

**DEPARTMENT OF THE ARMY**

**WRITTEN STATEMENT  
OF**

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**BEFORE  
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS  
UNITED STATES SENATE  
ON**

**THE DEVELOPMENT OF THE WATER RESOURCES  
DEVELOPMENT ACT OF 2024**

**FEBRUARY 28, 2024**

Chairman Carper, Ranking Member Capito, and distinguished members of the committee, thank you for the opportunity to be here today to discuss the Army's priorities for WRDA 2024.

The U.S. Army Corps of Engineers Civil Works Program is the Nation's largest water resources program. It serves three main missions: flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration. The Civil Works Program also addresses a host of other water resource and infrastructure needs as authorized and funded by Congress. Our civil works projects have contributed significantly toward the Nation's well-being, supporting the economy and protecting and improving the lives of Americans with innovative water management processes to facilitate commercial navigation and address flood risk and drought.

The Army works with our Nation's coastal ports to maintain their channels; operates and maintains the inland waterways of commerce; supports Tribal, state, and local flood and coastal storm damage risk management reduction activities; restores significant aquatic ecosystems; and operates and maintains multipurpose dams, as well as the reservoirs behind them. There are about 250 million day-visits a year for recreation at Corps' lands and reservoirs, making the Corps one of the top Federal recreation providers.

The infrastructure that the Army maintains includes 13,000 miles of coastal navigation channels (including the channels of the Great Lakes), 12,000 miles of inland waterways, 715 dams, 241 locks at 195 navigation sites, 14,700 miles of levees, and hydropower plants at 75 locations with 353 generating units. These projects help provide risk reduction from flooding in our river valleys and along our coasts, facilitate the movement of approximately two billion tons of waterborne commerce, and provide up to 24 percent of the Nation's hydropower.

It's important to note that the water resources challenges of today and tomorrow are not like those of yesterday. Weather extremes are increasingly the norm, creating risk to communities, the economy, and natural systems. As a result, understanding vulnerabilities and increasing our preparedness is of paramount importance.

Through the 94 feasibility studies and 25 construction projects authorized in WRDA 2022, the Corps can continue to address these water resources challenges and critical infrastructure needs within the commercial navigation, flood and storm damage reduction, and aquatic ecosystem restoration mission areas.

Following the passage of WRDA 2022, and as required by WRDA 2014, the Army and the Corps held a 60-day public comment period as well

as four listening sessions, one which was focused on Tribal Leaders, to gather input on implementation of all provisions. Army Civil Works and the Corps are developing implementation guidance for 12 provisions and working with appropriate Corps teams to guide implementation of project specific provisions, such as Section 8155 (Continuation of Construction) and Section 8106 (Scope of Feasibility Studies) of WRDA 2022. The implementation guidance is in the final stages of review, and I anticipate issuing the guidance soon.

WRDA 2022 also calls for the standing up of four federal advisory groups to the Secretary. The groups include:

- Managed Aquifer Recharge Working Group (Section 8108)
- Tribal and Economically Disadvantaged Communities Advisory Committee (Section 8115)
- Non-Federal Interests Advisory Committee (Section 8150)
- Western Water Cooperative Committee (Section 8158)

To date, significant progress has been made in developing the plans to stand-up the committees. All advisory committees have been identified by the Department of Defense (DoD) as being subject to the Federal Advisory Committee Act. The Corps is working to identify the Designated

Federal Officer and to schedule the required training to establish these committees.

I recognize the opportunities provided through WRDA 2022 to address drought, and I will continue to work with the Corps to develop meaningful near-term activities to address drought-related issues while advancing long-term drought resilience through robust forward-thinking actions. This legislation strengthens the Nation's capabilities and challenges posed by drought. In calendar year 2023, the Mississippi River again experienced severe low water after a summer of intense heat and lower-than-average rainfall which triggered drought across parts of the central U.S. For the second year in a row, the Corps worked tirelessly to keep the channel open for safe navigation to support the Nation's economy and maintain a robust supply chain to move goods to market.

Also, Section 8311 (Acequias Irrigation Systems) of WRDA 2022 changes the non-Federal cost share for a Tribal community as well as supports research, development, and training for innovative management solutions, including those for controlling invasive aquatic plants that affect acequias. This will ensure greater resiliency and address threats from changing hydrological and climatic conditions.

In response to WRDA 2020, we have published a proposed rule establishing Agency Specific Procedures for the Corps' implementation of the principles, requirements and guidelines for water resources investments. Through these procedures, we will maximize public benefits and ensure recommended projects achieve their water management objectives and better reflect community needs and priorities. We are committed to integrating economic, environmental, and social benefits into our planning and improving the Corps' ability to build resilience in rural, tribal, and low-income communities. In an effort to address concerns regarding tribal and cultural resources, we have also released a proposed rule to remove Appendix C from the Corps Regulatory Program's permitting regulations. The Corps would utilize and follow the Advisory Council on Historic Preservation's implementing regulations for compliance with Section 106 of the National Historic Preservation Act when processing permit applications. This would result in improved consistency and clarity for the regulated public and states and Tribes. We are holding public and tribal webinars on each of these proposed rules during the public comment periods to gain input and feedback on these efforts.

As we look to a WRDA for 2024, the Corps is committed to the national effort to help communities improve their resilience to extreme

weather events, through its technical assistance programs and water resources projects, a mission of increasing importance with our changing climate. Much of the Army's work can only be accomplished through a foundation of partnerships between the Corps and local communities, which allow us to work together to help develop, manage, restore, and protect the Nation's water resources and the environment.

Moving forward, my priorities are:

- to maintain the Nation's inland waterways and coastal ports to support supply chains and economic growth,
- to build innovative, climate-resilient infrastructure to reduce risk to communities and aquatic ecosystems,
- to modernize the civil works' programs to better serve the needs of our Nation, including tribal and disadvantaged communities,
- to invest in research and development to deliver water resource solutions,
- to strengthen communications and relationships to solve water resource challenges, and
- to improve cost estimates for future water resources projects and the ability to deliver projects within those estimates.

The Administration is focused on developing and implementing programs and projects that increase infrastructure and ecosystem resilience to climate change and decrease climate risk for communities based on the best available science and promoting environmental justice for disadvantaged, underserved, tribal and rural communities and creating good paying jobs that provide the free and fair chance to join a union and collectively bargain. We believe in smart investments that maximize the resiliency and durability of our water management resources; moving into a more sustainable posture by investing in infrastructure that delivers benefits across our Nation. This can be accomplished through authorizations that address the effects of climate change.

Through the President's Investing in America agenda, the Army Corps of Engineers is advancing environmental justice and delivering on the Justice-40 Initiative, which is focused on ensuring 40 percent of the overall benefits of certain federal investments are reaching disadvantaged communities that have been marginalized by years of underinvestment. The Corps has increased stakeholder engagement through its Planning Assistance to States, Floodplain Management Services, and the Tribal Partnership Program, as well as areas such as



studies for flood and coastal storm risk management and aquatic ecosystem restoration. My office is also working to improve our Nation-to-Nation consultations to ensure Tribal Nations have meaningful involvement on federal actions which have Tribal implications. We are making a concerted effort to strengthen our Tribal relationships through partnerships in programs and projects, especially under the Tribal Partnership Program. I issued a policy clarification memorandum to the Corps to ensure they deliver the Tribal Partnership Program to the fullest extent allowed under the current authority. At the end of last year, I signed the Corps' Tribal Consultation Policy to ensure appropriate and effective consultation with Tribal communities and use our authorities to work with Tribal governments to meet the challenges in Indian country. We are working to achieve robust and meaningful engagement with Tribal leaders on critically important issues facing Native American communities, with the goal of better fulfilling federal trust responsibilities to Native people.

The Bipartisan Infrastructure Law has advanced actions to promote climate resilience and environmental justice and strengthen the supply chain. Through the over \$17 billion in projects funded by BIL, we are helping communities thrive across the Nation.

The Corps Water Infrastructure Financing Program (CWIFP) has accepted its first round of applications to enable local investment in non-federal dam safety infrastructure by offering credit assistance in the form of direct loans and loan guarantees for non-federal dam safety projects to maintain, upgrade and repair dams identified in the National Inventory of Dams. Priority will be given to projects serving economically disadvantaged communities through fee waivers and project financing up to 80% of the total project costs. This is a significant milestone for the Corps and represents a new and innovative way for the Army to support the Nation's investment in infrastructure.

I am also working to support local efforts to respond and adapt to sea-level rise, and to increase the beneficial use dredged material and incorporate natural and nature-based solutions where appropriate.

In closing, the Army Civil Works Program is using its significant capabilities in an equitable manner to address longstanding environmental justice concerns; boost the Nation's economy through navigation; and tackle climate change impacts.

Thank you, Chairman Carper, Ranking Member Capito and Committee Members. I look forward to answering any questions you or other Members of the Committee may have.