Louisiana.
- Marmande, for the last nine years, has served as the program manager for the Terrebonne Levee and Conservation District for the Morganza to the Gulf Hurricane Risk Reduction Project, which is a large-scale restoration and protection project located in the coastal region of Terrebonne and Lafourche Parishes.

Mr. Kirk J. Meche, President and CEO, Gulf Island Fabrication, Inc.

- Meche has served in various capacities within Gulf Island Fabrication, Inc., including Executive Vice President of Operations from 2001 to 2009, and then President and Chief Operating Officer of from 2009 to 2012.
- Meche previously served in various capacities within J. Ray McDermott, Inc., including Structural Engineer, Hull Engineering Supervisor, and Project Manager from 1985 to 1996.