



P.O. Box 216 Klamath Falls, Oregon 97601

[www.familyfarmalliance.org](http://www.familyfarmalliance.org)

**Testimony for the Hearing Record of Pat Riley  
On behalf of  
Family Farm Alliance**

**Submitted to the United States Senate  
Committee on Environment and Public Works**

**Legislative Hearing on “America’s Water Infrastructure Act of 2018”  
May 9, 2018**

Good morning, Chairman Barrasso, Ranking Member Carper and Members of the Committee:

On behalf of the Family Farm Alliance (Alliance), thank you for the opportunity to present this testimony on the “America’s Water Infrastructure Act of 2018” (AWIA). My name is Pat Riley, and I live along the Upper Musselshell River, a tributary to the Upper Missouri River, in Montana. As you know, the AWIA, also known as the Water Resource Development Act (WRDA), is a biennial piece of legislation that is the main vehicle for authorizing water projects to be studied, planned and developed by the U.S. Army Corps of Engineers (Corps). It is also the legislative vehicle for implementing policy changes with respect to the Corps’ water resource projects and programs. As such, this legislation is very important to the rural communities of the Western United States.

**ABOUT THE FAMILY FARM ALLIANCE**

I have served on the Advisory Committee of the Family Farm Alliance for the past decade. This Committee consists of water professionals like district managers, engineers, consultants and attorneys. The Alliance is a grassroots organization of family farmers, ranchers, irrigation districts, and allied industries in 16 Western states. The Alliance is focused on one mission: To ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers. We are also committed to the fundamental proposition that Western irrigated agriculture must be preserved and protected for a host of economic, sociological, environmental, and national security reasons – many of which are often overlooked in the context of other national policy decisions.

## **PERSONAL BACKGROUND**

I was raised on an irrigated farm in Northeast Montana under the Bureau of Reclamation's Glasgow Irrigation District. My grandfather was the first Postmaster for the Army Corps of Engineers at Fort Peck Reservoir Project, located on the upper Missouri River. After attending college and serving in the military, I oversaw the river adjudication review and examination process in Northeast Montana (for the Missouri River) and later, Southeast Montana (Yellowstone River). I also spent a year working with Montana's Water Right Compact Commission, the Bureau of Indian Affairs, and the Crow Tribe as they developed technical work relative to the Crow Tribal Compact. In 2000, I was hired to set up and run Montana's new Irrigation Development and Sustainment Program. During this time, I also served as the Montana Department of Natural Resources and Conservation representative to the Upper Missouri Water Association. Five years ago, I left state government and have managed my own water right consulting business, as well as serving on the Musselshell Watershed Group and the Lower Musselshell Conservation District. I also operate a small cow-calf operation in the Bull Mountains and on the Musselshell River.

Given my background, I hope you will appreciate that my testimony will focus on how those provisions of the 2018 AWIA will benefit the Upper Missouri River watershed, as well as rural communities and agricultural water users in those areas of the country located west of the 100<sup>th</sup> meridian. I believe I can provide a unique perspective on the challenges rural producers face in the West, and how many of these provisions will help us and the towns we live in. The federal government has an enduring role in water supply and flood control infrastructure development and management that, consistent with state water laws, includes working with local water managers and communities on both a policy and operational level and, in partnership with them, providing support for their efforts to protect lives and property, as well as securing a stable and sustainable water supply.

Some of the key provisions of AWIA 2018 that apply to the Upper Missouri River system and the West include modifications to Fontenelle Reservoir in Wyoming, flood protection on the Snake River, reauthorization of the national levee safety program, adjustment of flood control rule curves on non-Federal reservoirs, control of invasive species, and evaluation of federal agency capabilities and capacity, among others.

## **WESTERN – SPECIFIC PROVISIONS**

AWIA 2018 addresses numerous projects and challenges in the Western U.S.; I would like to address three specific areas of AWIA.

### **Upper Missouri River provisions**

I would like to personally thank the Committee for the high priority it has placed on addressing flooding issues we face in the Upper Missouri River system, where reservoirs are filling with

sediment, ice jams contribute to flooding damages, and where we could use some additional tools to better understand the hydrology and predict extreme streamflow events.

Many of the irrigation projects I have been involved in the Upper Missouri Basin are mostly served by storage reservoirs that are between 40 and 90 years old. State of Montana reservoirs are experiencing the same challenges as Corps and Reclamation reservoirs. Montana has many reservoirs that now store only 1/3 of their designed capacity, which means that one of two things will happen under current conditions: operators must either reduce the number of acres that they irrigate, or they must turn full-service irrigation projects into partial-service projects and continue to irrigate acres, with the understanding that, in many years, middle and late season irrigation will not take place. This also reduces the ability of those lands to support any crop that requires late season water, such as corn, soybeans, and other high value crops.

Section 1179 of WIIN 2016 authorized an Upper Missouri River pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Corps, on request of project beneficiaries. Sediment management plans are intended to prevent sediment from reducing water storage capacity at reservoirs and increasing water storage capacity through sediment removal at those reservoirs. We support Section 3401 of AWIA 2018, which amends section 1179(a) of WIIN 2016 by requiring that the Corps and the Bureau of Reclamation (Reclamation) prioritize funds to multi-state sediment management plans developed thereunder and makes clear that Reclamation shall participate in this sediment management pilot program.

Section 3501 makes permanent an existing pilot program for preventing and mitigating flood damages associated with ice jams. Not only does it increase the minimum number of pilot projects to be carried out from 10 to 20, it also places priority on projects in the Upper Mississippi River Basin. Section 3502 prioritizes funds for flood and drought monitoring in the Upper Missouri Basin. The Corps, in coordination with the National Oceanic and Atmospheric Administration, USDA Natural Resources Conservation Service, the U.S. Geological Survey, and Reclamation, would be authorized to carry out activities to improve and support management of Corps projects, including soil moisture and snowpack monitoring, restoring and maintaining existing snowpack monitoring sites, and operating streamflow gages. We concur with and support these provisions in AWIA 2018.

#### **Authority to make entire active capacity of Fontenelle Reservoir available for use**

The Fontenelle Dam, located in southwest Wyoming on the Green River, is a principal feature of the federal Seedskafee Project. The project provides water storage and flow regulation on the Green River and generates power for municipal and industrial use, as well as wildlife and recreational benefits. The current active storage capacity of the reservoir is 260,000 acre-feet. Since 2011, the State of Wyoming has proposed expanding the active storage capacity of the reservoir. The House of Representatives recently passed H.R. 648, a bill that allows the Fontenelle Dam to be modified to increase the active storage capacity to 345,000 acre-feet. The expansion of

this water storage and management project will increase storage without noticeable change to the environmental footprint of the project.

Section 3301 of AWIA 2018 provides for the study, design, planning and construction activities that will enable the use of all active storage capacity of Fontenelle Dam and Reservoir, including the placement of sufficient riprap to allow the increase in active storage capacity of the reservoir to be used for the authorized purposes of the Seedskaadee Project. The Secretary of the Interior may enter into agreements necessary to carry out these activities and the State of Wyoming must provide the Secretary with funds for any such activities providing additional storage at Fontenelle Dam and Reservoir. The Alliance and the National Water Resources Association expressed support for this project at a March 2017 hearing conducted by the Senate Energy and Natural Resources Committee.

### **Snake River basin flood prevention action plan**

Section 3609 requires that the Secretary develop within 90 days of enactment of AWIA 2018 a flood prevention action plan for each state or portion of a state within the Snake River basin in consultation with the Commissioner of Reclamation. It further requires that following coordination with local stakeholders, a report be submitted within 180 days of WRDA 2018's enactment to Congressional committees on these flood prevention plans that were developed. We support the coordinated approach advocated in this section and strongly urge that these programs examine aquifer recharge and other new water storage opportunities that could be developed as part of these plans, particularly in Idaho.

### **ADDRESSING THE UNIQUE CHALLENGES OF RURAL COMMUNITIES**

The AWIA 2018 includes several sections I believe would give local interests a stronger role in flood management and provide a balanced fair means of addressing the challenges faced by rural communities with limited funds and human resources.

### **AWIA provisions that improve the role of local management entities**

The Family Farm Alliance has long believed that state laws and institutions must be given deference in issues relating to water resource management. The best decisions on water issues happen at the state and local level.

The AWIA 2018 includes several provisions we support that could allow local interests to play a stronger role in Corp of Engineers Programs:

- Section 1001 (“Corps budgeting”) requires that the Corps provide Congress on an annual basis with a 5-year budget and work plan that includes public input. This section could allow an additional opportunity for projects or initiatives of regional or local significance to move forward in the Corps’ budget process.
- Section 1009 (“Project partnership agreements”) is intended to help non-Federal sponsors understand their obligations by better defining and describing operation and maintenance, repair, replacement and rehabilitation (OMRR&R) costs in future project partnership agreements.
- Section 1020 (“Non-Federal study and construction of projects”) is intended to clarify that if the Federal portion of the cost-share is paid by a non-Federal interest, then the Corps is required to provide the requested technical assistance on any aspect of a feasibility study.
- Section 1025 (“Reauthorization of non-Federal implementation pilot program”) extends the authorizations and appropriations for the non-Federal implementation pilot programs at \$50 million for each of fiscal years 2020 through 2021. These pilot programs evaluate the cost-effectiveness and project delivery efficiency of non-Federal interests carrying out feasibility studies and the construction of projects for flood risk management, storm damage reduction, and other actions.

### **AWIA 2018 provisions that assist flood control efforts in rural communities**

The “one size fits all” approach applied by the Corps in its benefit-to-cost (B/C) ratio analysis does not always work for Western rural communities. The Corps’ B/C analysis is structured such that it favors projects in urban areas, but projects in rural unincorporated areas are more difficult to qualify for Federal funding under the Corps process. The analysis is not effective in agricultural areas because land values are sometimes much lower than urban values, and therefore difficult to qualify. For levees, the incremental analysis is too regionalized and does not account for the whole watershed; instead, it looks only at part of the system. The criteria need to recognize the interconnectedness of a system; if levees in a single flood control district fail, the entire watershed may fail, too.

Rural water management and flood control agencies are also sometimes left behind in the process because they are unable to meet all application requirements (especially the B/C analysis component) because they are so expensive to perform. It is extremely difficult for a rural water district or county to pursue grants with the current stringent cost-benefit analysis requirements.

As such, many local agencies would like to see adjustments to the Corps B/C ratio analysis for Western rural and disadvantaged areas to include other benefits not currently captured. We are pleased to see that Section 1003 requires that the Comptroller General of the United States conduct and submit it to Congress a study on the benefit-cost procedures of the Corps and the Director of

the Office of Management and Budget (OMB). Among other things, the study would include an examination of the benefits that the Corps do and do not include in the benefit-cost calculation.

Section 3601 will help rural flood control management activities in rural areas of the Upper Missouri River Basin, Snake River Basin, and Red River Basin. This provision addresses PL 84-99 (Flood Control and Coastal Emergency Act) emergency management activities. It provides extended emergency assistance (beyond 30 days) to communities with non-Federal levees that are threatened or damaged by floods or storms. Specifically, it requires the Secretary to provide assistance for the operations and maintenance of any constructed project that becomes permanent under PL 84-99 due to the extended presence of assistance from the Secretary.

### **Indian Irrigation Fund Reauthorization**

Indian Irrigation projects on Montana's seven reservations are in disrepair. When compared to Bureau of Reclamation projects, they appear to be in far worse shape. Most of the projects were built at the same time as Reclamation projects but have always been underfunded when it comes to operations and maintenance. Section 3807 reauthorizes the Indian Irrigation Fund through September 30, 2028, and continues key provisions related to the funding and expenditure from the Indian Irrigation Fund through fiscal year 2028. We support this important program, which provides resources for maintenance, repair, and replacement activities for aging Indian irrigation projects used by tribal and non-tribal ranchers to grow crops and raise livestock in Wyoming, Montana, and many other western states.

## **IMPROVING WATER INFRASTRUCTURE DEVELOPMENT**

With water infrastructure in the spotlight in this Congress, the Family Farm Alliance has testified several times before Senate and House legislative and oversight committee hearings over this past year. We believe any new federal water infrastructure investments or financing tools should be made available for improvements in water conveyance, surface water storage, aquifer storage and recovery, groundwater recharge, wastewater and stormwater management, water reuse, desalination, and water use efficiency projects.

### **Aging water infrastructure**

Water infrastructure legislation must also apply to the remediation of existing aging water infrastructure as well as to the development of new infrastructure. Water infrastructure that was built early in the last century is aging, and once-available federal grant and loan programs used in the past to rebuild this important infrastructure have been greatly diminished. Meanwhile, some progress, including provisions in the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act, has been made at the federal level towards supporting the development of new and improved water supply infrastructure to keep up with the growing water demands of expanding cities, energy production, and environmental needs.

Existing economically critical water infrastructure owned by federal agencies like the Corps of Engineers and Reclamation is aging and is in need of rehabilitation and improvement. In the West, for example, most Reclamation facilities are between 50 and 100 years old. Such aging infrastructure presents a further challenge because it requires ever increasing maintenance and replacement investment. Investing in this infrastructure on the front end will save ratepayers' money in the long run and allow us to preserve and protect these facilities, and the many benefits they provide, for future generations.

AWIA 2018 addresses some of these concerns. Section 3302 raises the per project cost limit from \$10 million to \$40 million for rehabilitation of pre-1940 Corps constructed dams to address aging flood control reservoirs constructed or contributed to by the Corps. Section 3204 extends the authorization of appropriations for the National Dam Safety Program Act at \$9.2 million for each of fiscal years 2020 through 2021, which promotes the development of a dam safety education and awareness initiative to assist the public in preparing for, mitigating for, responding to, and recovering from dam incidents.

We are also pleased to see what appears to be a renewed appreciation for traditional water infrastructure in AWIA 2018. In the past decade or so, policy makers have placed increased emphasis on “non-structural” management methods and ecological concerns in analyzing a water resource project. Non-structural alternatives include but are not limited to modification of public policy, regulatory policy, and pricing policy, including utilization of “natural” infrastructure is placed on “full consideration” of nonstructural alternative actions or plans that meet planning objectives. Increasingly, we see that these actions are considered to be an “integral” part in the evaluation of federal investments in water resources. In recent years, we believe that a bias for selecting “natural” approaches is limiting, in practice, a full consideration of all alternatives. We are pleased that Section 1023 will require that the Corps consider any natural infrastructure alternative that is determined for a flood risk management project to be at least as suitable and equally as cost effective as traditional infrastructure over the life of the project.

### **Clean Water State Revolving Fund Loan Program Green Project Reserve**

The U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund Loan Program (CWSRF), an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy. Currently, the CWSRF and its Green Project Reserve (GPR) is included every year by appropriation committees. Congress' intent in enacting the GPR was to direct State investment practices in the water sector to guide funding toward projects that utilize green or soft-path practices to complement and augment hard or gray infrastructure. Among other goals, the GPR is intended to enhance water and energy conservation and promote innovative approaches to water management problems.

Some of our members, particularly in Oregon, would like to see the CWSRF program included in the WRDA bill and make the 10% GPR permanent. Oregon rural communities, like many other Western states, continue to face high levels of unemployment. CWSRF-funded projects provide

much needed construction and professional services jobs. Moreover, as a loan program, it is a wise investment that allows local communities to leverage their limited resources and address critical infrastructure needs that would otherwise be unmet. However, continually reducing the amount of funds available for these types of worthwhile projects has created increased uncertainty for potential borrowers about whether adequate funding will be available in future years. CWSRF is often an integral part of an overall package of state, federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Reductions in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

### **Improved transparency and accountability in water project development**

Repairing and modernizing the West's aging water infrastructure is a challenge critical to federal agencies like the Corps and Reclamation, as well as to the water users served and protected by aging facilities. The Alliance has always believed that transparency and accountability are crucial to any federal/non-federal partnership for infrastructure development and investment – for both existing and new facilities. Section 1004 amends the current Corps cost-sharing requirements for feasibility studies and project construction to require that whenever a local cost share is required for a water resources development project, each Corps district is required to maintain a balance sheet of the funding for the project. If a project comes in under-budget, the relevant share of the funds must be credited back to the non-Federal sponsor in the appropriate cost-share ratio. Section 1022 requires that the Secretary carry out any disposition study for a Corps project in a “transparent” manner. This includes offering opportunities for public input during the study, and publishing and making publicly available final disposition studies. The Alliance certainly supports the transparency and reporting requirements intended with this section.

### **Streamlined processes and improved management flexibility**

The Alliance has worked closely with the Administration, Congress and Members of this Committee, including Chairman Barrasso, to find ways to streamline regulatory hurdles in order to assist in developing new, environmentally-sensitive water storage projects and other necessary infrastructure improvements. Future economic growth is heavily impacted when proposed water supply storage projects are blocked. If a reliable water source cannot be secured, then private investment and development cannot take place. AWIA 2018 contains important provisions intended to accelerate the efficient development of important water infrastructure projects.

As many of you are aware, developing new storage projects is much easier said than done. Often, efforts to advance new storage projects can be colossal, requiring millions of dollars and man-hours of investment, even in the most optimistic scenarios. Currently, I am involved in an off-stream storage reservoir on the Musselshell River that would only store about 5,000 acre-feet but would serve the entire lower end of the river basin with water in drought periods. Even though this project is essential to the survival of many ranches in the lower basin, this project has languished for over ten years, in large part due to having to deal with bureaucratic red tape. Other options and

alternatives to develop reliable water supplies are difficult to implement in the Upper Missouri River Basin. This might explain why a young farmer is a rare person in our neck of the woods.

Alliance President Patrick O'Toole has also testified before several Congressional committees in the past decade about the permitting challenges he encountered in building the Little Snake Supplemental Irrigation Supply Project (High Savery Project) in Wyoming. That project was built in less than two years but took more than 14 years to permit. Mr. O'Toole's experience with the High Savery Project clearly demonstrated that cooperative efforts are important for moving projects through the National Environmental Policy Act (NEPA) and other permitting processes. On the High Savery Project, the lead federal agency wasted a great deal of time making decisions on the project and at times seemed unable to make decisions. These delays not only postponed the project, they resulted in wasted time and money. We believe that state agencies (in Mr. O'Toole's case, the Wyoming Water Development Commission, or WWDC) and local project sponsors should become cooperating agencies in the NEPA process if possible and if not, should be allowed to serve on the project NEPA interdisciplinary team.

Section 1031 of AWIA creates a Board of Appeals for water storage projects undergoing consideration of a permit decision. The Board is made up of two representatives of state water development commissions and agencies with water storage needs, two representatives of the Corps and one representative jointly selected by the Secretary and entities. The provision requires the District Engineer to develop and provide to the applicant a purpose and needs statement that describes whether it concurs with the purpose and need statement of the applicant. The applicant then has the opportunity to appeal the purpose and need statement. The provision also requires that all permit conditions be provided to the applicant in advance of a permit decision. The applicant also has the opportunity to appeal the conditions prior to permit issuance.

We believe the effect of this provision would be to provide equal footing for state agencies with all federal agencies, including contributions to and evaluation of related environmental documentation. Establishing working relationships with the agencies involved in the NEPA process and permitting is important to keep projects on schedule and to avoid costly delays and disagreements. It is impossible to eliminate all problems associated with permitting dam and reservoir projects, but good cooperation and communications between agencies and groups, with an understanding of each participant's expectations, will help in problem resolution.

Another area of AWIA - Section 1019 - intends to ensure that section 1002 of WRRDA 2014 does not limit the Corps' available options to fund work related to feasibility scoping, project management planning, and review plan development. The 2014 provisions repealed requirements that the Corps conduct a reconnaissance study prior to initiating a feasibility study. It also created an accelerated process that allows non-federal project sponsors and the Corps to proceed directly to the feasibility study. Section 1034 of AWIA 2018 states the sense of Congress that the Secretary should simplify and expedite the process for including in-kind work in project partnership agreements to allow for more flexibility for potential changes to such work.

## **Innovative financing - WIFIA**

Western water providers have invested millions of dollars in local and regional projects and strategies in recent years to improve water supply reliability. Those investments have been a major factor in the West's ability to manage through years of severe drought and flood. The Alliance believes that new innovative federally-backed financing tools will be needed in the coming years to assist in constructing new and improved water infrastructure. One such example is the congressionally authorized and funded Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) program at the EPA and the Corps. Water infrastructure is a long-term investment, and longer repayment and lower interest terms will be crucial to attracting investment in these water supply facilities. Such financing tools, which are currently not available in the financial markets, could help fund investments in constructing new water storage reservoirs (both on- and off-stream as well as groundwater storage), regulating reservoirs, canal lining and piping open channels, computerized water management and delivery systems, real-time monitoring of ecosystem functions and river flows to manage limited water supplies to benefit both fish and people, and watershed-based integrated regional water management project planning and implementation.

The WIFIA program was recently updated by the 114<sup>th</sup> Congress in the passage of the WIIN Act and WIFIA loans were funded for the first time in the FY 2017 omnibus appropriations bill. Section 4002 of AWIA 2018 extends the authorization of WIFIA at \$50 million for fiscal years 2020 through 2021, for a total of \$100 million. It further extends the authority of the EPA Administrator or the Secretary of the Army to use not more than \$2.2 million of the appropriated amounts for administrative costs. Additionally, Section 1028 of AWIA 2018 requires the Secretary to conduct a study on WIFIA implementation impediments for Corps projects. The study should investigate the obstacles that need to be removed so that the Secretary can implement WIFIA and identify all projects that the Secretary determines are potentially viable to receive assistance thereunder. We support these provisions, and we would ask that Congress consider a "WIFIA-like" alternative, or access to WIFIA loans for non-federal water supply and management projects that support Reclamation's mission and projects.

## **FAMILY FARM ALLIANCE ISSUES OF CONCERN**

The Alliance has been engaged in several of the programs and issues addressed in AWIA 2018. The following section summarizes the Alliance's position and involvement with the National Levee Safety Program, adjustment of flood control rule curves, control of invasive species, and evaluation of federal agency capabilities and capacity.

### **Reauthorization of National Levee Safety Program**

Section 3205 extends the National Levee Safety Program's authorization of appropriations for fiscal years 2020 through 2021. Since late 2010, Western water managers have become aware of, and have become increasingly concerned with actions undertaken by the National Committee on

Levee Safety (NCLS). This group, authorized in WRDA 2007, includes the Corps and FEMA as the only federal agencies represented on the NCLS. The NCLS was established to deal with post-Katrina flood risk issues, with an emphasis on Corps levees. However, the NCLS developed a plan that essentially could apply Corps-developed national engineering specifications and standards to levees and canal embankments throughout the country, with little to no initial coordination with Reclamation and Western water managers.

Currently, it does not appear that Reclamation's canals and water supply infrastructure are subject to the Corps' inventory and inspection program, since these facilities remain subject to Reclamation's own inspection regime. However, it is still not clear how non-federal canals that carry water for water delivery and power purposes would fall under the levee safety program. Congress should ensure that National Levee Safety Program implementation does not duplicate existing levee and canal embankment standards adhered to by water and power users through Reclamation's jurisdiction and the Western states.

### **Flood control rule curve adjustments**

In developing water supply projects for the future, the Alliance believes that we must also consider how we manage and optimize the operations of existing water infrastructure, including optimizing flood control rule curves at existing federal and non/federal dams and reservoirs to meet both flood control and water supply demands. We believe these opportunities could produce some of the most cost-effective water supply sources we can invest in today.

Earlier this year, we supported provisions in Senator Flake's S. 2563 – "Water Supply Infrastructure and Drought Resilience Act of 2018" that would establish a pilot project to adjust flood control rule curves for Reclamation dams that meet the criteria of eligible projects and allow for certain non-federal entities to fund adjustments to these operational documents. Some of our members report that reviewing and adjusting Corps flood control curves can be a steep challenge. Water users who have been working with the Corps in some cases have found it a difficult process, with the Corps very cautious about making such changes. We fully support the intent of Section 3202 of WRDA, which authorizes the Secretary to accept non-federal funds from the owners of non-federal dams for the review and revision of water operations manuals and flood control curves where the Corps regulates the non-Federal facilities for flood control. It remains to be seen how these provisions will help in getting the Corps to be more open to modifications of flood curves to enhance water storage at affected facilities while continuing to protect downstream communities from flooding.

### **Invasive species**

The Alliance for nearly a decade has supported administrative and legislative actions and funding for biological controls, mitigation management, and elimination of invasive species, including but not limited to quagga mussels and striped bass. A key priority in recent years has been to fund activities to fight the spread of quagga mussels in Western water bodies. We support the intent

of Section 1024, which increases to \$30 million the Corps' authorization for watercraft inspection stations intended to prevent the spread of aquatic invasive species in the Columbia River Basin. It also provides \$30 million in authorized appropriations for inspection stations in the Upper Missouri River Basin.

### **Evaluation of Corps of Engineers capabilities and capacity**

Section 1002 of the new WRDA bill requires the National Academy of Sciences (NAS) to conduct studies to examine how the Corps can increase transparency in cooperating and working with Congress, State and local units of government, and local stakeholders, as well as other cost-share partners, government agencies, and stakeholders. This section also calls for studies to be conducted to determine whether the Congress should use a system-wide authorization process for water resources development projects (as opposed to project-based process), and whether the present structure and organization of the Corps is the most effective for its continued operation or whether the Corps structure and organization should be modified. Section 1017 proposes to study and evaluate the measures necessary to increase the capabilities of the Corps to undertake the planning and construction of water resources projects on an expedited basis and to comply with all requirements of law applicable to the Corps' water resources program.

We support this philosophy. The Alliance in 2005 asked its members to comment on the performance of Reclamation, with an eye towards developing specific recommendations for a similar study undertaken by the National Research Council (NRC) of the NAS to advise Reclamation on the organizational, management, and resource configurations to provide Reclamation with the capability to fulfill its core mission. The final NRC report, along with efforts driven by the Alliance and other national water and power organizations, led to Reclamation's Managing for Excellence (M4E) initiative. Reclamation embarked on a months-long analysis of the agency's operations and policies, thoroughly examining core capabilities in several key areas and their ability to respond in an innovative and timely manner to future needs. The *Managing for Excellence* Action Plan, published in February 2006, outlined a process and timeframe for identifying and addressing the specific 21st Century challenges to fulfill Reclamation's mission. The Plan's findings are still relevant today. We would hope that similar, useful guidance could ultimately be generated by Sections 1002 and 1007 of the 2018 WRDA bill.

## **MISCELLANEOUS ISSUES**

### **Report on debris removal**

The Secretary of the Army in 1945 was authorized to remove accumulated snags, obstructions, and other debris located in or adjacent to Federal channels, when in the opinion of the Chief of Engineers such work is advisable in the interest of navigation, flood control, or recreation. Section 3121 requires that Secretary report to Congress to what extent the Corps has used its authority to

remove debris from federal channels and adjacent waters. In recent decades, Western water and flood control managers have faced increased challenges associated with removing debris that can impact flood control capacity of channels and interfere with water diversion intakes. The report proposed in Section 3121 will describe how the Secretary has evaluated potential debris removal projects and detail recommendations for a pilot program to implement the limits of this authority. We support these provisions.

### **Regional sediment management**

Section 3403 addresses sediment obtained through the construction, operation, or maintenance of an authorized Federal water resources project or a Reclamation project, including Federal reservoirs authorized for flood control. It requires that the Corps and Reclamation develop in consultation with one another regional sediment management plans at full federal expense (subject to the availability of appropriations). Additionally, the Secretary and the Commissioner must carry out projects at locations for the sediment's use in the construction, repair, modification, or rehabilitation of projects associated with Federal water resources projects and Reclamation projects. This section appears to be well-intended, and we hope that local water users and flood control managers will be included in the development of these proposed plans, since it is likely all or part of the cost of implementing these plans will rest on these non-federal water users and flood managers.

### **Importance of port and waterway navigation projects to Western agriculture**

Western producers rely on the movement of goods through West Coast ports and major waterways. Projects like port deepening are critical for agriculture so that Pacific coast ports can remain competitive by accommodating today's larger ships. It is critically important to include funding to maintain the federal waterways leading to these ports. This funding helps ensure that navigation channels are dredged and jetties are maintained, allowing safe and efficient movement of goods in and out of the West coast's deep draft harbors. For example, Army Corps navigation projects on the Columbia River are important for agriculture, since inputs like fertilizer and fuel will travel upriver and grains and crops grown by producers go down river. Reliable and well-funded maintenance and repairs of lock systems are also important to agriculture in the Columbia River Basin.

It is water and the movement of goods that tie parts of our great region together. WRDA is legislation where these funding and policy challenges can be addressed

## **CONCLUSION**

Extreme hydrologic events – marked by drought on one end, and floods on the other – will require everyone in the West to adopt a new paradigm, one that truly promotes wise management of this limited and valuable resource. This new paradigm will also mean additional investment in technology, conservation and new water storage and management infrastructure in order to deal

with the uncertainties that lay before us. We believe the America's Water Infrastructure Act of 2018 prepared by your Committee shows a strong commitment to existing and future water infrastructure, recognizes the unique challenges faced by rural communities, and takes strong strides to address those challenges.

The public infrastructure challenges our Nation is currently facing are daunting, and they will require innovative solutions. The infrastructure investments made by prior generations have benefited this country for over a hundred of years. Now it is this generation's responsibility to invest in our water infrastructure for future generations.

Thank you again for the opportunity to testify on this important legislation. The Family Farm Alliance and our members stand ready to assist you in your efforts and I will answer any questions you may have.