

DEPARTMENT OF THE ARMY

COMPLETE STATEMENT OF

THE HONORABLE RYAN A. FISHER

**PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE ARMY (CIVIL
WORKS)**

and

ACTING ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

BEFORE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ON

America's Water Infrastructure Needs and Challenges – Federal Panel

January 17, 2018

Mr. Chairman and Members of the Committee:

I am honored to testify before you today on the water infrastructure needs and challenges for the Nation. I am joined today by Lieutenant General Todd Semonite, Chief of Engineers. I was recently sworn in as the Principal Deputy Assistant Secretary of the Army for Civil Works and am also serving as the Acting Assistant Secretary of the Army for Civil Works.

The U.S. Army Corps of Engineers (Corps) has played a significant role in the development of the Nation's water resources. The Civil Works program of the Corps has three main missions: commercial navigation, flood and storm damage reduction, and aquatic ecosystem restoration. In this regard, the Corps works with our Nation's coastal ports to maintain their channels, operates and maintains the inland waterways, supports State and local flood risk management activities, works to restore 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 Corps 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.

The Corps constructed much of this infrastructure in the first half of the twentieth century. The Corps dedicates a significant amount of its resources to maintain the key features of this infrastructure.

The Corps continues to work on policy and administrative changes that can improve infrastructure delivery. More specifically, we are looking internally at our organizations, authorities, policies, regulations and procedures in order to identify opportunities for increased efficiency and effectiveness. This will include efforts to reduce redundancy and delegate authority for decision making to the most practical and appropriate level.

For example, Section 14 of the Rivers and Harbors Act of 1899, as amended, and codified in 33 USC 408 (Section 408) provides that the Secretary of the Army may, upon the recommendation of the Chief of Engineers, grant permission to other entities for the permanent or temporary alteration or use of any Corps Civil Works project. The Corps has implemented the following improvements to the Section 408 review process: delegation of Section 408 decisions to the lowest level possible (resulting in more than 95% of Section 408 decisions being made at the Corps district level) and further clarifying when Section 408 permission is required, when Section 408 permission is not

required, and when the requirements of Section 408 may be met by another Corps process and/or authority (resulting in the reduction of redundancies).

Similarly, the Corps continues to make significant progress in the Regulatory program. Section 1134 of the WIIN 2016 amended Section 2040 of the Water Resources Development Act of 2007 and directed the Corps to research, develop, and implement an electronic system to allow for the electronic preparation and submission of applications for permits and requests for jurisdictional determinations. Currently the Corps accepts electronic submission of applications or jurisdictional determination requests via email and the application form is a fillable PDF available on Corps District websites. The information received helps the Corps track the number and type of applications, as well as status and completion of reviews. The Corps will continue to explore if additional automation advances could make the process more streamlined.

The Corps focuses on work that provides the highest economic, environmental, and safety returns to the Nation. The Corps also operates and maintains water resources infrastructure that may no longer meet its authorized purposes or for which the needs of the Nation have changed. As such, the Corps is conducting studies – there are currently five ongoing studies - to ascertain the viability of deauthorizing projects and removing them from the Corps inventory. Section 216 of the Flood Control Act of 1970 allows the Corps to study completed projects or their operation when found advisable due to significantly changed physical or economic conditions.

The Corps is working to complete implementation guidance for both WRRDA 2014 and WRDA 2016. For WRRDA 2014, the Corps has issued guidance for 198 provisions, which represents 98% of the 203 provisions that required guidance. Several provisions in WRRDA 2014 were amended in WRDA 2016; the implementation of these provisions has been integrated. For WRDA 2016, the Corps has completed guidance for 176 provisions, which represents 85% of the 207 provisions that required guidance. You have both my commitment and that of LTG Semonite to complete implementation guidance for the remaining provisions as soon as possible.

The way that we use our water resources can affect the Nation's economy, its environment, and public safety. The Corps stands ready to help in addressing the water resources challenges of the 21st Century. We look forward to working with this Committee on this very important issue.

Thank you, Mr. Chairman and Members of Committee. This concludes my statement. I look forward to answering any questions you or other Members of the Committee may have.