

Biennial Water Infrastructure Bill Delivers Major Wins for Delawareans

The Water Resources Development Act of 2020 will expand and enhance investments in Delaware's water infrastructure

The Water Resources Development Act of 2020 (WRDA 2020) authorizes \$10 billion in new federal investment to build new water resource development projects across the country, with significant resources authorized for projects in the First State. From improving and expanding water infrastructure to investing in disadvantaged communities, replenishing beaches and curbing the effects of climate change, WRDA 2020 delivers major wins for Delaware. The legislation will:

- **Protect Delaware's beaches from storm damage and assist with their renourishment;**
- **Promote resiliency projects in our communities to address the impacts of climate change;**
- **Ensure the operation and maintenance of Delaware's ports and waterways, including the Port of Wilmington and Indian River Inlet; and,**
- **Provide for a healthy economy and way of life.**

Promoting coastal resiliency through beach nourishment

Sea level rise and more frequent extreme weather events fueled by climate change continue to threaten Delaware's coastal communities, including the state's five-star beaches. WRDA 2020 authorizes the construction of the Delaware Dredged Material Utilization Project for coastal storm damage reduction. The project will provide \$186.5 million in federal investment toward dredging projects spanning the Delaware Bay, from Pickering Beach to Lewes Beach and provide critical protections to the Bay communities. This project, when paired with other provisions in WRDA 2020, will allow the beneficial use of the dredged material from the Delaware River Channel Deeping Project for beach nourishment. Additionally, WRDA 2020 requires that the U.S. Army Corps of Engineers (Corps) coordinate with local communities when planning beach nourishment activities to ensure any impacts to tourism and the local economy are as minimal as possible.

Fighting the impacts of climate change

By improving the resiliency of infrastructure to extreme weather events and promoting the use of natural and nature-based features, WRDA 2020 will help Delaware adapt and improve its resiliency to the worsening climate crisis. Specifically, WRDA 2020 requires the Corps, in coordination with Federal and state agencies, to update existing planning guidance related to sea level rise based on the best available, peer-reviewed science. The bill also reinforces the Corps' discretion to consider benefits accrued over time as a result of sea level rise and, when requested by the non-Federal interest, requires the Secretary to consider whether the need for the project is predicated upon, or exacerbated by, conditions related to sea level rise.

Building on provisions from America's Water Infrastructure Act of 2018 (P.L. 115-270), this bill includes language that requires the Corps to certify that natural or nature-based features were considered during the plan formulation process. If a natural or nature-based feature was determined not to be viable, and ultimately not included in the recommended project plan, the Corps is required to provide an explanation as to why the features were not included. This will ensure that, in all of its feasibility reports, the Corps will consider natural infrastructure options, which are often more effective at addressing impacts due to climate change.

WRDA 2020 also requires the Corps to consider the most beneficial use of dredged material in all dredging activities, including thin layer placement, which could be used to help fortify sand dunes and other natural barriers that protect coastal communities from extreme weather events. Additionally, WRDA 2020 authorizes funding for resiliency planning assistance. These funds will help communities mitigate and avoid the impacts of repetitive flooding as well as anticipate, prepare, and adapt to changing climatic conditions and extreme weather events. This bill prioritizes technical assistance for economically disadvantaged communities or communities subject to repeat flooding events that wish to improve their flood risk resiliency.

Supporting jobs and economic growth

WRDA 2020 ensures Delaware's ports and waterways are properly maintained so they remain operational. The bill contains provisions requiring dredging maintenance activities at the Port of Wilmington, which will leverage nearly \$500 million in investments within the region over the coming years. WRDA 2020 will also expedite the maintenance and repairs to the Corps' navigation features located at the Indian River Inlet and Bay.

By protecting Delaware's beaches and maintaining its ports and waterways, WRDA 2020 will bring economic stability to the entire state by providing jobs in enhanced coastal storm protection, recreation and tourism.

Promoting environmental justice throughout our communities

WRDA 2020 seeks to fix disparities that have historically limited access for small, rural or disadvantaged communities to receive Corps assistance by reforming policies that have prevented projects from many of these communities from being considered for funding or authorization.

WRDA 2020 directs the Corps to help these communities consider resiliency in their project planning and establishes two pilot programs for rural or economically disadvantaged communities.

The first pilot will allow the Corps to assist these communities through 10 fully federally-funded feasibility studies for flood risk management and hurricane and storm damage risk reduction. The second is a construction pilot program, also fully federally-funded, that will allow the Corps to initiate up to 10 projects in these communities.

These changes will help small or disadvantaged communities that have previously been unable to qualify for federal funds, because they could not prove their project would produce national benefits, despite the project's significant regional and local impact. WRDA 2020 will help communities that have been historically overlooked to secure critical flood and storm protection infrastructure projects.