



The Water Resources Development Act of 2022

Delaware Wins

The Water Resources Development Act of 2022 (WRDA 2022) authorizes much-needed investments in the projects and programs of the U.S. Army Corps of Engineers (Corps) in Delaware. Through its civil works missions, the Corps assists in the construction and maintenance of the Port of Wilmington, intracoastal waterways, and other critical infrastructure essential to the First State's economic growth, the movement of goods throughout the country, and trade beyond our borders. The Corps' vital flood and coastal storm risk management and ecosystem restoration programs also help make Delaware's coastal communities more resilient and sustainable.

Protects Delaware's Beaches and Shorelines from Climate Change

Delaware is the lowest-lying state in the nation, and the impacts of climate change are already being felt in our coastal communities. The First State's beaches are being battered by stronger and more frequent Nor'easter storms. Coastal flooding—even in the absence of Nor'easters and other storms—is expected to increase 10 times by the year 2050.

Some coastal communities in Delaware still lack the risk reduction provided by a constructed shore protection project, whereas in other areas, inadequate maintenance of a Corps project puts major infrastructure at risk. This is complicated by the fact that the Nor'easters experienced in Delaware, which have the potential to be as, if not more, damaging than hurricanes, rarely qualify for emergency repair assistance from the Corps.



To address these problems, in early 2022, Chairman Carper introduced S.3624, the Shoreline Health Oversight, Restoration, Resilience, and Enhancement (SHORRE) Act, on which WRDA 2022 is built. The SHORRE Act, now incorporated in WRDA 2022, reorients the Corps' civil works program to proactively address climate change and streamlines the implementation of shoreline protection and restoration projects to aid communities vulnerable to climate change impacts.

For Delaware coastal communities, WRDA 2022 would:

- Expand the Corps' existing national emergency repair program to enhance resilience and increase the protection benefits of shore protection projects. This means when projects are repaired in Delaware, the Corps will be able to appropriately modify them to help guard against the impacts of the next climate change-fueled storm. Under prior law, the Corps was required to repair projects back to the original design, even if that design was outdated.
- Create a Delaware-specific emergency authority for the Corps to address storm damage to any Delaware beach. This authority will be triggered by any Nor'easter that causes significant damage, even if the storm would not trigger the Corps' national emergency response authority.
- Expand existing programs to fast-track the development and construction of shoreline, riverbank, and streambank protection and restoration projects in Delaware.
- Lower project costs for shoreline, riverbank, and streambank protection and restoration in economically disadvantaged communities. WRDA 2022 will now only require a 10 percent non-federal contribution toward one of these types of projects, far less than the 35 percent traditionally required.



For Delaware's Bay Beaches, WRDA 2022 would:

- Make shoreline protection more affordable for the Bay Beaches by reducing the non-federal share for the yet-to-be-constructed shore protection project to 10 percent of total project costs. Additional savings and efficiencies will also be achieved through new requirements directing the Corps to look at closer and more affordable sand sources.
- Provide a temporary construction authority for the Corps, while new permanent sources of sand are located, to nourish the Bay Beaches through one-off placements of dredged material from nearby navigation channels.
- Authorize the Corps to cover the federal share of real estate costs associated with land acquisition needed for the project upfront instead of as a reimbursement at the project's conclusion.
- Address recreational boating hazards on the Murderkill River, primarily in the vicinity of Bower's Beach, by directing the Corps to install safety signage and other warning systems.

For the Indian River Inlet, WRDA 2022 would:

- Extend the current period of federal assistance for the operation of the sand bypass plant to 2034. The bill also creates a path to authorize an additional 50 years of assistance, extending federal support for the project to 2084.
- Direct the Corps to renourish the Indian River Inlet Beach, when the sand bypass plant is not operating, using dredged material or trucking in sand. This is similar to the practice for other beaches in Delaware.



- Address recreational facility damage caused by a lack of Corps maintenance at the Indian River Inlet by directing the Corps to repair the damaged sidewalk, gazebo and other public facilities.

Supports Academic Research in Delaware

Annually, the Corps receives tens of millions of dollars to carry out research and development activities in support of its civil works missions. WRDA 2022 modernizes the Corps' research and development authorities and paves the way for additional investments. Many of the Corps' research and development activities are carried out in partnership with colleges and universities.

The University of Delaware has been and continues to be a leader in coastal research. Thanks to the research conducted at the University of Delaware, our coast is more secure, water quality has improved, and our ecosystems continue to thrive. For the first time, WRDA 2022 authorizes the Corps to partner with the University of Delaware to take advantage of this world-class institution's research.

Specifically, WRDA 2022:

- Authorizes the Corps to enter into contracts, cooperative agreements, grants, and other transactions with the University of Delaware to conduct academic research on areas including:
 - Water resource ecology, which supports sustainable water resources management for the present and future water needs of people and the natural environment;
 - Water quality, which includes a suite of approaches and studies to capture the different dimensions of water quality improvements in the face of climate change;



- Aquatic ecosystem restoration, including shellfish aquaculture research, which provides an investment in the conservation and stewardship of America’s public lands leading to better outdoor spaces and habitats for people and wildlife for generations to come;
- Coastal restoration research, which encompasses a broad range of remedies utilized to heal injuries to the coastal environments including shoreline nourishment research and climate change forecasting; and,
- Water resource-related emergency management to help address the next natural disaster that could hit our country, because it is not a matter of if, it is a matter of when.

Invests in Municipal Infrastructure in Delaware

For the first time since 2007, the WRDA 2022 authorizes or reauthorizes environmental infrastructure programs across the nation for drinking water systems, wastewater systems, and stormwater management. Additionally, the WRDA includes several conveyances of federal property to support local governments.

For Delaware, WRDA 2022:

- Authorizes individual environmental infrastructure programs for Kent County, Sussex County, and New Castle County at \$35 million each.
- Expands the authority for local governments to use funds provided by other federal programs to cover local contribution requirements for the Corps’ environmental infrastructure programs.
- Authorizes the conveyance of the Lewes Army Reserve Center to the City of Lewes to serve as the site of a new municipal campus for Lewes City Hall, a police station, and a board of public works.



Prioritizes Equity to Assist Disadvantaged Communities

Over the last 20 years, the Corps has been criticized for not doing more to benefit historically marginalized and disadvantaged communities. As the Corps moves to implement the studies, projects, and programs authorized in WRDA 2022, the agency also needs to address inequities in the communities that historically have been left behind or that need additional support. WRDA 2022 builds on the significant inroads made in WRDA 2020 to help economically disadvantaged communities, in Delaware and across the nation, work with the Corps to make sure everyone is equally supported and protected.

To do this, WRDA 2022:

- Establishes a new Tribal and Disadvantaged Communities Advisory Committee to help the Corps more effectively deliver projects, programs, and other assistance to economically disadvantaged communities.
- Reduces the local contribution requirement for economically disadvantaged communities participating in shoreline protection and restoration projects.
- Creates a new Corps workforce development and STEM outreach program with priority given to economically disadvantaged communities.
- Authorizes \$30 million for the Corps to increase outreach and support activities to economically disadvantaged communities. This will allow the Corps to provide information on its water resources development programs, help the communities access those authorities, and build projects for those that would otherwise go without assistance.
- Authorizes the Corps to waive the cost of technical assistance for economically disadvantaged communities.