The Nature Conservancy
Protecting nature. Preserving life.™

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For A Hearing On
Water Resources Development Act 2012: Legislative Issues
Before
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United States Senate

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Introduction

Madam Chairman and members of the Committee, thank you for the opportunity to testify on the Water Resources Development Act (WRDA) of 2012. This bill can improve the health and security of our nation's water resources and the diverse benefits that they provide to all Americans. We appreciate your leadership, along with the ranking minority member and the other members of the committee, for moving this important piece of legislation forward.

As the Director of the Rhode Island state chapter of The Nature Conservancy, I appreciate the chance to express our thoughts as Rhode Island and neighboring states recover from the devastating effects of Hurricane Sandy. The provisions of this bill, if enacted, will make a difference in a number of important ways; including helping reduce the impacts of the increasingly violent weather events now affecting the lives of so many Americans.

This bill takes important steps toward modernizing our water resource infrastructure and putting it on a more sustainable financial footing.

The Nature Conservancy is an international, nonprofit organization whose mission is to conserve the lands and waters on which all life depends. We have been engaged in water resources issues across the U.S. for many years. In fact, we sponsor more projects with the US Army Corps of Engineers than any other non-profit organization.

My comments today will focus on four areas of particular interest to TNC:

• Improving the ability to address water resources in an integrated and comprehensive manner as the best way to cost-effectively manage our water resource infrastructure.

• Strengthening support for the restoration of natural systems so Americans can continue to enjoy the economic and social benefits these systems provide including their ability to help deal with the threats of intensifying storms, floods, and droughts.

• Finding new ways to finance and fund water resources investments that allow a wide range of partners to participate in developing and building these projects.

• Making a number of important changes to existing policies that will improve their ability to achieve our national water resource goals as articulated by this Congress.

We have reached a critical point in how this nation is going to plan for and manage investments in our nation's water resources. On the one hand the impacts of changing weather patterns are making the importance of sound water management clearer than ever. At the same time the tremendous backlog of funding for authorized projects and the fiscal limitations on future spending compel us to find more cost-effective ways of doing business. This WRDA bill can be an important step in addressing these challenges.

Managing infrastructure in a more comprehensive way

While our country has built water resource projects usually one at time, we now recognize that it's the cumulative effect of our investment in many projects that determine their environmental and economic benefits and impacts. We are pleased to see this bill more comprehensively address the implementation and funding of projects related to navigation, flood control, environmental restoration and dam operations and dam safety. This means planning and managing on a watershed basis and making investments based on broader, collective needs of the many stakeholders in a watershed.

Toward this end, we support the provisions of Section 2012, Dam Optimization, which would facilitate evaluation of dam operations in a watershed context and allow re-operation of dams to better take into account their multiple purposes and benefits in conjunction with the function of floodplains, wetlands and estuaries that are part of those larger watersheds. In addition, we support the authorization for the National Academy of Science to undertake a study on how we can more effectively manage our water resources related to floods and droughts and support the new authority to undertake watershed scale studies related to post disaster emergencies.

Restoring natural systems to benefit people and nature

We must integrate the role of healthy and functioning natural features into river and coastal management. Restoring natural floodplain and wetlands areas can improve water storage practices and help reduce the impacts of floods while increasing the flexibility in the management of reservoirs and other water infrastructure. On our coasts, it is now clear that restoration and conservation of coastal features—marshes, barrier beach, coastal ponds, oyster reefs and sea grass beds are critically important in reducing the impacts of storms. These natural systems also provide important economic benefits, like support of coastal fisheries and sustaining recreational fishing and hunting.

Given this, we strongly support re-authorization of the restoration projects in the Everglades, the Louisiana Wetlands, Coastal Mississippi and Chesapeake Bay. The Nature Conservancy also supports the increases in authority for the Continuing Authorities Programs contained in Title II of the draft bill.

And we support the new authority for a North Atlantic coastal planning project contained in Sec. 5002 of the draft WRDA bill that would provide the Corps with the ability to plan and implement restoration projects in the whole North Atlantic coast from Maine to Virginia. This new authority can serve as a model for region-wide coastal planning throughout the Corps.

Financing water resources investments and welcoming a wider range of partners to participate in developing and building these projects

The Nature Conservancy supports identifying new ways of financing water resource projects including both traditional and green infrastructure. The innovative finance provisions in the bill provide a good foundation on which to build such approaches.

We also support the sections that would allow non-federal entities to be more effective partners. The Nature Conservancy has been a non-federal cost-share sponsor on a number of Section 1135 and Section

206 ecosystem restorations. We endorse those provisions in Title II of the bill that make such partnerships easier, that make private contributions to projects less cumbersome and that address the special concerns of natural system restoration. Similarly, Section 2019 of the bill has very good provisions that allow for a Non-Federal Project Implementation Pilot Program. The draft also has provisions to evaluate alternatives for the decentralization of the project planning, management and decision-making process for certain kinds of corps projects.

Changing existing policies

The Nature Conservancy is working increasingly with the US Army Corps of Engineers in its international mission. The Corps is the largest manager of water resources in the world and as such is recognized as a leader whose advice and expertise are often sought around the world.

The Conservancy recommends the committee consider including new language to increase the utility of section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a). This authority addresses interagency and international support, and enables the Corps to participate with Federal or international organizations and foreign governments to address problems of national significance related to water resources, infrastructure development, and environmental protection.

There are, finally, many other important policy initiatives in this bill, including the requirement that the Corps revisit its levee vegetation management policy, improvements to the mitigation policy related to Corps civil works projects, and related to implementation of biological opinions. All make important improvements to the existing policies.

Conclusion

The Nature Conservancy's public opinion surveys show that virtually all Americans, regardless of their political affiliations, believe strongly that care of the nation's water resources is an important priority. In these difficult fiscal times, we can only make progress on this priority by organizations, government agencies and the private sector working together. We believe the WRDA 2012 bill is an important step in this direction. We look forward to working with the Committee, the Corps, with navigation, flood safety and other organizations in advancing its provisions. Thank you for the opportunity to testify here today.

We look forward to submitting more detailed written comments.