

**Congressman Hal Rogers, Kentucky's 5th Congressional District  
Statement for the Record**

January 11, 2024

House Committee on Transportation and Infrastructure  
Subcommittee on Water Resources and Environment

“2024 Water Resources Development Act Member Day Testimony for the Record”

Chairman Rouzer, Ranking Member Napolitano, and other distinguished Members of the subcommittee, I would like to thank you for your consideration of my priorities for the 2024 Water Resources Development Act (WRDA). I know your Committee works diligently to ensure that all Americans can benefit from our nation's incredible water resources and infrastructure—whether through the transportation of goods on our waterways, locks, and dams, flood control projects that protect our communities from disaster, and also incredible recreational opportunities. Previous WRDA bills have done a great deal to help the people of my district in southern and eastern Kentucky across each of the aforementioned areas. Whether it is the importance of locks and dams on the Kentucky and Ohio Rivers to the Kentucky economy, Wolf Creek Dam on Lake Cumberland, the incredible flood control projects in many of my towns and communities, and our Corps lakes' many recreational uses, we benefit greatly from these resources. As you begin the 2024 WRDA process, I would like to raise four specific priorities that will benefit those in my district in Kentucky.

**1. Modify the Service Area for the Section 202 Flood Control Program**

First, I request the expansion of Section 202 of the of the Energy and Water Development Act of 1981 to include the North, Middle, and South Forks of the Kentucky River, which suffered catastrophic flooding in the winter of 2021 and summer of 2022. The mountainous terrain in southern and eastern Kentucky has long caused the region to suffer from frequent floods. Since inception, the U.S. Army Corps of Engineers Section 202 program has made a transformative impact along the Cumberland and Big Sandy Rivers – saving countless lives from severe flooding—but does not cover the Kentucky River and its forks.

The devastating damage of the 2021 and 2022 floods left thousands without homes, destroyed communities, and cost the lives of 44 Kentuckians. Over \$600 million has already been spent in response to the 2022 floods, and there is plenty more to come. We must begin to implement measures to mitigate flood damage in this region, protecting my constituents. Expanding Section 202 to cover the Kentucky River and its forks would enable the Army Corps of Engineers to immediately begin construction on flood control measures, both structural and non-structural, upon completion of the necessary studies. It is clear the region is in need of assistance from the Army Corps of Engineers to help prevent future flooding of this magnitude, and we fear we cannot wait until it's too late.

## **2. Authorization of Construction for a Flood Warning Emergency Evacuation Plan (FWEEP) in the Kentucky River Basin**

In response to the severe flooding of 2021 and 2022, I have secured community project funding for several studies across the region. In meeting with the U.S. Army Corps of Engineers, Louisville District, it became clear to me that a more comprehensive Flood Warning Emergency Evacuation Plan (FWEEP) is also needed. A FWEEP across the region would ensure that these disadvantaged communities have a fighting chance of getting to safety should severe flash flooding occur like it did in the past. It is a cost effective, lifesaving tool that we should waste no time in implementing.

## **3. Wolf Creek Dam Water Reallocation Study Prohibition**

Third, I request that language be included in this year's WRDA to prohibit a water reallocation study to be conducted at Wolf Creek Dam. This request would maintain historic WRDA and Energy and Water Appropriations language prohibiting a water reallocation study at Wolf Creek Dam on Lake Cumberland. The region surrounding the dam is one of the poorest in the nation, and a reallocation study might lead to increased rates, which would place financial hardship on my constituents.

## **4. Inclusion of the MARINA Act**

Finally, I am seeking the inclusion of the MARINA Act, which would modernize the relationship between the U.S. Army Corps of Engineers and marina owners. This legislation, introduced in both the 117<sup>th</sup> and 118<sup>th</sup> Congress, would encourage economic growth and improve access to outdoor recreation. This language would allow for marina owners to successfully implement necessary facility improvement projects without burdensome administrative fees from the Army Corps of Engineers.

The MARINA Act would: (1) cap gross revenue fees on the sales of food, beverages, fuel, boats, motors, and boat lifts at one percent for calculating rental payments, (2) standardize the schedule for administrative fees, and (3) extend initial lease terms to 50 years and renewals to 25 years. The added stability in the length of lease contracts and renewals would also provide aid in expanding access to credit for marina owners.

Thank you again for your consideration of my 2024 WRDA requests. I look forward to working with you as this process unfolds, so we can continue to maximize both Kentucky and our nation's water resources. If you or your staff have any questions, please do not hesitate to contact me or my staff.